

HB 2539

FILED

2009 MAY -4 PM 3: 19

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2009



# ENROLLED

## House Bill No. 2539

(By Delegates Morgan, Stephens,  
Argento, Cann and C. Miller)



Passed April 11, 2009

In Effect Ninety Days from Passage

**E N R O L L E D**

**FILED**

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**H. B. 2539**

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SECRETARY OF STATE**

**(BY DELEGATES MORGAN, STEPHENS,  
ARGENTO, CANN AND C. MILLER)**

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**[Passed April 11, 2009; in effect ninety days from passage.]**

**AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-1-19, relating to professional licensing boards; authorizing the combining of administrative staff functions of boards; requiring consultation with the office of the Attorney General; requiring memorandum of understanding; and authorizing emergency rules and rulemaking.**

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

**That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §30-1-19, to read as follows:**

**ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO  
STATE BOARDS.**

**§30-1-19. Combining board staff functions.**

1 (a) Any board referred to in this chapter may combine  
2 administrative staff functions with any other board or boards  
3 referred to in this chapter, pursuant to the provisions of  
4 subsection (b) of this section, to carry out the administrative  
5 duties of the boards as set forth in this article, the practice  
6 acts of each board set forth in this chapter and the legislative  
7 rules of each board: *Provided*, That each board retains  
8 responsibility for fulfilling its statutory duties.

9 (b) Before combining administrative staff functions  
10 pursuant to subsection (a) of this section, the boards shall, in  
11 consultation with the office of the Attorney General, enter  
12 into a memorandum of understanding with the following  
13 provisions:

14 (1) The names of the boards combining administrative  
15 staff functions;

16 (2) The administrative staff functions being combined,  
17 including the staffs' titles and duties relative to each board;

18 (3) The prorata share of expenses that each board will be  
19 responsible for paying, including salaries, office rent, office  
20 supplies, telephone, fax and computer services, travel  
21 expenses and any other expenses anticipated by the boards;

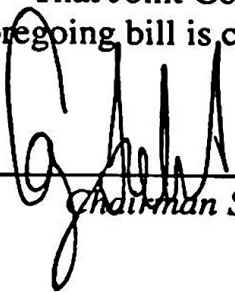
22 (4) A description of how decisions will be made by the  
23 boards, including employment of staff, the staff's functions  
24 and duties, and any other necessary decisions;

25 (5) A description of how modifications may be made to  
26 the terms of the agreement; and

27 (6) Any other provisions necessary to set forth the  
28 agreement of the boards.

29       (c) The boards that combine administrative staff  
30 functions pursuant to this section, may promulgate rules in  
31 accordance with the provisions of chapter twenty-nine-a of  
32 this code, to make any necessary changes to facilitate the  
33 combining of administrative staff functions. The boards may  
34 also promulgate emergency rules pursuant to the provisions  
35 of section fifteen, article three, chapter twenty-nine-a of this  
36 code, to correct any conflicts with a board's current rules.

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

  
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Chairman Senate Committee

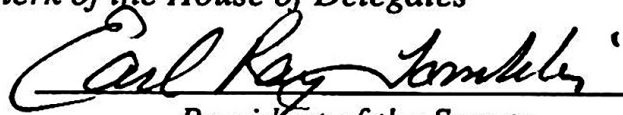
  
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Chairman House Committee

Originating in the House.

In effect ninety days from passage.

  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 4th  
day of May, 2009.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

APR 30 2009

Time 3:20 pm