WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 2000

ENROLLED
Committee Substitute for
SENATE BILL NO. 232

(By Senator Ross, et al)

PASSED March 11, 2000
In Effect from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 232

(SENATORS ROSS, ANDERSON, MINARD, SNYDER, UNGER AND MINEAR, original sponsors)

[Passed March 11, 2000; in effect from passage.]

AN ACT to amend and reenact article seven, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating generally to the promulgation of administrative rules by the various executive or administrative agencies and the procedures relating thereto; legislative mandate or authorization for the promulgation of certain legislative rules by various executive or administrative agencies of the state; authorizing certain of the agencies to promulgate certain legislative rules in the form that the rules were filed in the state register; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the legislative rule-making review committee; authorizing
certain of the agencies to promulgate certain legislative rules as amended by the Legislature; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the legislative rule-making review committee and as amended by the Legislature; authorizing the alcohol beverage control commissioner to promulgate a legislative rule relating to retail licensee operations; authorizing the alcohol beverage control commissioner to promulgate a legislative rule relating to private club licensing; authorizing the insurance commissioner to promulgate a certain legislative rules with various modifications presented to and recommended by the legislative rule-making review committee; authorizing certain of the agencies to promulgate certain legislative rules as amended by the Legislature; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the legislative rule-making review committee and as amended by the Legislature; authorizing the alcohol beverage control commissioner to promulgate a legislative rule relating to retail licensee operations; authorizing the alcohol beverage control commissioner to promulgate a legislative rule relating to private club licensing; authorizing the insurance commissioner to promulgate a legislative rule relating to Medicare supplement insurance; authorizing the insurance commissioner to promulgate a legislative rule relating to continuing education for insurance agents; authorizing the insurance commissioner to promulgate a legislative rule relating to quality assurance standards for prepaid limited health service organizations; authorizing the lottery commission to promulgate a legislative rule relating to the state lottery; authorizing the lottery commission to promulgate a legislative rule relating to limited gaming facilities; authorizing the racing commission to promulgate a legislative rule relating to thoroughbred racing; authorizing the racing commission to promulgate a legislative rule relating to greyhound racing; and authorizing the racing
commission to promulgate a legislative rule relating to pari-mutual wagering.

Be it enacted by the Legislature of West Virginia:

That article seven, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 7. AUTHORIZATION FOR DEPARTMENT OF TAX AND REVENUE TO PROMULGATE LEGISLATIVE RULES.

§64-7-1. Alcohol beverage control commissioner.

(a) The legislative rule filed in the state register on the sixth day of August, one thousand nine hundred ninety-nine, under the authority of section six, article three-a, chapter sixty of this code, modified by the alcohol beverage control commissioner to meet the objections of the legislative rule-making review committee and refiled in the state register on the ninth day of November, one thousand nine hundred ninety-nine, relating to the alcohol beverage control commissioner (retail licensee operations, 175 CSR 1), is authorized.

(b) The legislative rule filed in the state register on the sixth day of August, one thousand nine hundred ninety-nine, under the authority of section ten, article seven, chapter sixty of this code, modified by the alcohol beverage control commissioner to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-eighth day of December, one thousand nine hundred ninety-nine, relating to the alcohol beverage control commissioner (private club licensing, 175 CSR 2), is authorized, with the following amendments:

On page one, section 2.1, line one, following the word “beer”, and the comma, by inserting the words “including barley beer” followed by a comma;
On page one, section 2.1, line one, following the word “wine”, by inserting a comma and the words “including barley wine” followed by a comma;

Beginning on page five, section 3.2.1.c, line two, by striking out the words “W.Va. Code §60-7-2(a), (1), (2)”, and inserting in lieu thereof the words “W.Va. Code §60-7-2(a)(1) and W.Va. Code §60-7-2(a)(2)”;

On page nine, section 3.4.2, beginning on line one, following the words “specified in”, by striking out the words “W.Va. Code §60-8-6”, and inserting in lieu thereof the words “W.Va. Code §60-7-6(a)”;

On page twelve, section 4.11.5, line two, following the words “ten (10:00)”, by striking out the words “p.m. cold”, and inserting in lieu thereof the words “p.m. Cold”;

And,

On page thirteen, section 4.14.3, line one, following the word “Commissioner” and the comma, by inserting the word “receive”.

§64-7-2. Insurance commissioner.

(a) The legislative rule filed in the state register on the fourteenth day of May, one thousand nine hundred ninety-nine, authorized by section ten, article two, chapter thirty-three of this code, relating to the insurance commissioner (Medicare supplement insurance, 114 CSR 24), is authorized.

(b) The legislative rule filed in the state register on the twelfth day of July, one thousand nine hundred ninety-nine, authorized by section ten, article two, chapter thirty-three of this code, relating to the insurance commissioner (continuing education for insurance agents, 114 CSR 42), is authorized.
13 (c) The legislative rule filed in the state register on the
twelfth day of July, one thousand nine hundred
ninety-nine, authorized by section ten, article two, chapter
thirty-three of this code, relating to the insurance commis-
sioner (quality assurance standards for prepaid limited
health service organizations, 114 CSR 56), is authorized.

§64-7-3. Lottery commission.

1 (a) The legislative rule filed in the state register on the
thirtieth day of July, one thousand nine hundred
ninety-nine, under the authority of section five, article
twenty-two, chapter twenty-nine of this code, modified by
the lottery commission to meet the objections of the
legislative rule-making review committee and refiled in
the state register on the seventeenth day of December, one
thousand nine hundred ninety-nine, relating to the lottery
commission (state lottery rules, 179 CSR 1), is authorized.

(b) The legislative rule filed in the state register on the
sixth day of August, one thousand nine hundred
ninety-nine, under the authority of section five, article
twenty-five, chapter twenty-nine of this code, modified by
the lottery commission to meet the objections of the
legislative rule-making review committee and refiled in
the state register on the seventeenth day of December, one
thousand nine hundred ninety-nine, relating to the lottery
commission (limited gaming facilities, 179 CSR 4), is
authorized.

§64-7-4. Racing commission.

1 (a) The legislative rule filed in the state register on the
fourth day of June, one thousand nine hundred
ninety-nine, under the authority of section six, article
twenty-three, chapter nineteen of this code, modified by
the racing commission to meet the objections of the
legislative rule-making review committee and refiled in
the state register on the tenth day of August, one thousand
nine hundred ninety-nine, relating to the racing commission (thoroughbred racing, 178 CSR 1), is authorized.

(b) The legislative rule filed in the state register on the fourth day of June, one thousand nine hundred ninety-nine, under the authority of section six, article twenty-three, chapter nineteen of this code, modified by the racing commission to meet the objections of the legislative rule-making review committee and refiled in the state register on the sixth day of August, one thousand nine hundred ninety-nine, relating to the racing commission (greyhound racing, 178 CSR 2), is authorized.

(c) The legislative rule filed in the state register on the fourth day of June, one thousand nine hundred ninety-nine, under the authority of section six, article twenty-three, chapter nineteen of this code, modified by the racing commission to meet the objections of the legislative rule-making review committee and refiled in the state register on the sixth day of August, one thousand nine hundred ninety-nine, relating to the racing commission (pari-mutual wagering, 178 CSR 5), is authorized.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within... this the...

Day of...

Governor