WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2009

ENROLLED

COMMITTEE SUBSTITUTE FOR House Bill No. 2819

(By Delegates Brown, D. Poling, Talbott, Miley, Overington and Sobonya)

Passed April 10, 2009

In Effect from Passage
AN ACT to amend and reenact article 9, chapter 64 of the Code of West Virginia, 1931, as amended, relating generally to the promulgation of administrative rules by the various executive or administrative agencies and the procedures relating thereto; legislative mandate or authorization for the promulgation of certain legislative rules; authorizing certain of the agencies to promulgate certain legislative rules in the form that the rules were filed in the State Register; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the Legislative Rule-Making Review Committee; authorizing certain of the agencies to promulgate certain legislative rules as amended by the Legislature; authorizing certain of the agencies to promulgate certain legislative rules with various modifications presented to and recommended by the Legislative Rule-Making Review Committee and as amended by the Legislature; authorizing the Board of Accountancy to
promulgate a legislative rule relating to the Board and rules of professional conduct; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to a schedule of charges for inspection services: fruit; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to animal disease control; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to the disposal of dead poultry; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to commercial feed; authorizing the Board of Architects to promulgate a legislative rule relating to the fees for registration of architects; authorizing the Board of Architects to promulgate a legislative rule relating to the registration of architects; authorizing the Board of Dental Examiners to promulgate a legislative rule relating to the Board; authorizing the Board of Dental Examiners to promulgate a legislative rule relating to the formation and approval of dental corporations; authorizing the Governor's Committee on Crime, Delinquency and Correction to promulgate a legislative rule relating to law enforcement training standards; authorizing the Board of Medicine to promulgate a legislative rule relating to licensure, disciplinary, complaint procedures, continuing education, and physician assistants; authorizing the Board of Medicine to promulgate a legislative rule relating to the establishment and regulation of a restricted license issued to an applicant in extraordinary circumstances; authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and the practice of pharmacy; authorizing the Board of Pharmacy to promulgate a legislative rule relating to immunizations administered by pharmacists; authorizing the Board of Pharmacy to promulgate a legislative rule relating to the regulation of charitable clinic pharmacies; authorizing the Board of Physical Therapy to promulgate a legislative rule relating to general provisions; authorizing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to policies, standards and criteria for the
Be it enacted by the Legislature of West Virginia:

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

ARTICLE 9. AUTHORIZATION FOR MISCELLANEOUS AGENCIES AND BOARDS TO PROMULGATE LEGISLATIVE RULES.

§64-9-1. Board of Accountancy.

1 The legislative rule filed in the State Register on the twenty-ninth day of August, two thousand eight, authorized
2 under the authority of section four, article nine, chapter thirty
3 of this code, modified by the Board of Accountancy to meet
4 the objections of the Legislative Rule-Making Review
5 Committee and refiled in the State Register on the twenty-
6 first day of January, two thousand nine, relating to the Board
7 of Accountancy (the Board and rules of professional conduct,
8 1 CSR 1), is authorized, with the following amendment:

evaluation and accreditation of colleges, departments or schools of nursing; authorizing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to limited prescriptive authority for nurses in advanced practice; authorizing the Board of Respiratory Care to promulgate a legislative rule relating to student temporary permits; authorizing the Secretary of State to promulgate a legislative rule relating to the administration of the address confidentiality program; authorizing the Board of Social Work Examiners to promulgate a legislative rule relating to a fee schedule; authorizing the Treasurer’s Office to promulgate a legislative rule relating to the selection of state depositories for receipt accounts; and authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to a schedule of fees.
On page 2, former subsection 2.9., by reinserting the stricken language in said former subsection 2.9. and renumbering the subsection as subsection 2.10 and renumbering the remaining subsections in the section accordingly;

On page 3, subsection 2.10 which is renumbered as subsection 2.11 by the above amendment, after the word “Reciprocal” by inserting the words “substantial equivalency” and in the same subsection after the words “issued under” by striking out the words “reciprocal regulations of prior law” and inserting in lieu thereof the words “the provisions of W. Va. Code §30-9-9”;

On page 6, subdivision 4.1.c., in the second sentence of said subdivision after the words “a West Virginia registered public accountant or” by inserting the words “a holder of”;

