WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1997

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ENROLLED

HOUSE BILL No. ___2317___

Douglas, Hunt, Compton, Faircloth, Linch and Riggs

(By Delegate $__________________________ )

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Passed _____________________________ April 10, 1997

In Effect ____________________________ From ____________________ Passage
AN ACT to repeal section two, article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to reenact section one, article one of said chapter; and to amend and reenact section one, article two of said chapter, all relating to the authorization of legislative rules; continuing rules previously promulgated by state agencies; and authorizing the department of administration and the auditor to promulgate a legislative rule relating to the state purchasing card program.

Be it enacted by the Legislature of West Virginia:

That section two, article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; that section one, article one of said chapter be amended and reenacted; and that section one, article two of said chapter be amended and reenacted, all to read as follows:

ARTICLE 1. GENERAL LEGISLATIVE AUTHORIZATION.

§64-1-1. Legislative authorization.

1 Under the provisions of article three, chapter twenty-
nine-a of the code of West Virginia, the Legislature expressly authorizes the promulgation of the rules described in articles two through eleven of this chapter, subject only to the limitations set forth with respect to each such rule in the section or sections of this chapter authorizing its promulgation. The Legislature declares that all rules now or hereafter authorized under articles two through eleven of this chapter are within the legislative intent of the statute which the rule is intended to implement, extend, apply or interpret. Legislative rules promulgated pursuant to the provisions of articles one through eleven of this chapter in effect at the effective date of this section shall continue in full force and effect until reauthorized in this chapter by legislative enactment, or until amended by emergency rule pursuant to the provisions of article three, chapter twenty-nine-a of this code.

All proposed legislative rules for which bills of authorization have been introduced in the Legislature not specifically authorized under articles two through eleven of this chapter are disapproved by the Legislature.

ARTICLE 2. AUTHORIZATION FOR DEPARTMENT OF ADMINISTRATION TO PROMULGATE LEGISLATIVE RULES.

§64-2-1. Department of administration and the auditor.

The legislative rule filed in the state register on the thirtieth day of August, one thousand nine hundred ninety-six, under the authority of section ten-a, article three, chapter twelve of this code, modified by the department of administration and the auditor to meet the objections of the legislative rule-making review committee and refiled in the state register on the sixth day of February, one thousand nine hundred ninety-seven, relating to the department of administration and the auditor (state purchasing card program, 148 CSR 7), is authorized.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 5th
day of May, 1997.

Governor