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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2004

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4200

(By Delegates Mahan, R. Thompson, Cann,
Kominar, Armstead and Faircloth)

Passed March 11, 2004

In Effect from Passage

FILED

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FOR

H. B. 4200

(BY DELEGATES MAHAN, R. THOMPSON, CANN,
KOMINAR, ARMSTEAD AND FAIRCLOTH)

[Passed March 11, 2004; in effect from passage.]

AN ACT to amend and reenact article 6, chapter 64 of the code of West Virginia, 1931, as amended; all 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 recom-

mended by the legislative rule-making review committee and as amended by the Legislature; authorizing the fire marshal to promulgate a legislative rule relating to the certification of electrical inspectors; authorizing the fire marshal to promulgate a legislative rule relating to fees for licenses, permits, inspections, plans review and other services rendered; and authorizing the state police to promulgate a legislative rule relating to the career progression system.

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 DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY TO PROMULGATE LEGISLATIVE RULES.

§64-6-1. Fire marshal.

1 (a) The legislative rule filed in the state register on the
2 eighteenth day of February, two thousand three, authorized
3 under the authority of section four, article three-c, chapter
4 twenty-nine of this code, modified by the fire marshal to meet
5 the objections of the legislative rule-making review committee
6 and refiled in the state register on the eighteenth day of June,
7 two thousand three, relating to the fire marshal (certification of
8 electrical inspectors, 103 CSR 1), is authorized, with the
9 following amendments:

10 On page 4, subsection 5.2, after the word “qualifications”
11 by striking out the word “forfeits” and inserting in lieu thereof
12 the words “and he or she shall also forfeit”;

13 On page five, subsection 7.4, line one, by striking out the
14 words “Duplicate license fee” and inserting in lieu thereof the
15 words “Duplicate certification fee”;

16 On page five, subsection 7.4, line five, by striking out the
17 word “license” and inserting in lieu thereof the words “certifi-
18 cation”;

19 And,

20 On page five, section 8, line five, by striking out the word
21 “offense” and inserting in lieu thereof the words “violation of
22 this rule”.

23 (b) The legislative rule filed in the state register on the
24 twenty-eighth day of July, two thousand three, authorized under
25 the authority of section twelve-b, article three, chapter twenty-
26 nine of this code, modified by the fire marshal to meet the
27 objections of the legislative rule-making review committee and
28 refiled in the state register on the fifteenth day of December,
29 two thousand three, relating to the fire marshal (fees for
30 licenses, permits, inspections, plans review and other services
31 rendered, 103 CSR 2), is authorized with the following amend-
32 ments:

33 On page four, subsection 6.12, by striking out the subsec-
34 tion in its entirety and renumbering subsequent subsections
35 accordingly;

36 On page five, subsection 6.14, by striking out the words
37 “Unjustified Complaint ————— Fee to complainant will be
38 the same as listed per above respective occupancy” and
39 inserting in lieu thereof the words “Unjustified Complaint (fee
40 charged complainant) ————— \$25.00”;

41 On page five, subsection 6.20, by striking out the subsec-
42 tion in its entirety and renumbering subsequent subsections
43 accordingly;

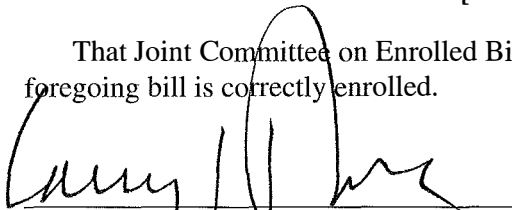
44 And,

45 On page five, subsection 6.22, by striking out said subsec-
46 tion 6.22 in its entirety.

§64-6-2. State police.

1 The legislative rule filed in the state register on the thirty-
2 first day of July, two thousand three, authorized under the
3 authority of section five, article two, chapter fifteen of this
4 code, modified by the state police to meet the objections of the
5 legislative rule-making review committee and refiled in the
6 state register on the sixteenth day of December, two thousand
7 three, relating to the state police (career progression system, 81
8 CSR 3), is authorized.

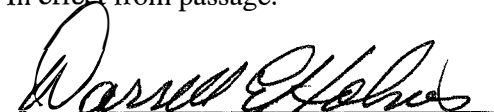
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

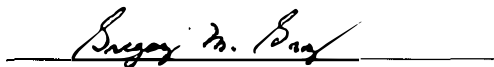

Chairman Senate Committee

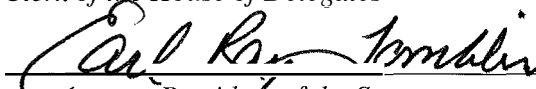

Chairman House Committee

Originating in the House.

In effect 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 25th
day of March, 2004.


Governor

PRESENTED TO THE
GOVERNOR

DATE 3/9/04
TIME 2:45 p