On page 7, in the title to §1-1-5., after the word “Reciprocal” by inserting the words “Substantial Equivalency”;

On page 7, subsection 5.1., after the words “application for a reciprocal” by inserting the words “substantial equivalency”;

On page 7, subdivision 5.1.a., after the word “Reciprocal” by inserting the words “Substantially Equivalent”;

On page 8, subdivision 5.1.a., after the word “reciprocal” by inserting the words “substantially equivalent”;

On page 8, subdivision 5.1.b., after the word “Reciprocal” by inserting the words “Substantially Equivalent”;
On page 8, subdivision 5.1.b., after the words "Board shall issue a reciprocal" by inserting the words "substantially equivalent";

On page 8, subdivision 5.1.c., after the word "Reciprocal" by inserting the words "Substantially Equivalent";

On page 8, subdivision 5.1.c., after the words "Board shall issue a reciprocal" by inserting the words "substantially equivalent";

On page 9, paragraph 5.1.d, after the word "Reciprocal" by inserting the words "Substantial Equivalency";

On page 10, paragraph 5.1.d.1., after the words "issuance of a reciprocal" by inserting the words "substantial equivalency";

On page 10, paragraph 5.1.d.2., after the words "received a certificate" by striking out the remainder of the paragraph and inserting in lieu thereof the words "he or she may not establish a place of business in this state.";

On page 10, paragraph 5.1.d.3, by striking out said paragraph 5.1.d.3 in its entirety;

On page 19, subdivision 6.8.e., at the beginning of the sentence before the words "In any case" by inserting the words "After a hearing";

On page 19, subdivision 6.8.e., in the last sentence of the subdivision, after the words "for the examination," by striking out the remainder of the sentence and inserting in lieu thereof the words "a copy of the final order containing findings of fact and conclusions of law.";
On page 20, subdivision 7.3.a., in the last sentence of the subdivision, after the words “the Board shall” by striking out the words “apply the following standards” and inserting in lieu thereof the words “consider whether”;

On page 21, paragraph 7.3.a.1., after the words “The program” by striking out the words “should contribute” and inserting in lieu thereof the word “contributes”;

On page 21, paragraph 7.3.a.2., after the words “objectives of a program” by striking out the word “should”;

On page 21, paragraph 7.3.a.3., after the words “for the program” by striking out the words “should be stated” and inserting in lieu thereof the words “are stated with specificity”;

On page 21, paragraph 7.3.a.4., after the words “used in programs” by striking out the words “should be” and inserting in lieu thereof the word “are”;

On page 21, paragraph 7.3.a.5., after the words “Program content” by striking out the words “should be” and inserting in lieu thereof the word “is”;

On page 21, paragraph 7.3.a.6., after the word “Programs” by striking out the words “should be” and inserting in lieu thereof the word “are”;

On page 21, paragraph 7.3.a.7., after the word “Programs” by striking out the word “should”;

On page 27, subsection 12.1., after the words “practitioner or” by striking out the words “business entity” and inserting in lieu thereof the word “firm”;

And,
On page 27, subsection 12.1., after the words "authorization issued by this Board" by striking out the remainder of subsection 12.1. in its entirety and inserting in lieu thereof the words "unless the individual practitioner or firm meets the substantial equivalency practice privilege exceptions below:

a. Individual practitioners who have substantial equivalency practice privileges who provide only compilation services performed in accordance with Statements on Standards for Accounting and Review Services who:

1. Sign compilation reports as a certified public accountant;

2. Meet the competency requirements set forth in the professional standards for those services; and

3. Are undergoing a peer review program that conforms with applicable laws and rules;

b. Out-of-state firms who provide only compilation services performed in accordance with the Statements on Standards for Accounting and Review Services who:

1. Meet firm ownership requirements;

2. Are undergoing a peer review program that conforms with applicable rules; and

3. Performs the services through an individual with substantial equivalency practice privileges.”.


(a) The legislative rule filed in the state register on the thirtieth day of July, two thousand eight, authorized under the
authority of section five, article two, chapter nineteen, of this code, relating to the Commissioner of Agriculture (schedule of charges for inspection services: fruit, 61 CSR 8B), is authorized.

