WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2004

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4200

(By Delegates Mahan, R. Thompson, Cann, Kominar, Armstead and Faircloth)

Passed March 11, 2004
In Effect from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 4200

(BY DELEGATES MAHAN, R. THOMPSON, CANN, KOMINAR, ARMSTEAD AND FAIRCLOTH)

[Passed March 11, 2004; in effect from passage.]

AN ACT to amend and reenact article 6, chapter 64 of the code of West Virginia, 1931, as amended; all 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 recom-
mended by the legislative rule-making review committee and as
amended by the Legislature; authorizing the fire marshal to
promulgate a legislative rule relating to the certification of
electrical inspectors; authorizing the fire marshal to promulgate
a legislative rule relating to fees for licenses, permits, inspections,
plans review and other services rendered; and authorizing the
state police to promulgate a legislative rule relating to the career
progression system.

Be it enacted by the Legislature of West Virginia:

That article 6, chapter 64 of the code of West Virginia, 1931, as
amended, be amended and reenacted to read as follows:

ARTICLE 6. AUTHORIZATION FOR DEPARTMENT OF MILITARY
AFFAIRS AND PUBLIC SAFETY TO PROMULGATE
LEGISLATIVE RULES.

§64-6-1. Fire marshal.

(a) The legislative rule filed in the state register on the
eighteenth day of February, two thousand three, authorized
under the authority of section four, article three-c, chapter
twenty-nine of this code, modified by the fire marshal to meet
the objections of the legislative rule-making review committee
and refiled in the state register on the eighteenth day of June,
two thousand three, relating to the fire marshal (certification of
electrical inspectors, 103 CSR 1), is authorized, with the
following amendments:

On page 4, subsection 5.2, after the word “qualifications”
by striking out the word “forfeits” and inserting in lieu thereof
the words “and he or she shall also forfeit”;

On page five, subsection 7.4, line one, by striking out the
words “Duplicate license fee” and inserting in lieu thereof the
words “Duplicate certification fee”;
On page five, subsection 7.4, line five, by striking out the word “license” and inserting in lieu thereof the words “certification”; And,

On page five, section 8, line five, by striking out the word “offense” and inserting in lieu thereof the words “violation of this rule”.

(b) The legislative rule filed in the state register on the twenty-eighth day of July, two thousand three, authorized under the authority of section twelve-b, article three, chapter twenty-nine of this code, modified by the fire marshal to meet the objections of the legislative rule-making review committee and refiled in the state register on the fifteenth day of December, two thousand three, relating to the fire marshal (fees for licenses, permits, inspections, plans review and other services rendered, 103 CSR 2), is authorized with the following amendments:

On page four, subsection 6.12, by striking out the subsection in its entirety and renumbering subsequent subsections accordingly;

On page five, subsection 6.14, by striking out the words “Unjustified Complaint _______ Fee to complainant will be the same as listed per above respective occupancy” and inserting in lieu thereof the words “Unjustified Complaint (fee charged complainant) _______ $25.00”;

On page five, subsection 6.20, by striking out the subsection in its entirety and renumbering subsequent subsections accordingly;

And,
Enr. Com. Sub. for H. B. 4200] 4

On page five, subsection 6.22, by striking out said subsection 6.22 in its entirety.

§64-6-2. State police.

The legislative rule filed in the state register on the thirty-first day of July, two thousand three, authorized under the authority of section five, article two, chapter fifteen of this code, modified by the state police to meet the objections of the legislative rule-making review committee and refiled in the state register on the sixteenth day of December, two thousand three, relating to the state police (career progression system, 81 CSR 3), is authorized.
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 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 25th
day of March, 2004.

Governor
PRESENTED TO THE
GOVERNOR

DATE 3/19/04
TIME 8:45 A.M.