

1 COMMITTEE SUBSTITUTE

2 for

3 **H.B. 2613**

4 (By Delegates Brown, D. Poling, Fleischauer and Talbott)

5  
6 (Originating in the Committee on the Judiciary.)

7  
8 [February 10, 2011]

9  
10 A BILL to amend and reenact article 6, chapter 64 of the Code of  
11 West Virginia, 1931, as amended, relating generally to the  
12 promulgation of administrative rules by the Department of  
13 Military Affairs and Public Safety and the procedures relating  
14 thereto; legislative mandate or authorization for the  
15 promulgation of certain legislative rules by various executive  
16 or administrative agencies of the Department of Military  
17 Affairs and Public Safety; authorizing certain of the agencies  
18 to promulgate certain legislative rules in the form that the  
19 rules were filed in the State Register; authorizing certain of  
20 the agencies to promulgate certain legislative rules with  
21 various modifications presented to and recommended by the  
22 Legislative Rule-Making Review Committee; authorizing certain  
23 of the agencies to promulgate certain legislative rules as  
24 amended by the Legislature; authorizing certain of the  
25 agencies to promulgate certain legislative rules with various  
26 modifications presented to and recommended by the Legislative

1 Rule-Making Review Committee and as amended by the  
2 Legislature; authorizing the Governor's Committee on Crime,  
3 Delinquency and Correction to promulgate legislative rules  
4 relating to Protocol for Law Enforcement Response to Domestic  
5 Violence, (149 CSR 3) and Law Enforcement Training Standards,  
6 (149 CSR 2).

7 *Be it enacted by the Legislature of West Virginia:*

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

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

12 **§64-6-1. Governor's Committee on Crime, Delinquency and Correction.**

13 (a) The legislative rule filed in the state register on July  
14 27, 2010, authorized under the authority of section one thousand  
15 one hundred and two, article twenty-seven, chapter forty-eight, of  
16 this code, modified by the Governor's Committee on Crime,  
17 Delinquency and Correction to meet the objections of the  
18 Legislative Rule-Making Review Committee and refiled in the state  
19 register on November 22, 2010, relating to the Governor's Committee  
20 on Crime, Delinquency and Correction (protocol for law enforcement  
21 response to domestic violence, 149 CSR 3), is authorized, with the  
22 following amendment:

23 On page nineteen, section seven, subsection three, by striking  
24 subdivision 7.3.5. in its entirety and re-designating the remaining  
25 subdivisions accordingly.

1           (b) The legislative rule filed in the state register on July  
2 23, 2010, authorized under the authority of section three, article  
3 twenty-nine, chapter thirty, of this code, modified by the  
4 Governor's Committee on Crime, Delinquency and Correction to meet  
5 the objections of the Legislative Rule-Making Review Committee and  
6 refiled in the state register on October 13, 2010, relating to the  
7 Governor's Committee on Crime, Delinquency and Correction (law  
8 enforcement training standards, 149 CSR 2), is authorized.