(b) The legislative rule filed in the state register on the twenty-ninth day of August, two thousand eight, authorized under the authority of section two, article nine, chapter nineteen, of this code, modified by the Commissioner of Agriculture to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-first day of October, two thousand eight, relating to the Commissioner of Agriculture (animal disease control, 61 CSR 1), is authorized.

(c) The legislative rule filed in the state register on the thirtieth day of July, two thousand eight, authorized under the authority of section thirty-four-a, article nine, chapter nineteen, of this code, modified by the Commissioner of Agriculture to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-ninth day of September, two thousand eight, relating to the Commissioner of Agriculture (disposal of dead poultry, 61 CSR 1C), is authorized.

(d) The legislative rule filed in the state register on the thirtieth day of July, two thousand eight, authorized under the authority of section three, article fourteen, chapter nineteen, of this code, modified by the Commissioner of Agriculture to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-ninth day of September, two thousand eight, relating to the Commissioner of Agriculture (commercial feed, 61 CSR 5), is authorized.

(a) The legislative rule filed in the state register on the twenty-eighth day of August, two thousand eight, authorized under the authority of section one, article twelve, chapter thirty, of this code, relating to the Board of Architects (fees for registration of architects, 2 CSR 3), is authorized.

(b) The legislative rule filed in the state register on the twenty-eighth day of August, two thousand eight, authorized under the authority of section one, article twelve, chapter thirty, of this code, modified by the Board of Architects to meet the objections of the legislative rule-making review committee and refiled in the state register on the fourteenth day of January, two thousand nine, relating to the Board of Architects (registration of architects, 2 CSR 1), is authorized, with the following amendment:

On page 5, paragraph 3.11.2.d., after the words “all documents” by striking out the remainder of paragraph 3.11.2.d. and inserting in lieu thereof the words “exempt from disclosure by the provisions of W. Va. Code §29B-1-4.”;

On page 5, subsection 3.13., after the words “web site” by striking out the words “at www.wvbrdarch.org”;

On page 6, subdivision 5.1.2., after the words “Board considers the” by striking out the words “qualifications to be equivalent” and inserting in lieu thereof the words “experience to be equivalent to the registration requirements”;

And,

On page 7, subsection 8.2., after the words “web site” by striking out the words “at www.wvbrdarch.org”.

§64-9-4. Board of Dental Examiners.
(a) The legislative rule filed in the state register on the fifteenth day of July, two thousand eight, authorized under the authority of section six, article four, chapter thirty, of this code, modified by the Board of Dental Examiners to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-third day of January, two thousand nine, relating to the Board of Dental Examiners (rule for the West Virginia Board of Dental Examiners, 5 CSR 1), is authorized, with the following amendment:

On page ten, subsection 8.7(j)(8), following the word "teeth" and the period by striking out the remainder of the subdivision and inserting in lieu thereof the words:

"The dental hygienist and a licensed dentist shall attempt to reach a collaborative agreement regarding such treatment. If such an agreement cannot be reached then the dental hygienist shall have a written order from a licensed dentist prescribing such treatment."

(b) The legislative rule filed in the state register on the twenty-eighth day of August, two thousand eight, authorized under the authority of section six, article four, chapter thirty, of this code, modified by the Board of Dental Examiners to meet the objections of the legislative rule-making review committee and refiled in the state register on the seventeenth day of December, two thousand eight, relating to the Board of Dental Examiners (formation and approval of dental corporations, 5 CSR 6), is authorized.

§64-9-5. Governor’s Committee on Crime, Delinquency and Correction.

The legislative rule filed in the state register on the first day of August, two thousand eight, authorized under the authority of section three, article twenty-nine, chapter thirty,
of this code, modified by the Governor's Committee on
Crime, Delinquency and Correction to meet the objections of
the legislative rule-making review committee and refiled in
the state register on the seventeenth day of February, two
thousand nine, relating to the Governor's Committee on
Crime, Delinquency and Correction (law enforcement
training standards, 149 CSR 2), is authorized, with the
following amendments:

On page 3, subsection 3.7, after the words "and defensive
tactics" by inserting the word "training."

