

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 181

SENATOR MAYNARD, *original sponsor*

[Passed March 2, 2018; in effect from passage]

1 AN ACT to amend and reenact §64-6-1, §64-6-2, and §64-6-3 of the Code of West Virginia, 1931,
2 as amended, all relating generally to the Department of Military Affairs and Public Safety;
3 authorizing and directing certain agencies to promulgate certain legislative rules as filed
4 and as modified and repealing an obsolete rule; authorizing the State Fire Commission to
5 promulgate a legislative rule relating to hazardous substance emergency response
6 training programs; directing the State Fire Marshal to promulgate a legislative rule relating
7 to electrician licensing; authorizing the Governor's Committee on Crime, Delinquency and
8 Correction to promulgate a legislative rule relating to law-enforcement training and
9 certification standards; authorizing the Governor's Committee on Crime, Delinquency and
10 Correction to promulgate a legislative rule relating to protocol for law-enforcement
11 response to domestic violence; and repealing a Governor's Committee on Crime,
12 Delinquency and Correction rule relating to motor vehicle stop data collection standards
13 for the study of racial profiling.

Be it enacted by the Legislature of West Virginia:

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

§64-6-1. Fire Commission.

1 The legislative rule filed in the State Register on July 25, 2017, authorized under the
2 authority of §29-3-5a of this code, modified by the State Fire Commission to meet the objections
3 of the Legislative Rule-Making Review Committee and refiled in the State Register on December
4 13, 2017, relating to the State Fire Commission (hazardous substance emergency response
5 training programs, 87 CSR 3), is authorized.

§64-6-2. State Fire Marshal.

1 The Legislature directs the State Fire Marshal, pursuant to the authority given to the
2 division in §29-3B-5 of this code, to promulgate the legislative rule filed in the State Register by

3 the State Fire Marshal on January 26, 2018, relating to the State Fire Marshal (electrician licensing
4 rules, 103 CSR 5).

§64-6-3. Governor’s Committee on Crime, Delinquency and Correction.

1 (a) The legislative rule filed in the State Register on October 20, 2017, authorized under
2 the authority of §30-29-3 of this code, modified by the Governor’s Committee on Crime,
3 Delinquency and Correction to meet the objections of the Legislative Rule-Making Review
4 Committee and refiled in the State Register on December 13, 2017, relating to the Governor’s
5 Committee on Crime, Delinquency and Correction (law-enforcement training and certification
6 standards, 149 CSR 2), is authorized.

7 (b) The legislative rule filed in the State Register on July 28, 2017, authorized under the
8 authority of §48-27-1102 of this code, modified by the Governor’s Committee on Crime,
9 Delinquency and Correction to meet the objections of the Legislative Rule-Making Review
10 Committee and refiled in the State Register on December 14, 2017, relating to the Governor’s
11 Committee on Crime, Delinquency and Correction (protocol for law-enforcement response to
12 domestic violence, 149 CSR 3), is authorized with the following amendment:

13 On page 13, section 6.4.9(e), by striking through the words “As a general rule, do” and
14 inserting in lieu thereof the words “It is recommended to”

15 And,

16 On page 13, section 6.4.10, by inserting after the word “children” the words “the following
17 is recommended”

18 (c) The legislative rule effective on May 10, 2006, authorized under the authority of §17G-
19 2-3 of this code, relating to the Governor’s Committee on Crime, Delinquency and Correction
20 (motor vehicle stop data collection standards for the study of racial profiling, 149 CSR 5), is
21 repealed.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2018.

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Governor