

WEST VIRGINIA
SECRETARY OF STATE

JOE MANCHIN, III

ADMINISTRATIVE LAW DIVISION

Form #3

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: DIVISION OF PROTECTIVE SERVICES TITLE NUMBER: 99

CITE AUTHORITY: W. Va. Code Section 15-2D-3

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 1

TITLE OF RULE BEING PROPOSED: QUALIFICATION, TRAINING AND CERTIFICATION
REQUIREMENTS FOR MEMBERS OF THE DIVISION

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.


Authorized Signature

□
APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: QUALIFICATION, TRAINING AND CERTIFICATION REQUIREMENTS FOR MEMBERS OF THE DIVISION

Type of Rule: X Legislative _____ Interpretive _____ Procedural

Agency: DIVISION OF PROTECTIVE SERVICES

Address: 1900 KANAWHA BLVD., EAST

BLDG. 1, ROOM 152-A

CHARLESTON, WV 25305

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
PERSONAL SERVICES	0	0	0	0	0
CURRENT EXPENSE	0	0	0	0	0
REPAIRS & ALTERATIONS	0	0	0	0	0
EQUIPMENT	0	0	0	0	0
OTHER	0	0	0	0	0

2. Explanation of Above Estimates:

NO FISCAL EFFECT.

3. Objectives of These Rules:

TO FULFILL THE PROVISIONS OF §§15-2D-3(c)(1) (A).

Rule Title: QUALIFICATION, TRAINING AND CERTIFICATION REQUIREMENTS FOR MEMBERS OF THE DIVISION

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

NONE.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

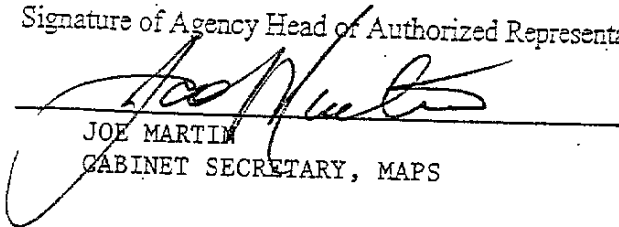
NONE.

C. Economic Impact on Citizens/Public at Large.

NONE.

Date: JUNE 26, 2001

Signature of Agency Head or Authorized Representative:



JOE MARTIN
CABINET SECRETARY, MAPS

FILED

99CSR1

JUL 27 5 10 PM '01

**TITLE 99
LEGISLATIVE RULES
DIVISION OF PROTECTIVE SERVICES**

**OFFICE OF WEST VIRGINIA
SECRETARY OF STATE**

**SERIES 1
QUALIFICATION, TRAINING AND CERTIFICATION REQUIREMENTS FOR
MEMBERS OF THE DIVISION**

§99-1-1. General.

- 1.1. Scope. -- This legislative rule establishes the qualification, training and certification requirements for members of the division, which shall include the basic academy training standards established by the governor's committee on crime, delinquency and prevention.
- 1.2. Authority. -- W. Va. Code §§15-2D-3(c)(1)(A).
- 1.3. Filing Date. --
- 1.4. Effective Date. --

§99-1-2. Definitions.

- 2.1. "Division" means the Division of Protective Services.
- 2.2. "Members" means any employee of the division authorized as a law enforcement officer in accordance with Legislative Rule 149CSR2 effective July 1, 2000.

**SUMMARY OF PROPOSED RULE
AND STATEMENT OF CIRCUMSTANCES REQUIRING THE PROPOSED RULE
TITLE 99, SERIES 1**

The proposed rule reflects the required legislative rule for promulgation in accordance with the provisions of §§15-2D-3(c)(1)(A).

Sworn members of the Division of Protective Services shall be certified in compliance with Legislative Rule 149CSR2.

The Division of Protective Services
June 26, 2001

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: JULY 27, 2001

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* DIVISION OF PROTECTIVE SERVICES

Bldg. 1, Room 152-A, 1900 Kanawha Blvd. East

Charleston, WV 25305 558-9911

LEGISLATIVE RULE TITLE: QUALIFICATION, TRAINING AND CERTIFICATION

REQUIREMENTS FOR MEMBERS OF THE DIVISION

1. Authorizing statute(s) citation W. Va. Code Section 15-2D-3

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

June 27, 2001

b. What other notice, including advertising, did you give of the hearing?

None

c. Date of Public Hearing(s) or Public Comment Period ended:

July 27, 2001 at 5 pm

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached _____ No comments received X

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

JULY 27, 2001

- f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

C. E. "Chester" Starcher, Director

Bldg. 1 Room 152-A, 1900 Kanawha Blvd. East

Charleston, WV 25305 559-9911 (phone) 558-5604 (fax)

cstarcher@state.wv.us

- g. **IF DIFFERENT FROM ITEM 'f'**, please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

- 3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

b. Date of hearing or comment period:

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

d. Attach findings and determinations and reasons:

Attached