On page 5, subdivision 5.1.a., after the words "law
enforcement" by striking out the words "instructor's
certification" and inserting in lieu thereof the words
"instructors' certifications"

On page 6, subdivision 5.1.b., after the words "keep
their" by striking out the word "certification" and inserting in
lieu thereof the word "certifications"

On page 6, paragraph 5.1.b.1., after the word "original"
by striking out the word "certification" and inserting in lieu
thereof the word "certifications"

On page 6, subdivision 5.2.a., after the word "shall" by
striking out the words "have the following"

On page 6, paragraph 5.2.a.1., at the beginning of the
sentence before the word "Experience" by inserting the word
"Have"

On page 6, paragraph 5.2.a.2., at the beginning of the
sentence before the words "a handgun" by striking out the
word "Completed" and inserting in lieu thereof the word
"Complete"
On page 6, subdivision 5.2.b., after the words "keep their" by striking out the word "certification" and inserting in lieu thereof the word "certifications";

On page 7, paragraph 5.2.b.1., after the words "original instructor" by striking out the word "certification" and inserting in lieu thereof the word "certifications";

On page 7, subdivision 5.2.c., after the words "original instructor" by striking out the word "certification" and inserting in lieu thereof the word "certifications";

On page 7, subdivision 5.5.d., after the words "omitted information" by striking out the word "required";

On page 8, subsection 6.3., after the words "to obtain 75% on" by striking out the word "a" and inserting in lieu thereof the word "an";

On page 9, subsection 8.1., inserting a comma after the words "but are not limited to";

On page 9, subsection 8.1., after the words "job description and" by striking the words "they must" and inserting in lieu thereof the words "the ability to";

On page 9, subdivision 8.1.a., after the words "training requirements for" by striking out the word "such" and inserting in lieu thereof the word "the";

On page 9, subdivision 8.1.a., after the words "position, and" by inserting the word "to";

On page 10, paragraph 8.3.a.11., after the words "Check for" by striking out the words "wants or" and after the words "persons through" by striking out the word "DMV/NCIC" and inserting in lieu thereof the word "NCIC";
61 On page 18, subparagraph 8.5.d.1.B., after the word “eyeglasses” by striking out the words “is commonly accepted”;

62 On page 18, subparagraph 8.5.d.1.F., after the words “perform the essential” by striking out the word “task” and inserting in lieu thereof the word “tasks”;

63 On page 18, subparagraph 8.5.d.2.A., after the words “the applicant” by striking out the words “should not have or”;

64 On page 18, subparagraph 8.5.d.3.C., after the words “or mouth” by inserting a comma and the following words “except as described in subparagraphs 8.5.d.3.A. and 8.5.d.3.B.”;

65 On page 21, subparagraph 8.5.d.7.L., after the words “e.g.,” by striking out the word “Scleroderm” and inserting in lieu thereof the word “Scleroderma”;

66 On page 21, subparagraph 8.5.d.8.K., after the words “Tract Infection” by striking out the words “(now disqualifying)”;

67 On page 23, paragraph 8.5.d.13., after the words “listed in this” by striking the word “section” and inserting in lieu thereof the word “subsection”;

68 On page 27, subsection 13.4., after the words “and the head of” by striking the word “each” and inserting in lieu thereof the words “the applicant's employing”;

69 On page 31, subdivision 16.1.h., at the beginning of the sentence by striking out the word “Whose” and inserting in lieu thereof the words “Having his or her”;

70 And,
§64-9-6. Board of Medicine.

(a) The legislative rule filed in the state register on the eighteenth day of July, two thousand eight, authorized under the authority of section sixteen, article three, chapter thirty, of this code, modified by the Board of Medicine to meet the objections of the legislative rule-making review committee and refiled in the state register on the nineteenth day of November, two thousand eight, relating to the Board of Medicine (licensure, disciplinary and complaint procedures; continuing education; and physician assistants, 11 CSR 1B), is authorized.

(b) The legislative rule filed in the state register on the eighteenth day of July, two thousand eight, authorized under the authority of section ten, article three, chapter thirty, of this code, modified by the Board of Medicine to meet the objections of the legislative rule-making review committee and refiled in the state register on the fifteenth day of October, two thousand eight, relating to the Board of Medicine (establishment and regulation of restricted license issued to an applicant in extraordinary circumstances, 11 CSR 2), is authorized, with the following amendment:

On page three, subsection 3.8. after the word “not” by striking out the word “be”.

§64-9-7. Board of Pharmacy.

