

**WEST VIRGINIA  
SECRETARY OF STATE  
JOE MANCHIN, III**

**ADMINISTRATIVE LAW DIVISION**

Form #3 □

Do Not Mark In This Box

**FILED**

**JUL 27 5 10 PM '01**

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

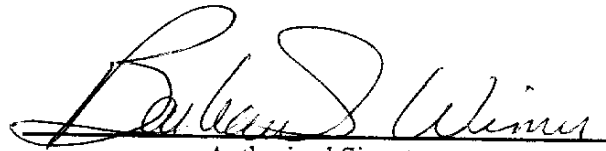
IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_  
\_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 2

TITLE OF RULE BEING PROPOSED: RANKS AND DUTIES OF OFFICERS WITHIN THE  
MEMBERSHIP 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: RANKS AND DUTIES OF OFFICERS WITHIN THE MEMBERSHIP OF THE DIVISION

Type of Rule:  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)(B).

Rule Title: DUTIES AND RANKS OF OFFICERS WITHIN THE MEMBERSHIP 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:

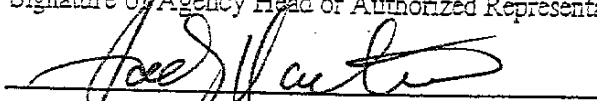
NONE.

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

99CSR2

JUL 27 5 18 PM '01

TITLE 99  
LEGISLATIVE RULES  
DIVISION OF PROTECTIVE SERVICES

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SERIES 2  
RANKS AND DUTIES OF OFFICERS WITHIN THE MEMBERSHIP OF THE  
DIVISION

§99-2-1. General.

- 1.1. Scope. -- This legislative rule establishes the ranks and duties of officers within the membership of the division.
- 1.2. Authority. -- W. Va. Code §§15-2D-3 (c)(1)(B).
- 1.3. Filing Date. --
- 1.4. Effective Date. --

§99-2-2. Definitions.

- 2.1. "Division" means the Division of Protective Services.
- 2.2. "Director" as described under West Virginia Division of Personnel Class Specifications 8950.
- 2.3. "Deputy Director" as described under West Virginia Division of Personnel Class Specifications 8951.
- 2.4. "Capitol Police Officer, Lieutenant" as described under West Virginia Division of Personnel Class Specifications 8954.
- 2.5. "Capitol Police Officer, Sergeant" as described under West Virginia Division of Personnel Class Specifications 8953.
- 2.6. "Capitol Police Officer" as described under West Virginia Division of Personnel Class Specifications 8952.

**SUMMARY OF PROPOSED RULE  
AND STATEMENT OF CIRCUMSTANCES REQUIRING THE PROPOSED RULE  
TITLE 99, SERIES 2**

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

The Division of Protective Services will enlist members according to the West Virginia Division of Personnel Class Specifications.

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: RANKS AND DUTIES OF OFFICERS WITHIN THE

MEMBERSHIP 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

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- 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

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

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

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cstarcher@state.wv.us

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- 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)

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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.

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b. Date of hearing or comment period:

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

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d. Attach findings and determinations and reasons:

Attached 

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