Enrolled
Committee Substitute
for
Senate Bill 449

SENATOR MAYNARD, original sponsor

[Passed February 12, 2020; in effect from passage]
WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 449

SENATOR MAYNARD, original sponsor

[Passed February 12, 2020; in effect from passage]
AN ACT to amend and reenact §64-10-1 et seq. of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Department of Commerce to promulgate a legislative rule relating to small business innovation research and small business technology transfer matching funds program; authorizing the Division of Labor to promulgate a legislative rule relating to supervision of plumbing work; authorizing the Division of Labor to promulgate a legislative rule relating to regulation of heating, ventilating, and cooling work; authorizing the Division of Forestry to promulgate a legislative rule relating to sediment control during commercial timber-harvesting operations—licensing; authorizing the Division of Forestry to promulgate a legislative rule relating to sediment control during commercial timber-harvesting operations—logger certification; authorizing the Office of Miners' Health, Safety, and Training to promulgate a legislative rule relating to substance abuse screening, standards, and procedures; authorizing the Office of Miners' Health, Safety, and Training to promulgate a legislative rule relating to rules governing the certification, recertification, and training of EMT-miners and the certification of EMT-M instructors; authorizing the Division of Natural Resources to promulgate a legislative rule relating to commercial whitewater outfitters; authorizing the Division of Natural Resources to promulgate a legislative rule relating to transporting and selling wildlife pelts and parts; authorizing the Division of Natural Resources to promulgate a legislative rule relating to boating; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special boating rules; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special requirements concerning boating; authorizing the Division of Natural Resources to promulgate a legislative rule relating to public use of campgrounds in West Virginia State Parks and State Forests and campsites in State Rail Trails under the Division of Natural Resources.
Resources; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special projects and grants for the West Virginia State Parks, State Forests, and State Rail Trails under the Division of Natural Resources; authorizing the Division of Natural Resources to promulgate a legislative rule relating to defining terms used in all hunting and trapping; authorizing the Division of Natural Resources to promulgate a legislative rule relating to prohibitions when hunting and trapping; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special fishing rule; authorizing the Division of Natural Resources to promulgate a legislative rule relating to catching and selling bait fish; and authorizing the Division of Natural Resources to promulgate a legislative rule relating to falconry.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. AUTHORIZATION FOR DEPARTMENT OF COMMERCE TO PROMULGATE LEGISLATIVE RULES.

§64-10-1. Department of Commerce.

The legislative rule filed in the State Register on July 18, 2019, authorized under the authority of §5B-8-2 of this code, modified by the Department of Commerce to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 5, 2019, relating to the Department of Commerce (small business innovation research and small business technology transfer matching funds program, 145 CSR 15), is authorized.

§64-10-2. Division of Labor.

(a) The legislative rule filed in the State Register on July 17, 2019, authorized under the authority of §21-14-4 of this code, relating to the Division of Labor (supervision of plumbing work, 42 CSR 32), is authorized.

(b) The legislative rule filed in the State Register on July 17, 2019, authorized under the authority of §21-16-5 of this code, relating to the Division of Labor (regulation of heating, ventilating, and cooling work, 42 CSR 34), is authorized.
§64-10-3. Division of Forestry.

(a) The legislative rule filed in the State Register on July 26, 2019, authorized under the authority of §19-1B-4 of this code, relating to the Division of Forestry (sediment control during commercial timber-harvesting operations—licensing, 22 CSR 02), is authorized.

(b) The legislative rule filed in the State Register on July 26, 2019, authorized under the authority of §19-1B-7 of this code, relating to the Division of Forestry (sediment control during commercial timber-harvesting operations—logger certification, 22 CSR 03), is authorized.


(a) The legislative rule filed in the State Register on July 25, 2019, authorized under the authority of §22A-1-6 of this code, relating to the Office of Miners’ Health, Safety, and Training (substance abuse screening, standards, and procedures, 56 CSR 19), is authorized.

(b) The legislative rule filed in the State Register on July 25, 2019, authorized under the authority of §22A-10-3 of this code, relating to the Office of Miners’ Health, Safety, and Training (rules governing the certification, recertification, and training of EMT-miners and the certification of EMT-M instructors, 56 CSR 22), is authorized.

§64-10-5. Division of Natural Resources.

(a) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-2-23a of this code, relating to the Division of Natural Resources (commercial whitewater outfitters, 58 CSR 12), is authorized.

(b) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-2-11 of this code, relating to the Division of Natural Resources (transporting and selling wildlife pelts and parts, 58 CSR 16), is authorized.

(c) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-7-13 of this code, relating to the Division of Natural Resources (boating rule, 58 CSR 25), is authorized.
(d) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-7-22 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 December 30, 2019, relating to the Division of Natural Resources (special boating rule, 58 CSR 26), is authorized.

(e) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-7-22 of this code, relating to the Division of Natural Resources (special requirements concerning boating, 58 CSR 28), is authorized.

(f) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-5-2 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 December 30, 2019, relating to the Division of Natural Resources (public use of campgrounds in West Virginia State Parks and State Forests and campsites in State Rail Trails under the Division of Natural Resources, 58 CSR 32), is authorized.

(g) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-1A-7 and §20-5-2 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 December 30, 2019, relating to the Division of Natural Resources (special projects and grants for West Virginia State Parks, State Forests, and State Rail Trails under the Division of Natural Resources, 58 CSR 34), is authorized.

(h) The legislative rule filed in the State Register on July 24, 2019, authorized under the authority of §20-1-7(31) of this code, relating to the Division of Natural Resources (defining the terms used in all hunting and trapping, 58 CSR 46), is authorized.

(i) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-1-7(31) of this code, relating to the Division of Natural Resources (prohibitions when hunting and trapping, 58 CSR 47), is authorized.
(j) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-1-7(31) 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 December 30, 2019, relating to the Division of Natural Resources (special fishing rule, 58 CSR 61), is authorized.

(k) The legislative rule filed in the State Register on July 23, 2019, authorized under the authority of §20-1-7(31) of this code, relating to the Division of Natural Resources (catching and selling bait fish, 58 CSR 62), is authorized.

(l) The legislative rule filed in the State Register on July 24, 2019, authorized under the authority of §20-1-7(31) of this code, relating to the Division of Natural Resources (falconry, 58 CSR 65), is authorized.
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 of the House of Delegates

The within is approved this the 5th Day of March, 2020.

Governor
PRESENTED TO THE GOVERNOR

FEB 28 2020

Time 4:42 pm