

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 142**

4 (By Senator Snyder)

5 _____
6 [Originating in the Committee on the Judiciary;

7 reported February 11, 2015.]
8 _____

9
10 A BILL to amend and reenact article 2, chapter 64 of the Code of West Virginia, 1931, as amended,
11 relating generally to promulgation of administrative rules by Department of Administration;
12 legislative mandate or authorization for promulgation of certain legislative rules by various
13 executive or administrative agencies of the state; authorizing certain of the agencies to
14 promulgate certain legislative rules in the form that the rules were filed in the State Register;
15 authorizing certain of the agencies to promulgate certain legislative rules with various
16 modifications presented to and recommended by the Legislative Rule-Making Review
17 Committee; authorizing Department of Administration to promulgate a legislative rule
18 relating to Purchasing Division; authorizing Department of Administration to promulgate a
19 legislative rule relating to state-owned vehicles; authorizing Department of Administration
20 to promulgate a legislative rule relating to the state plan for the operation of the West
21 Virginia State Agency for Surplus Property; authorizing Consolidated Public Retirement
22 Board to promulgate a legislative rule relating to refund, reinstatement, retroactive service,

1 loan and employer error interest factors; authorizing Consolidated Public Retirement Board
2 to promulgate a legislative rule relating to Deputy Sheriffs Retirement System; authorizing
3 Consolidated Public Retirement Board to promulgate a legislative rule relating to service
4 credit for accrued and unused sick and annual leave; and authorizing Office of Technology
5 to promulgate a legislative rule relating to the procedures for sanitization, retirement and
6 disposition of information technology equipment.

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

8 That article 2, chapter 64 of the Code of West Virginia, 1931, as amended, be amended and
9 reenacted to read as follows:

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

12 **§64-2-1. Department of Administration.**

13 (a) The legislative rule filed in the State Register on July 30, 2014, authorized under the
14 authority of section four, article three, chapter five-a of this code, modified by the Department of
15 Administration to meet the objections of the Legislative Rule-Making Review Committee and refiled
16 in the State Register on September 16, 2014, relating to the Department of Administration
17 (Purchasing Division, 148 CSR 1), is authorized.

18 (b) The legislative rule filed in the State Register on July 29, 2014, authorized under the
19 authority of section forty-eight, article three, chapter five-a of this code, modified by the Department
20 of Administration to meet the objections of the Legislative Rule-Making Review Committee and
21 refiled in the State Register on September 16, 2014, relating to the Department of Administration
22 (state owned vehicles, 148 CSR 3), is authorized.

1 (c) The legislative rule filed in the State Register on July 30, 2014, authorized under the
2 authority of section forty-four, article three, chapter five-a of this code, modified by the Department
3 of Administration to meet the objections of the Legislative Rule-Making Review Committee and
4 refiled in the State Register on September 16, 2014, relating to the Department of Administration
5 (state plan for the operation of the West Virginia State Agency for Surplus Property, 148 CSR 4, is
6 authorized.

7 **§64-2-2. Consolidated Public Retirement Board.**

8 (a) The legislative rule filed in the State Register on July 31, 2014, authorized under the
9 authority of section one, article ten-d, chapter five of this code, relating to the Consolidated Public
10 Retirement Board (refund, reinstatement, retroactive service, loan and employer error interest factors,
11 162 CSR 7), is authorized.

12 (b) The legislative rule filed in the State Register on July 31, 2014, authorized under the
13 authority of section one, article ten-d, chapter five of this code, relating to the Consolidated Public
14 Retirement Board (Deputy Sheriff Retirement System, 162 CSR 10), is authorized.

15 (c) The legislative rule filed in the State Register on the July 31, 2014, authorized under the
16 authority of section one, article ten-d, chapter five of this code, relating to the Consolidated Public
17 Retirement Board (service credit for accrued and unused sick and annual leave, 162 CSR 8), is
18 authorized.

19 **§64-2-3. Office of Technology.**

20 The legislative rule filed in the State Register on July 30, 2014, authorized under the
21 authority of section four, article six, chapter five-a of this code, modified by the Office of
22 Technology to meet the objections of the Legislative Rule-Making Review Committee and refiled

1 in the State Register on October 3, 2014, relating to the Office of Technology (procedures for
2 sanitization, retirement and disposition of information technology equipment, 163 CSR 1, is
3 authorized.