

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 321**

5 (SENATOR MINARD, *original sponsor*)

6 \_\_\_\_\_  
7 [Passed March 9, 2012; in effect from passage.]  
8 \_\_\_\_\_  
9

10  
11 AN ACT to amend and reenact article 6, chapter 64 of the Code of  
12 West Virginia, 1931, as amended, relating generally to the  
13 promulgation of administrative rules by the Department of  
14 Military Affairs and Public Safety and the procedures relating  
15 thereto; legislative mandate or authorization for the  
16 promulgation of certain legislative rules by various executive  
17 or administrative agencies of the Department of Military  
18 Affairs and Public Safety; authorizing certain of the agencies  
19 to promulgate certain legislative rules with various  
20 modifications presented to and recommended by the Legislative  
21 Rule-Making Review Committee; authorizing the State Police to  
22 promulgate a legislative rule relating to the West Virginia  
23 State Police Career Progression System; authorizing the State  
24 Police to promulgate a legislative rule relating to the West  
25 Virginia State Police Modified Vehicle Inspection Manual;  
26 authorizing the Governor's Committee on Crime, Delinquency and

1 Correction to promulgate a legislative rule relating to law-  
2 enforcement training standards; authorizing the Governor's  
3 Committee on Crime, Delinquency and Correction to promulgate  
4 a legislative rule relating to motor vehicle search standards;  
5 and authorizing the Division of Corrections to promulgate a  
6 legislative rule relating to fees for electronic monitoring of  
7 offenders.

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

9 That article 6, chapter 64 of the Code of West Virginia, 1931,  
10 as amended, be amended and reenacted to read as follows:

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

13 **§64-6-1. State Police.**

14 (a) The legislative rule filed in the State Register on July  
15 25, 2011, authorized under the authority of section twenty-five,  
16 article two, chapter fifteen of this code, modified by the State  
17 Police to meet the objections of the Legislative Rule-Making Review  
18 Committee and refiled in the State Register on January 6, 2012,  
19 relating to the State Police (West Virginia State Police Career  
20 Progression System, 81 CSR 3), is authorized.

21 (b) The legislative rule filed in the State Register on July  
22 25, 2011, authorized under the authority of section forty-eight,  
23 article fifteen, chapter seventeen-c of this code, modified by the  
24 State Police to meet the objections of the Legislative Rule-Making  
25 Review Committee and refiled in the State Register on January 6,  
26 2012, relating to the State Police (West Virginia State Police

1 Modified Vehicle Inspection Manual, 81 CSR 4), is authorized, with  
2 the following amendment:

3 On page ten, paragraph 81-4-4.6.2., after the word "spacers"  
4 by adding the following, "on the end of the coil".

5 **§64-6-2. Governor's Committee on Crime, Delinquency and Correction.**

6 (a) The legislative rule filed in the State Register on July  
7 28, 2011, authorized under the authority of section three, article  
8 twenty-nine, chapter thirty of this code, modified by the  
9 Governor's Committee on Crime, Delinquency and Correction to meet  
10 the objections of the Legislative Rule-Making Review Committee and  
11 refiled in the State Register on January 3, 2012, relating to the  
12 Governor's Committee on Crime, Delinquency and Correction (law-  
13 enforcement training standards, 149 CSR 2), is authorized.

14 (b) The legislative rule filed in the State Register on July  
15 28, 2011, authorized under the authority of section eleven, article  
16 one-a, chapter sixty-two of this code, modified by the Governor's  
17 Committee on Crime, Delinquency and Correction to meet the  
18 objections of the Legislative Rule-Making Review Committee and  
19 refiled in the State Register on January 3, 2012, relating to the  
20 Governor's Committee on Crime, Delinquency and Correction (motor  
21 vehicle search standards, 149 CSR 6), is authorized.

22 **§64-6-3. Division of Corrections.**

23 The legislative rule filed in the State Register on May 23,  
24 2011, authorized under the authority of section fourteen, article  
25 one, chapter twenty-five of this code, modified by the Division of  
26 Corrections to meet the objections of the Legislative Rule-Making

1 Review Committee and refiled in the State Register on July 20,  
2 2011, relating to the Division of Corrections (fees for electronic  
3 monitoring of offenders, 90 CSR 8), is authorized.