(a) The legislative rule filed in the state register on the twenty-ninth day of August, two thousand eight, authorized under the authority of section twelve, article five, chapter thirty, of this code, modified by the Board of Pharmacy to
meet the objections of the legislative rule-making review committee and refiled in the state register on the twentieth day of February, two thousand nine, relating to the Board of Pharmacy (licensure and the practice of pharmacy, 15 CSR 1), is authorized.

(b) The legislative rule filed in the state register on the twenty-ninth day of August, two thousand eight, authorized under the authority of section thirty, article five, chapter thirty, of this code, modified by the Board of Pharmacy to meet the objections of the legislative rule-making review committee and refiled in the state register on the twentieth day of February, two thousand nine, relating to the Board of Pharmacy (immunizations administered by pharmacists, 15 CSR 12), is authorized.

(c) The legislative rule filed in the state register on the twenty-ninth day of August, two thousand eight, authorized under the authority of section one, article five, chapter thirty, of this code, modified by the Board of Pharmacy to meet the objections of the legislative rule-making review committee and refiled in the state register on the twentieth day of February, two thousand nine, relating to the Board of Pharmacy (regulation of charitable clinic pharmacies, 15 CSR 13), is authorized, with the following amendment:

On pages one and two, section seven, by striking out all of subsection 1.5.


The legislative rule filed in the state register on the twenty-eighth day of August, two thousand eight, authorized under the authority of section five, article twenty, chapter thirty, of this code, modified by the Board of Physical Therapy to meet the objections of the legislative rule-making review committee and refiled in the state register on the
On page 1, subsection 16-1-2.4, after the words “assistance in the practice of physical therapy.” by striking out the following sentence, "Massage therapists, exercise physiologists, athletic trainers or other persons who have technical or professional education or training, and who assist the physical therapist, should be considered physical therapy aides and be represented as such.”;

On page 3, subsection 16-1-7.2, by removing the underlined language and inserting in lieu thereof the following, “provide on-site supervision.”;

On page 4, subsection 16-1-9.1(c)(3), by removing the following new language, “physical therapists holding a temporary permit”; 

On page 7, subdivision 16-1-11.2.b. by striking out the dollar amount "$110.00" and inserting in lieu thereof the dollar amount "$220.00";

And,

On page 7, subdivision 16-1-11.2.g. by striking out the dollar amount "$70.00" and inserting in lieu thereof the dollar amount "$140.00".


(a) The legislative rule filed in the state register on the twenty-ninth day of July, two thousand eight, authorized under the authority of section four, article seven, chapter thirty, of this code, modified by the Board of Examiners for Registered Professional Nurses to meet the objections of the
legislative rule-making review committee and refiled in the state register on the ninth day of January, two thousand nine, relating to the Board of Examiners for Registered Professional Nurses (policies, standards and criteria for the evaluation and accreditation of colleges, departments or schools of nursing, 19 CSR 1), is authorized, with the following amendment:

On page 3, subsection 4.1, after the words “on-site visit is” by reinserting the stricken words “fifty dollars ($50.00)”, and by striking the underscored words “as set forth in the board’s rule Fees, 19 CSR 12.”.

(b) The legislative rule filed in the state register on the first day of August, two thousand eight, authorized under the authority of section fifteen-a, article seven, chapter thirty, of this code, modified by the Board of Examiners for Registered Professional Nurses to meet the objections of the legislative rule-making review committee and refiled in the state register on the twentieth day of January, two thousand nine, relating to the Board of Examiners for Registered Professional Nurses (limited prescriptive authority for nurses in advanced practice, 19 CSR 8), is authorized.

§64-9-10. Board of Respiratory Care.

The legislative rule filed in the state register on the twenty-fifth day of July, two thousand eight, authorized under the authority of section six-a, article thirty-four, chapter thirty, of this code, modified by the Board of Respiratory Care to meet the objections of the legislative rule-making review committee and refiled in the state register on the twenty-third day of October, two thousand eight relating to the Board of Respiratory Care (student temporary permits, 30 CSR 9), is authorized, with the following amendment:
On page I, subdivision 2.2b, by striking subdivision 2.2b in its entirety and inserting in lieu thereof a new subdivision 2.2b to read as follows:

"2.2b. An official transcript indicating successful completion of a minimum of thirty semester hours or the quarter hour equivalent, eighteen of which must be specific to respiratory care core curriculum, and at least two hundred clinical hours;".

