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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 2691

(By Delegates Mahan, Wills, Cann, Kominar,
Faircloth and Riggs)



Passed April 12, 2001

In Effect from Passage

FILE

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FOR

H. B. 2691

(BY DELEGATES MAHAN, WILLS, CANN, KOMINAR,
FAIRCLOTH AND RIGGS)

[Passed April 12, 2001; in effect from passage.]

AN ACT to amend and reenact article ten, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating generally to the promulgation of administrative rules by the various executive or administrative agencies and the procedures relating thereto; legislative mandate or authorization for the promulgation of certain legislative rules by various executive or administrative agencies of the state; 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 economic development authority to promulgate a legislative rule relating to the general administration of the West Virginia capital company act and establishment of the application procedures to implement the act; authorizing the division of natural resources to promulgate a legislative rule relating to special projects and grants for West Virginia state parks, state forests and state wildlife management areas under the division; authorizing the division of natural resources to promulgate a legislative rule relating to defining the terms to be used concerning all hunting and trapping rules; authorizing the division of natural resources to promulgate a legislative rule relating to general hunting; authorizing the division of natural resources to promulgate a legislative rule relating to special fishing; authorizing the division of labor to promulgate a legislative rule relating to the crane operator certification act; and authorizing the division of labor to promulgate a legislative rule relating to the crane operator certification act-practical examination.

Be it enacted by the Legislature of West Virginia:

That article ten, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, to read as follows:

ARTICLE 10. AUTHORIZATION FOR THE BUREAU OF COMMERCE TO PROMULGATE LEGISLATIVE RULES.

§64-10-1. Economic development authority.

1 The legislative rule filed in the state register on the thirty-
2 first day August, two thousand, under the authority of section
3 five, article one, chapter five-e of this code, relating to the
4 economic development authority (general administration of the
5 West Virginia capital company act; establishment of the

6 application procedures to implement the act, 117 CSR 1), is
7 authorized;

§64-10-2. Division of natural resources.

1 (a) The legislative rule filed in the state register on the
2 thirtieth day of August, two thousand, authorized under the
3 authority of section two, article five, chapter twenty, of this
4 code, modified by the division of natural resources to meet the
5 objections of the legislative rule-making review committee and
6 refiled in the state register on the eighteenth day of October,
7 two thousand, relating to the division of natural resources
8 (special projects and grants for West Virginia state parks, state
9 forests and state wildlife management areas under the division,
10 58 CSR 34), is authorized, with the following amendment:

11 “On page 1 subsection 2.1, following the words ‘park,
12 forest’ by inserting a comma and the words ‘wildlife manage-
13 ment’.”

14 (b) The legislative rule filed in the state register on the first
15 day of September, two thousand, authorized under the authority
16 of section seven, article one, chapter twenty, of this code,
17 modified by the division of natural resources to meet the
18 objections of the legislative rule-making review committee and
19 refiled in the state register on the twenty-fifth day of October,
20 two thousand, relating to the division of natural resources
21 (defining the terms to be used concerning all hunting and
22 trapping rules, 58 CSR 46), is authorized.

23 (c) The legislative rule filed in the state register on the first
24 day of September, two thousand, authorized under the authority
25 of section seven, article one, chapter twenty, of this code,
26 modified by the division of natural resources to meet the
27 objections of the legislative rule-making review committee and
28 refiled in the state register on the twenty-fifth day of October,

29 two thousand, relating to the division of natural resources
30 (general hunting, 58 CSR 49), is authorized.

31 (d) The legislative rule filed in the state register on the
32 twenty-fifth of August, two thousand, authorized under the
33 authority of section seven, article one, chapter twenty of this
34 code, modified by the division of natural resources to meet the
35 objections of the legislative rule-making review committee and
36 refiled in the state register on the twenty-second day of Septem-
37 ber, two thousand, relating to the division of natural resources
38 (special fishing, 58 CSR 61), is authorized, with the following
39 amendment:

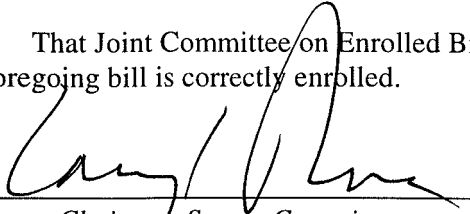
40 On page 4, subdivision 4.1.10 by striking out the words
41 “Kanawha State Forest Pond” and inserting in lieu thereof the
42 words “Ellison Pond”.

§64-10-3. Division of labor.

1 (a) The legislative rule filed in the state register on the first
2 day of September, two thousand, authorized under the authority
3 of section three, article three-d, chapter twenty-one, of this
4 code, modified by the division of labor to meet the objections
5 of the legislative rule-making review committee and refiled in
6 the state register on the twenty-first day of December, two
7 thousand, relating to the division of labor (crane operator
8 certification act, 42 CSR 24), is authorized.

9 (b) The legislative rule filed in the state register on the first
10 day of September, two thousand, authorized under the authority
11 of section three, article three-d, chapter twenty-one, of this
12 code, modified by the division of labor to meet the objections
13 of the legislative rule-making review committee and refiled in
14 the state register on the twenty-first day of December, two
15 thousand, relating to the division of labor (crane operator
16 certification act-practical examination, 42 CSR 25), is autho-
17 rized.

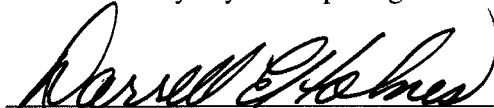
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

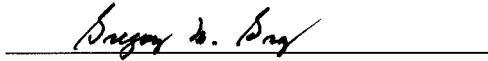

Chairman Senate Committee

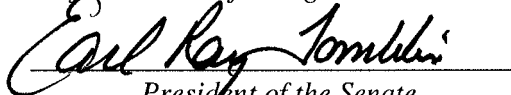

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

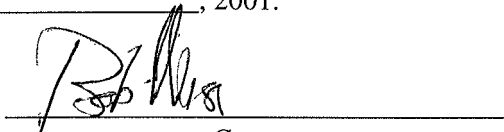

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 24th
day of April, 2001.


Governor

PRESENTED TO THE
GOVERNOR

Date 4/21/01

Time 2:05 pm