ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 2691

(By Delegates Mahan, Wills, Cann, Kominar, Faircloth and Riggs)

Passed April 12, 2001

In Effect from Passage
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FOR

H. B. 2691

(BY DELEGATES MAHAN, WILLS, CANN, KOMINAR, FAIRCLOTH AND RIGGS)

[Passed April 12, 2001; in effect from passage.]

AN ACT to amend and reenact article ten, 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 commit­
tee and as amended by the legislature; authorizing the economic
development authority to promulgate a legislative rule relating to
the general administration of the West Virginia capital company
act and establishment of the application procedures to implement
the act; authorizing the division of natural resources to promul­
gate a legislative rule relating to special projects and grants for
West Virginia state parks, state forests and state wildlife manage­
ment areas under the di,ision; authorizing the division of natural
resources to promulgate a legislative rule relating to defining the
terms to be used concerning all hunting and trapping rules;
authorizing the division of natural resources to promulgate a
legislative rule relating to general hunting; authorizing the
division of natural resources to promulgate a legislative rule
relating to special fishing; authorizing the division of labor to
promulgate a legislative rule relating to the crane operator
certification act; and authorizing the division of labor to promul­
gate a legislative rule relating to the crane operator certification
act-practical examination.

Be it enacted by the Legislature of West Virginia:

That article ten, 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 10. AUTHORIZATION FOR THE BUREAU OF COMMERCE TO
PROMULGATE LEGISLATIVE RULES.

§64-10-1. Economic development authority.

1 The legislative rule filed in the state register on the thirty-
2 first day August, two thousand, under the authority of section
3 five, article one, chapter five-e of this code, relating to the
4 economic development authority (general administration of the
5 West Virginia capital company act; establishment of the
§64-10-2. Division of natural resources.

(a) The legislative rule filed in the state register on the thirtieth day of August, two thousand, authorized under the authority of section two, article five, chapter twenty, of this code, modified by the division of natural resources to meet the objections of the legislative rule-making review committee and refiled in the state register on the eighteenth day of October, two thousand, relating to the division of natural resources (special projects and grants for West Virginia state parks, state forests and state wildlife management areas under the division, 58 CSR 34), is authorized, with the following amendment:

"On page 1 subsection 2.1, following the words 'park, forest' by inserting a comma and the words 'wildlife management'."

(b) The legislative rule filed in the state register on the first day of September, two thousand, authorized under the authority of section seven, article one, chapter twenty, of this code, modified by the division of natural resources to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-fifth day of October, two thousand, relating to the division of natural resources (defining the terms to be used concerning all hunting and trapping rules, 58 CSR 46), is authorized.

(c) The legislative rule filed in the state register on the first day of September, two thousand, authorized under the authority of section seven, article one, chapter twenty, of this code, modified by the division of natural resources to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-fifth day of October,
two thousand, relating to the division of natural resources
(light hunting, 58 CSR 49), is authorized.

(d) The legislative rule filed in the state register on the
twenty-fifth of August, two thousand, authorized under the
authority of section seven, article one, chapter twenty of this
code, modified by the division of natural resources to meet the
objections of the legislative rule-making review committee and
refiled in the state register on the twenty-second day of Septem-
ber, two thousand, relating to the division of natural resources
(special fishing, 58 CSR 61), is authorized, with the following
amendment:

On page 4, subdivision 4.1.10 by striking out the words
“Kanawha State Forest Pond” and inserting in lieu thereof the
words “Ellison Pond”.

§64-10-3. Division of labor.

(a) The legislative rule filed in the state register on the first
day of September, two thousand, authorized under the authority
of section three, article three-d, chapter twenty-one, of this
code, modified by the division of labor to meet the objections
of the legislative rule-making review committee and refiled in
the state register on the twenty-first day of December, two
thousand, relating to the division of labor (crane operator
certification act, 42 CSR 24), is authorized.

(b) The legislative rule filed in the state register on the first
day of September, two thousand, authorized under the authority
of section three, article three-d, chapter twenty-one, of this
code, modified by the division of labor to meet the objections
of the legislative rule-making review committee and refiled in
the state register on the twenty-first day of December, two
thousand, relating to the division of labor (crane operator
certification act-practical examination, 42 CSR 25), is autho-

rized.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days 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 24th day of April, 2001.

Governor
PRESENTED TO THE
GOVERNOR
Date 4/21/01
Time 9:05 pm