WEST VIRGINIA LEGISLATURE
SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2010

ENROLLED
COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 240
(SENATORS MINARD, SNYDER, PREZIOSO, UNGER, BOLEY AND K. FACEMYER, original sponsors)

[Passed March 11, 2010; in effect from passage.]
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(SENATORS MINARD, SNYDER, PREZISO, UNGER, Boley and K. FACEMYER, original sponsors)

[Passed March 11, 2010; in effect from passage.]

AN ACT to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended, relating generally to the promulgation of administrative rules by the Department of Administration; 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 rule with various modifications presented to and recommended by the Legislative Rule-Making Review Committee; authorizing certain of the agencies to promulgate certain legislative rule with various modifications presented to and recommended by the Legislative Rule-Making Review Committee and as amended by the Legislature; authorizing certain of the agencies to promulgate certain legislative rules in the form
that the rules were filed in the State Register and as amended by the Legislature; authorizing the Division of Personnel to promulgate a legislative rule relating to the administration of the division; authorizing the Department of Administration to promulgate a legislative rule relating to state-owned vehicles; authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to the Teachers Retirement System; authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to the Public Employees Retirement System; authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to refund, reinstatement and loan interest factors; and authorizing the Consolidated Public Retirement Board to promulgate a legislative rule relating to the West Virginia State Police.

Be it enacted by the Legislature of West Virginia:

That article 2, chapter 64 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

§64-2-1. Division of Personnel.

1 The legislative rule filed in the State Register on July 30, 2009, authorized under the authority of section ten, article six, chapter nineteen of this code, (Administrative Rule of the West Virginia Division of Personnel, 143 CSR 1), is authorized with the following amendments:

6 On page six, subsection 3.88, by striking out “1000” and inserting in lieu thereof “720”;

And,

9 On page twenty, subsection 9.4, by striking out “1000” and inserting in lieu thereof “720”.

§64-2-2. Department of Administration.

1 The legislative rule filed in the State Register on July 30, 2009, authorized under the authority of section forty-eight, article three, chapter five-a of this code, modified by the Department of Administration to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 21, 2009, relating to the Department of Administration (State Owned Vehicles, 148 CSR 3), is authorized, with the following amendment:

10 On page two, subsection 2.15, by striking out said subsection 2.15 in its entirety and inserting in lieu thereof a new subsection 2.15 to read as follows:

2.15. "Vehicle" means any state or agency owned passenger-type vehicle including but is not limited to sedans, station wagons, minivans, pickup trucks classified as less than one ton, sport utility vehicles, or vans used primarily for the transportation of the driver and no more than 15 passengers;'

19 On page nine, subsection 10.3, in the first sentence of said subsection, by striking out the words 'Vehicles shall be leased from the Travel Management Office' and inserting in lieu thereof the words 'The Travel Management Office may lease vehicles to spending units'; and

24 On page ten, subsection 10.10, by striking out the words 'An invoice will be issued on a regular basis.' and inserting in lieu thereof the words 'The Travel Management Office shall issue regular invoices to spending units for vehicle leases and services.'


1 (a) The legislative rule filed in the State Register on July 30, 2009, authorized under the authority of section one, article ten-d, chapter five of this code, modified by the
Consolidated Public Retirement Board to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 23, 2009, relating to the Consolidated Public Retirement Board (Teachers' Retirement System, 162 CSR 4), is authorized.

(b) The legislative rule filed in the State Register on July 30, 2009, authorized under the authority of section one, article ten-d, chapter five of this code, modified by the Consolidated Public Retirement Board to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 23, 2009, relating to the Consolidated Public Retirement Board (Public Employees Retirement System, 162 CSR 5), is authorized.

(c) The legislative rule filed in the State Register on July 30, 2009, authorized under the authority of section one, article ten-d, chapter five of this code, relating to the Consolidated Public Retirement Board (Refund, Reinstatement and Loan Interest Factors, 162 CSR 7), is authorized.

(d) The legislative rule filed in the State Register on July 30, 2009, authorized under the authority of section one, article ten-d, chapter five of this code, modified by the Consolidated Public Retirement Board to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 23, 2009, relating to the Consolidated Public Retirement Board (West Virginia State Police, 162 CSR 9), is authorized with the following amendment:

On page four, subsection 6.3., by striking out the words "subdivision 9.3.2." and inserting in lieu thereof the words "subsection 3.2.".
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 is approved this the 22nd Day of March, 2010.

Governor