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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2005

ENROLLED

Committee Substitute for
SENATE BILL NO. 386

(By Senator Minard, et al)

PASSED April 7⁸, 2005

In Effect from Passage

FILED

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OFFICE WEST VIRGINIA
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COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 386

(SENATORS MINARD, FANNING, PREZIOSO,
UNGER, BOLEY AND MINEAR, *original sponsors*)

[Passed April ⁸ /, 2005; in effect from passage.]

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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 recommended

by the Legislative Rule-Making Review Committee and as amended by the Legislature; authorizing Division of Corrections to promulgate a legislative rule relating to parole supervision authorizing; authorizing State Fire Marshal to promulgate a legislative rule relating to fees for licenses, permits, inspections, plans review and other services rendered; authorizing State Police to promulgate a legislative rule relating to State Police professional standards investigations, employee rights, early identification system, psychological assessment and progressive discipline; authorizing State Police to promulgate a legislative rule relating to the career progression system; authorizing State Police to promulgate a legislative rule relating to carrying of handguns by retired or medically discharged members; and authorizing Division of Veterans' Affairs to promulgate a legislative rule relating to Veterans' Affairs' headstones or markers.

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. Division of Corrections.

1 The legislative rule filed in the State Register on the
2 twenty-third day of June, two thousand four, under the
3 authority of section two, article thirteen, chapter sixty-
4 two of this code modified by the Division of Corrections to
5 meet the objections of the Legislative Rule-Making Review
6 Committee and refiled in the State Register on the thirty-
7 first day of January, two thousand five, relating to the
8 Division of Corrections (parole supervision, 90 CSR 2) is
9 authorized.

§64-6-2. State Fire Marshal.

1 The legislative rule filed in the State Register on the
2 second day of June, two thousand four, authorized under

3 the authority of section twenty-four, article three, chapter
4 twenty-nine of this code relating to the Office of the Fire
5 Marshal (fees for licenses, permits, inspections, plans
6 review and other services rendered, 103 CSR 2) is autho-
7 rized.

§64-6-3. State Police.

1 (a) The legislative rule filed in the State Register on the
2 twenty-fourth day of August, two thousand four, under the
3 authority of section twenty-five, article two, chapter
4 fifteen of this code modified by the State Police to meet
5 the objections of the Legislative Rule-Making Review
6 Committee and refiled in the State Register on the twenty-
7 eighth day of January, two thousand five, relating to the
8 State Police (State Police professional standards investiga-
9 tions, employee rights, early identification system, psycho-
10 logical assessment and progressive discipline, 81 CSR 10)
11 is authorized.

12 (b) The legislative rule filed in the State Register on the
13 twelfth day of August, two thousand four, under the
14 authority of section five, article two, chapter fifteen of this
15 code relating to the State Police (career progression
16 system, 81 CSR 3) is authorized.

17 (c) The legislative rule filed in the State Register on the
18 twenty-third day of July, two thousand four, under the
19 authority of section twenty-five, article two, chapter
20 fifteen of this code relating to the State Police (carrying of
21 handguns by retired or medically discharged members, 81
22 CSR 6) is authorized.

§64-6-4. Division of Veterans' Affairs.

1 The legislative rule filed in the State Register on the
2 twenty-seventh day of August, two thousand four, under
3 the authority of section ten, article twenty-two-a, chapter
4 twenty-nine of this code modified by the Division of
5 Veterans' Affairs to meet the objections of the Legislative
6 Rule-Making Review Committee and refiled in the State

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7 Register on the thirty-first day of January, two thousand
8 five, relating to the Division of Veterans' Affairs (VA
9 headstones or markers, 86 CSR 4) is authorized.

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

Randy White
.....
Chairman Senate Committee

Debra Bur
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Russell Helms
.....
Clerk of the Senate

Gregg A. Bur
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *21st*
Day of *April* 2005.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

APR 15 2005

Time 3:50 