

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997



ENROLLED

HOUSE BILL No. 2317

(By Delegate **S** Douglas, Hunt, Compton,
Faircloth, Linch and Riggs)



Passed April 10, 1997

In Effect From Passage

97 MAY -5 PM 3:21
OFFICE OF LEGISLATIVE
SERVICES

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2317

(BY DELEGATES DOUGLAS, HUNT, COMPTON,
FAIRCLOTH, LINCH AND RIGGS)

[Passed April 10, 1997; in effect from passage.]

AN ACT to repeal section two, article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to reenact section one, article one of said chapter; and to amend and reenact section one, article two of said chapter, all relating to the authorization of legislative rules; continuing rules previously promulgated by state agencies; and authorizing the department of administration and the auditor to promulgate a legislative rule relating to the state purchasing card program.

Be it enacted by the Legislature of West Virginia:

That section two, article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; that section one, article one of said chapter be amended and reenacted; and that section one, article two of said chapter be amended and reenacted, all to read as follows:

ARTICLE 1. GENERAL LEGISLATIVE AUTHORIZATION.

§64-1-1. Legislative authorization.

1 Under the provisions of article three, chapter twenty-

2 nine-a of the code of West Virginia, the Legislature
3 expressly authorizes the promulgation of the rules
4 described in articles two through eleven of this chapter,
5 subject only to the limitations set forth with respect to each
6 such rule in the section or sections of this chapter
7 authorizing its promulgation. The Legislature declares
8 that all rules now or hereafter authorized under articles
9 two through eleven of this chapter are within the legislative
10 intent of the statute which the rule is intended to
11 implement, extend, apply or interpret. Legislative rules
12 promulgated pursuant to the provisions of articles one
13 through eleven of this chapter in effect at the effective
14 date of this section shall continue in full force and effect
15 until reauthorized in this chapter by legislative enactment,
16 or until amended by emergency rule pursuant to the
17 provisions of article three, chapter twenty-nine-a of this
18 code.

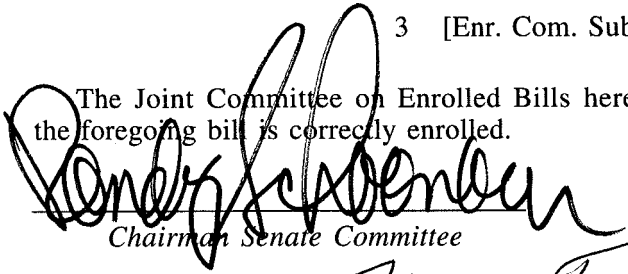
19 All proposed legislative rules for which bills of
20 authorization have been introduced in the Legislature not
21 specifically authorized under articles two through eleven
22 of this chapter are disapproved by the Legislature.

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

§64-2-1. Department of administration and the auditor.

1 The legislative rule filed in the state register on the
2 thirtieth day of August, one thousand nine hundred
3 ninety-six, under the authority of section ten-a, article
4 three, chapter twelve of this code, modified by the
5 department of administration and the auditor to meet the
6 objections of the legislative rule-making review committee
7 and refiled in the state register on the sixth day of
8 February, one thousand nine hundred ninety-seven,
9 relating to the department of administration and the
10 auditor (state purchasing card program, 148 CSR 7), is
11 authorized.

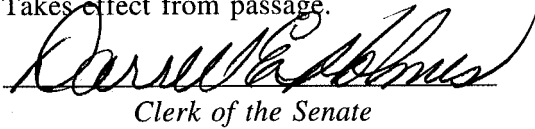
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

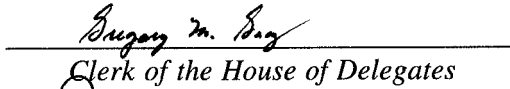

Chairman Senate Committee


Chairman House Committee

Originating in the House.

Takes effect from passage.

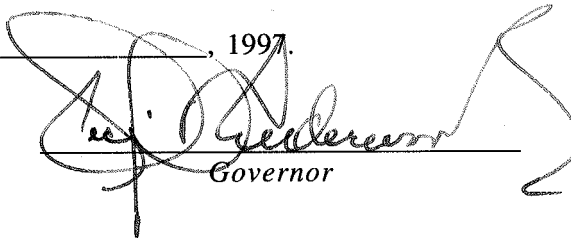

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 5th
day of May, 1997.


Governor

PRESENTED TO THE

GOVERNOR

Date

4/21/97

Time

11:30 am