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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2003



ENROLLED

House Bill No. 3195

(By Delegates Beane, Kuhn, Butcher, Martin, Perdue, Leggett and Azinger)



Passed March 8, 2003

In Effect Ninety Days from Passage

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E N R O L L E D

H. B. 3195

(BY DELEGATES BEANE, KUHN, BUTCHER,
MARTIN, PERDUE, LEGGETT AND AZINGER)

[Passed March 8, 2003; in effect ninety days from passage.]

AN ACT to amend and reenact sections four, four-a, five, five-a and five-b, article ten, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, changing agency termination dates pursuant to the West Virginia sunset law.

Be it enacted by the Legislature of West Virginia:

That sections four, four-a, five, five-a and five-b, article ten, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 10. THE WEST VIRGINIA SUNSET LAW.

§4-10-4. Termination of agencies following full performance evaluations.

- 1 The following agencies terminate on the date indicated, but
- 2 no agency terminates under this section unless a full perfor-
- 3 mance evaluation has been conducted upon the agency:

ADVISORY
COMMISSION

4 (1) On the first day of July, two thousand four: Division of
5 personnel; division of rehabilitation services; division of labor;
6 division of motor vehicles; department of environmental
7 protection; department of health and human resources; division
8 of natural resources; purchasing division within the department
9 of administration; school building authority; state police;
10 consolidated public retirement board; and workers' compensa-
11 tion.

12 (2) On the first day of July, two thousand five: Parkways,
13 economic development and tourism authority; department of
14 tax and revenue; division of highways; division of corrections;
15 West Virginia public land corporation; office of insurance
16 commissioner; James "Tiger" Morton catastrophic illness
17 commission; investment management board; and tourism
18 functions within the development office.

19 (3) On the first day of July, two thousand seven: Office of
20 health facilities licensure and certification within the depart-
21 ment of health and human resources.

22 (4) On the first day of July, two thousand nine: Office of
23 judges in workers' compensation.

**§4-10-4a. Termination of agencies previously subject to full
performance evaluations following compliance
monitoring and further inquiry updates.**

1 The following agencies terminate on the date indicated, but
2 no agency terminates under this section unless a compliance
3 monitoring and further inquiry update has been completed on
4 the agency subsequent to the prior completion of a full perfor-
5 mance evaluation:

6 On the first day of July, two thousand five: Division of
7 culture and history.

§4-10-5. Termination of agencies following preliminary performance reviews.

1 The following agencies terminate on the date indicated, but
2 no agency terminates under this section unless a preliminary
3 performance review has been conducted upon the agency:

4 (1) On the first day of July, one thousand nine hundred
5 ninety-six: Juvenile facilities review panel.

6 (2) On the first day of July, one thousand nine hundred
7 ninety-seven: Public employees insurance agency advisory
8 board; cable television advisory board.

9 (3) On the first day of July, one thousand nine hundred
10 ninety-nine: Tree fruit industry self improvement assessment
11 program.

12 (4) On the first day of July, two thousand: Terms of family
13 law master and family law master system.

14 (5) On the first day of July, two thousand three: advisory
15 council on public health; governors' office of fiscal risk
16 analysis and management.

17 (6) On the first day of July, two thousand four: Meat
18 inspection program of the department of agriculture; state board
19 of risk and insurance management; real estate commission;
20 rural health advisory panel; state fire commission; motorcycle
21 safety awareness board; motor vehicle dealers advisory board;
22 interstate commission on uniform state laws; design-build
23 board; center for professional development board; parks section
24 and parks function of the division of natural resources; office of
25 water resources of the department of environmental protection;
26 division of protective services; state rail authority; care home
27 advisory board; steel advisory commission and steel futures
28 program; children's health insurance board; capitol building

29 commission; public defender services; public employees
30 insurance agency finance board; office of explosives and
31 blasting; workers' compensation appeal board; records manage-
32 ment and preservation board; public energy authority and public
33 energy authority board; waste tire fund; and interstate commis-
34 sion on the Potomac River basin.

35 (7) On the first day of July, two thousand five: Board of
36 banking and financial institutions; lending and credit rate board;
37 governor's cabinet on children and families; oil and gas
38 conservation commission; health care authority; educational
39 broadcasting authority; clean coal technology council; racing
40 commission; manufactured housing construction and safety
41 board; environmental quality board; commission for the deaf
42 and hard-of-hearing; public employees insurance agency; oral
43 health program; and emergency medical services advisory
44 council.

