

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 116**

BY SENATOR MAYNARD

[Originating in the Committee on the Judiciary;

reported on February 15, 2017]

1 A BILL to amend and reenact §64-6-1 and §64-6-2 of the Code of West Virginia, 1931, as  
2 amended, all relating to authorizing the Governor’s Committee on Crime, Delinquency and  
3 Correction to promulgate a legislative rule relating to law-enforcement training and  
4 certification standards; and authorizing the State Fire Marshal to promulgate a legislative  
5 rule relating to the regulation of fireworks and related explosive materials.

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

1 That §64-6-1 and §64-6-2 of the Code of West Virginia, 1931, as amended, be amended  
2 and reenacted, all to read as follows:

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

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

1 The legislative rule filed in the State Register on August 26, 2016, authorized under the  
2 authority of section three, article twenty-nine, chapter thirty of this code, modified by the  
3 Governor’s Committee on Crime, Delinquency and Correction to meet the objections of the  
4 Legislative Rule-Making Review Committee and refiled in the State Register on December 20,  
5 2016, relating to the Governor’s Committee on Crime, Delinquency and Correction (law-  
6 enforcement training and certification standards, 149 CSR 02), is authorized.

**§64-6-2. State Fire Marshal.**

1 The legislative rule filed in the State Register on August 26, 2016, authorized under the  
2 authority of section eight, article three-e, chapter twenty-nine of this code, modified by the State  
3 Fire Marshal to meet the objections of the Legislative Rule-Making Review Committee and refiled  
4 in the State Register on December 21, 2016, relating to the State Fire Marshal (regulation of  
5 fireworks and related explosive materials, 103 CSR 04), is authorized with the following  
6 amendments:

7 On page 5, subsection 3.44, after the word “issued” by deleting the word “a”;

8           On page 6, paragraph 5.1.b.6, by striking out the following “Require Manager(s) of any  
9 CFRS to complete and pass a limited online safety training approved by the State Fire  
10 Commission. At least one (1) certificate shall be submitted” and inserting in lieu thereof the words  
11 “Submit at least one (1) certificate”;

12           On page 7, subdivision 5.1.o, by striking the words “this article” and inserting in lieu thereof  
13 the word “the law or this rule”;

14           On page 9, subdivision 5.4.a, after the words “jurisdiction over” by inserting the word “the”;

15           On page 11, subdivision 8.2.f, by striking out the words “Applicants shall be required to  
16 provide” and inserting in lieu thereof the word “Provide”;

17           On page 12, paragraph 8.3.a.2, by striking out the words “Pay the required” and inserting  
18 in lieu thereof the word “A”;

19           On page 12, subsection 9.1, after the words “engaged in”, by inserting the word “the”;

20           On page 14, paragraph 10.1.a.3, after the words “certificate and” by inserting the word  
21 “meets”;

22           On page 15, subdivision 11.4.c, by adding the word “or” after the semicolon;

23           On page 15, subdivision 11.7.a, after the word “alcohol” by striking the period and adding  
24 a semicolon;

25           On page 15, subdivision 11.7.b, after the word “substance” by striking the period and  
26 adding a semicolon;

27           On page 15, subdivision 11.7.c, after the word “drug” by striking the period and adding a  
28 semicolon;

29           On page 15, subdivision 11.7.d, after the word “drug” by striking the period and adding a  
30 semicolon and the word “or”;

31           And,

32           On page 15, subdivision 11.6.f, by striking out the subdivision number and inserting in lieu  
33 thereof a new subsection number 11.8.