

1 ENROLLED

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 142**

5 (By Senator Snyder)

6 _____
7 [Passed March 14, 2015; in effect from passage.]
8 _____

9
10 AN ACT to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as
11 amended, relating generally to promulgation of administrative rules by Department of
12 Administration; legislative mandate or authorization for promulgation of certain legislative
13 rules by various executive or administrative agencies of the state; authorizing certain of the
14 agencies to promulgate certain legislative rules in the form that the rules were filed in the
15 State Register; authorizing certain of the agencies to promulgate certain legislative rules with
16 various modifications presented to and recommended by the Legislative Rule-Making
17 Review Committee; authorizing Department of Administration to promulgate a legislative
18 rule relating to Purchasing Division; authorizing Department of Administration to
19 promulgate a legislative rule relating to state-owned vehicles; authorizing Department of
20 Administration to promulgate a legislative rule relating to the state plan for the operation of
21 the West Virginia State Agency for Surplus Property; authorizing Consolidated Public
22 Retirement Board to promulgate a legislative rule relating to refund, reinstatement,

1 retroactive service, loan and employer error interest factors; authorizing Consolidated Public
2 Retirement Board to promulgate a legislative rule relating to Deputy Sheriffs Retirement
3 System; authorizing Consolidated Public Retirement Board to promulgate a legislative rule
4 relating to service credit for accrued and unused sick and annual leave; and authorizing
5 Office of Technology to promulgate a legislative rule relating to the procedures for
6 sanitization, retirement and disposition of information technology equipment.

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

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

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

12 **§64-2-1. Department of Administration.**

13 (a) The legislative rule filed in the State Register on July 30, 2014, authorized under the
14 authority of section four, article three, chapter five-a of this code, modified by the Department of
15 Administration to meet the objections of the Legislative Rule-Making Review Committee and refiled
16 in the State Register on September 16, 2014, relating to the Department of Administration
17 (Purchasing Division, 148 CSR 1), is authorized with the following amendments:

18 On page two, subsection 3.2, by striking out the proposed word “will” that is underscored
19 and reinstating the word “shall”; and by making such similar strikes of the underscored word “will”
20 and reinstate the word “shall” throughout the rule;

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

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

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

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

9 (b) The legislative rule filed in the State Register on July 29, 2014, authorized under the
10 authority of section forty-eight, article three, chapter five-a of this code, modified by the Department
11 of Administration to meet the objections of the Legislative Rule-Making Review Committee and
12 refiled in the State Register on September 16, 2014, relating to the Department of Administration
13 (state owned vehicles, 148 CSR 3), is authorized.

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

20 **§64-2-2. Consolidated Public Retirement Board.**

21 (a) The legislative rule filed in the State Register on July 31, 2014, authorized under the
22 authority of section one, article ten-d, chapter five of this code, relating to the Consolidated Public

1 Retirement Board (refund, reinstatement, retroactive service, loan and employer error interest factors,
2 162 CSR 7), is authorized.

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

6 (c) The legislative rule filed in the State Register on the July 31, 2014, authorized under the
7 authority of section one, article ten-d, chapter five of this code, relating to the Consolidated Public
8 Retirement Board (service credit for accrued and unused sick and annual leave, 162 CSR 8), is
9 authorized.

10 **§64-2-3. Office of Technology.**

11 The legislative rule filed in the State Register on July 30, 2014, authorized under the
12 authority of section four, article six, chapter five-a of this code, modified by the Office of
13 Technology to meet the objections of the Legislative Rule-Making Review Committee and refiled
14 in the State Register on October 3, 2014, relating to the Office of Technology (procedures for
15 sanitization, retirement and disposition of information technology equipment, 163 CSR 1), is
16 authorized.