45 (8) On the first day of July, two thousand six: Family
46 protection services board; medical services fund advisory
47 council; West Virginia stream partners program; Ohio River
48 valley water sanitation commission; state lottery commission;
49 whitewater commission within the division of natural resources;
50 unemployment compensation; women's commission; personal
51 assistance services program; contractor licensing board; and
52 soil conservation committee.

53 (9) On the first day of July, two thousand seven: Human
54 rights commission; office of coalfield community development;
55 and state geological and economic survey.

56 (10) On the first day of July, two thousand eight: Ethics
57 commission; public service commission; and marketing and
58 development division of department of agriculture.

59 (11) On the first day of July, two thousand nine: Driver's
60 licensing advisory board; West Virginia commission for

61 national and community service; membership in the southern
62 regional education board; bureau of senior services; oil and gas
63 inspector's examining board; and commission on holocaust
64 education.

§4-10-5a. Termination of agencies previously subject to preliminary performance reviews following compliance monitoring and further inquiry updates.

1 The following agencies terminate on the date indicated, but
2 no agency terminates under this section unless a compliance
3 monitoring and further inquiry update has been completed on
4 the agency subsequent to the prior completion of a preliminary
5 performance review:

6 (1) On the first day of July, two thousand: State building
7 commission.

8 (2) On the first day of July, two thousand four: Office of the
9 environmental advocate; and veterans' council.

10 (3) On the first day of July, two thousand five: Bureau for
11 child support enforcement.

§4-10-5b. Termination of boards created to regulate professions and occupations.

1 (a) The legislative auditor shall evaluate each board created
2 under chapter thirty of this code to regulate professions and
3 occupations, at least once every twelve years. The evaluation
4 shall assess whether the board complies with the policies and
5 provisions of chapter thirty of this code and other applicable
6 laws and rules, whether the board follows a disciplinary
7 procedure which observes due process rights and protects the
8 public interest, and whether the public interest requires that the
9 board be continued.

10 (b) The following boards terminate on the date indicated,
11 but no board terminates under this section unless a regulatory
12 board evaluation has been conducted upon the board:

13 (1) On the first day of July, two thousand four: Board of
14 examiners of land surveyors; board of landscape architects;
15 board of architects; real estate appraiser licensing and certifica-
16 tion board; and board of registration for foresters.

17 (2) On the first day of July, two thousand five: Board of
18 social work examiners; board of accountancy; board of veteri-
19 nary medicine; board of dental examiners; acupuncture board;
20 and board of medicine.

21 (3) On the first day of July, two thousand six: Board of
22 examiners in counseling; board of osteopathy; and board of
23 licensed dietitians.

24 (4) On the first day of July, two thousand seven: Board of
25 registration for sanitarians; board of embalmers and funeral
26 directors; board of optometry; and board of respiratory care
27 practitioners.

28 (5) On the first day of July, two thousand eight: Nursing
29 home administrators board; board of hearing aid dealers; board
30 of pharmacy; and board of barbers and cosmetologists.

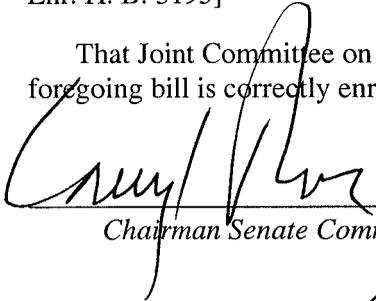
31 (6) On the first day of July, two thousand nine: Board of
32 physical therapy; board of chiropractic examiners; and board of
33 occupational therapy.

34 (7) On the first day of July, two thousand ten: Board of
35 registration for professional engineers; board of examiners for
36 registered professional nurses; board of examiners for licensed
37 practical nurses; board of examiners for speech language
38 pathology and audiology; and radiologic technology board of
39 examiners.

40 (8) On the first day of July, two thousand twelve: board of
41 examiners of psychologists.

42 (9) On the first day of July, two thousand fifteen: massage
43 therapy licensure board.

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



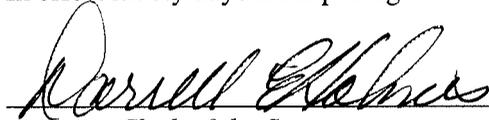
Chairman Senate Committee



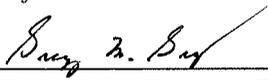
Chairman House Committee

Originating in the House.

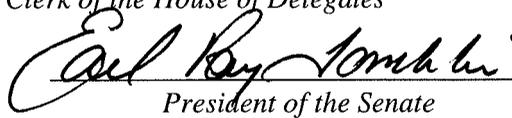
In effect ninety days from passage



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 27th
day of March, 2003.



Governor

PRESENTED TO THE
GOVERNOR

Date 3/26/13

Time 4:05 pm