§64-9-11. Secretary of State.

The legislative rule filed in the state register on the fifteenth day of February, two thousand eight, authorized under the authority of section one hundred ten, article twenty-eight-a, chapter forty-eight, of this code, modified by the Secretary of State to meet the objections of the legislative rule-making review committee and refiled in the state register on the seventh day of August, two thousand eight, relating to the Secretary of State (administration of the address confidentiality program, 153 CSR 37), is authorized, with the following amendment:

On page 8, subsection 153-37-15, by striking section 15.1 in its entirety and inserting in lieu thereof the following:

"15.1. If any post election challenges are brought pertaining to the outcome of any election and it becomes necessary to check the validity of all absentee ballots cast in the election by verifying the names and addresses of all voters casting absentee ballots, a protected records voter's ballot shall not be included in the review unless the county canvassing board determines that such a ballot would be determinative of a county election outcome. When the county canvassing board has determined that review of a protected records voter's ballot is necessary, the designated county contact shall verify the protected records voter's ballot, in
19  [Enr. Com. Sub. for H.B. 2819

24 executive session, using extreme caution to ensure continued
25 confidentiality.

26 15.2. When the Secretary of State determines the review
27 of a protected records voter’s ballot is necessary to determine
28 the outcome of any election that would be determined by
29 voters outside that county, the county canvassing board shall
30 review the protected ballots.".


1 The legislative rule filed in the state register on the
2 twenty-eighth day of July, two thousand eight, authorized
3 under the authority of section three, article thirty, chapter
4 thirty, of this code, relating to the Board of Social Work
5 Examiners (fee schedule, 25 CSR 3), is authorized.


1 The legislative rule filed in the state register on the
2 twenty-ninth day of August, two thousand eight, authorized
3 under the authority of section two, article one, chapter
4 twelve, of this code, modified by the Treasurer’s Office to
5 meet the objections of the legislative rule-making review
6 committee and refiled in the state register on the fourth day
7 of February, two thousand nine, relating to the Treasurer’s
8 Office (selection of state depositories for receipt accounts,
9 112 CSR 7), is authorized, with the following amendments:

10 On page 3, beginning on line twelve, by striking out all
11 of subdivisions 3.1.b. and 3.1.c. and inserting in lieu thereof
12 the following:

13 “3.1.b. Be insured by an agency of the federal government;
14
15 3.1.c. For deposits of state funds in excess of any amount
16 insured by an agency of the federal government, be insured by:
3.1.c.i. A deposit guaranty bond issued by a valid bankers' surety company acceptable to the Treasurer; and/or

3.1.c.ii. A collaterally secured bond, first approved by the Treasurer, in the amount of not less than Ten Thousand Dollars ($10,000.00).”;

On page 6, following subsection 4.11., by adding a new subsection to read as follows:

“4.12. A deposit guaranty bond issued by an approved bankers’ surety company to insure state funds on deposit with an eligible state depository may only secure those funds in the custody of the Treasurer.”;

On page 7, following subsection 5.3., by adding a new subsection to read as follows:

“5.4. If a state depository insured through a collaterally secured bond or through letters of credit becomes insolvent or in any way breaches its contract with the Treasurer and fails to cure the insolvency or breach within five (5) business days, the holder of the collateral or the obligor for the letters of credit for the depository shall, upon written demand from the Treasurer, within three (3) business days remit to the Treasurer the collateral securing state funds on deposit with the state depository.”;

And,

On page 8, subsection 8.1, following the words “with the Treasurer”, by striking out the comma and the word “the” and inserting in lieu thereof a period and the word “The”.

§64-9-14. Board of Veterinary Medicine.
The legislative rule filed in the state register on the twenty-ninth day of August, two thousand eight, authorized under the authority of section four, article ten, chapter thirty, of this code, modified by the West Virginia, 1931, as amended, relating to authorizing the Board of Veterinary Medicine to meet the objections of the legislative rule-making review committee and refiled in the state register on the fifth day of December, two thousand eight, relating to the West Virginia, 1931, as amended, relating to the Board of Veterinary Medicine (schedule of fees, 26 CSR 6), is authorized.
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 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 30th day of April, 2009.

Governor
PRESENTED TO THE GOVERNOR

APR 29 2009

Time 11:36