

COMMITTEE SUBSTITUTE

FOR

H.B. 2613

(BY DELEGATES BROWN, D. POLING, FLEISCHAUER AND
TALBOTT)

(Originating in the Committee on the Judiciary.)
[February 10, 2011]

A BILL to amend and reenact article 6, chapter 64 of the Code of West Virginia, 1931, as amended, relating generally to the promulgation of administrative rules by the Department of Military Affairs and Public Safety and the procedures relating thereto; legislative mandate or authorization for the promulgation of certain legislative rules by various executive or administrative agencies of the Department of Military Affairs and Public Safety; 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 the Governor's Committee on Crime, Delinquency and Correction to promulgate legislative rules relating to Protocol for Law Enforcement Response to Domestic Violence, (149 CSR 3) and Law-Enforcement Training Standards, (149 CSR 2).

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 THE DEPARTMENT
OF MILITARY AFFAIRS AND PUBLIC
S A F E T Y T O P R O M U L G A T E
LEGISLATIVE RULES.**

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

1 (a) The legislative rule filed in the state register on July
2 27, 2010, authorized under the authority of section one
3 thousand one hundred and two, article twenty-seven, chapter
4 forty-eight, of this code, modified by the Governor's
5 Committee on Crime, Delinquency and Correction to meet
6 the objections of the Legislative Rule-Making Review
7 Committee and refiled in the state register on November 22,
8 2010, relating to the Governor's Committee on Crime,
9 Delinquency and Correction (protocol for law-enforcement
10 response to domestic violence, 149 CSR 3), is authorized,
11 with the following amendment:

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

15 (b) The legislative rule filed in the state register on July
16 23, 2010, authorized under the authority of section three,
17 article twenty-nine, chapter thirty, of this code, modified by
18 the Governor's Committee on Crime, Delinquency and
19 Correction to meet the objections of the Legislative Rule-
20 Making Review Committee and refiled in the state register
21 on October 13, 2010, relating to the Governor's Committee
22 on Crime, Delinquency and Correction (law-enforcement
23 training standards, 149 CSR 2), is authorized.