

FILED

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WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

REGULAR SESSION, 2015



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 142

(SENATOR SNYDER)

[PASSED MARCH 14, 2015; IN EFFECT FROM PASSAGE.]

SB142

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COMMITTEE SUBSTITUTE

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SECRETARY OF STATE

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Senate Bill No. 142

(SENATOR SNYDER)

[Passed March 14, 2015; 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 promulgation of administrative rules by Department of Administration; legislative mandate or authorization for 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 Department of Administration to promulgate a legislative rule relating to Purchasing Division; authorizing Department of Administration to promulgate a legislative rule relating to state-owned vehicles; authorizing Department of Administration to

promulgate a legislative rule relating to the state plan for the operation of the West Virginia State Agency for Surplus Property; authorizing Consolidated Public Retirement Board to promulgate a legislative rule relating to refund, reinstatement, retroactive service, loan and employer error interest factors; authorizing Consolidated Public Retirement Board to promulgate a legislative rule relating to Deputy Sheriffs Retirement System; authorizing Consolidated Public Retirement Board to promulgate a legislative rule relating to service credit for accrued and unused sick and annual leave; and authorizing Office of Technology to promulgate a legislative rule relating to the procedures for sanitization, retirement and disposition of information technology equipment.

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. Department of Administration.

1 (a) The legislative rule filed in the State Register on July
2 30, 2014, authorized under the authority of section four,
3 article three, chapter five-a of this code, modified by the
4 Department of Administration to meet the objections of the
5 Legislative Rule-Making Review Committee and refiled in
6 the State Register on September 16, 2014, relating to the

7 Department of Administration (Purchasing Division, 148
8 CSR 1), is authorized with the following amendments:

9 On page two, subsection 3.2, by striking out the proposed
10 word “will” that is underscored and reinstating the word
11 “shall”; and by making such similar strikes of the
12 underscored word “will” and reinstate the word “shall”
13 throughout the rule;

14 On page thirteen, subdivision 7.2.b.3, after the word
15 “appropriate” and the comma by inserting the word “or”;

16 On page fourteen, subdivision 7.6.a., after the word
17 “procure” by striking out the words “goods or services” and
18 inserting in lieu thereof the words “specific commodities for
19 immediate delivery”;

20 On page fourteen, subdivision 7.5.b., after the words “if
21 possible” by striking the comma and the words “and any” and
22 inserting in lieu thereof a period and the word “Any”; and

23 On page fourteen, subdivision 7.6.c., after the words
24 “procurement of” by striking out the words “goods or
25 services” and inserting in lieu thereof the words “specific
26 commodities for immediate delivery”.

27 (b) The legislative rule filed in the State Register on July
28 29, 2014, authorized under the authority of section forty-
29 eight, article three, chapter five-a of this code, modified by
30 the Department of Administration to meet the objections of
31 the Legislative Rule-Making Review Committee and refiled
32 in the State Register on September 16, 2014, relating to the

33 Department of Administration (state owned vehicles, 148
34 CSR 3), is authorized.

35 (c) The legislative rule filed in the State Register on July
36 30, 2014, authorized under the authority of section forty-four,
37 article three, chapter five-a of this code, modified by the
38 Department of Administration to meet the objections of the
39 Legislative Rule-Making Review Committee and refiled in
40 the State Register on September 16, 2014, relating to the
41 Department of Administration (state plan for the operation of
42 the West Virginia State Agency for Surplus Property, 148
43 CSR 4), is authorized.

§64-2-2. Consolidated Public Retirement Board.

1 (a) The legislative rule filed in the State Register on July
2 31, 2014, authorized under the authority of section one,
3 article ten-d, chapter five of this code, relating to the
4 Consolidated Public Retirement Board (refund, reinstatement,
5 retroactive service, loan and employer error interest factors,
6 162 CSR 7), is authorized.

7 (b) The legislative rule filed in the State Register on July
8 31, 2014, authorized under the authority of section one,
9 article ten-d, chapter five of this code, relating to the
10 Consolidated Public Retirement Board (Deputy Sheriff
11 Retirement System, 162 CSR 10), is authorized.

12 (c) The legislative rule filed in the State Register on the
13 July 31, 2014, authorized under the authority of section one,
14 article ten-d, chapter five of this code, relating to the
15 Consolidated Public Retirement Board (service credit for

16 accrued and unused sick and annual leave, 162 CSR 8), is
17 authorized.

§64-2-3. Office of Technology.

1 The legislative rule filed in the State Register on July 30,
2 2014, authorized under the authority of section four, article
3 six, chapter five-a of this code, modified by the Office of
4 Technology to meet the objections of the Legislative Rule-
5 Making Review Committee and refiled in the State Register
6 on October 3, 2014, relating to the Office of Technology
7 (proccdures for sanitization, retirement and disposition of
8 information technology equipment, 163 CSR 1), is
9 authorized.

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

Maed R. Uyaya
.....
Chairman Senate Committee

John B. McL
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Mark A. Burrell
.....
Clerk of the Senate

Steph D. Harris
.....
Clerk of the House of Delegates

Neil P. Hill
.....
President of the Senate

Robert R. Hanes
.....
Speaker of the House of Delegates

The within *is* approved this the *22nd*
Day of *April*, 2015.

Earl Ray Tomblin
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 27 2015

Time 3:15 p