

COMMITTEE SUBSTITUTE

for

H. B. 2239

(BY DELEGATE(S) HOWELL, ELLINGTON,
ARVON, HOUSEHOLDER, R. PHILLIPS, MILLER, STORCH,
WAXMAN, SUMMERS AND ROHRBACH)

[Originating in the Committee on Government Organization.]

[February 27, 2015]

A BILL to amend and reenact §30-1-19 of the Code of West Virginia, 1931, as amended, relating to logistical advisory committee; setting forth a purpose of the committee; requiring participation from certain entities; providing for membership; providing the committee with certain authority; and requiring certain reporting.

Be it enacted by the Legislature of West Virginia:

That §30-1-19 of the Code of West Virginia, 1931, as amended, be amended and reenacted, to read as follows:

ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE
BOARDS OF EXAMINATION OR REGISTRATION
REFERRED TO IN CHAPTER.

**§30-1-19. Combining board staff functions; creating a logistical
advisory committee; and requiring annual reports.**

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 acts
6 of each board set forth in this chapter and the legislative rules of
7 each board: *Provided*, That each board retains responsibility for
8 fulfilling its statutory duties.

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

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

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

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

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

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

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

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

36 (d) There is created a “Logistical Advisory Committee” of
37 regulatory boards established pursuant to this chapter. The
38 Secretary of Administration or his or her designee shall call the
39 initial meeting to order and chair the meeting until the election
40 of officers. The purpose of the advisory committee is to advise
41 the boards on the efficiency and economies of scale that may
42 result from the consolidation or sharing of technology,
43 technology services and through shared contracting for
44 professional recovery networks. The committee shall elect a
45 chair and vice chair.

46 (1) The committee shall meet at least twice each calendar
47 year at the calling of the chair. Each board established pursuant
48 to this chapter shall designate a representative who shall attend
49 and represent his or her board on the committee.

50 (2) The committee may evaluate information technology and
51 make recommendations for boards in this chapter to share
52 technology support services, consolidate technology functions,
53 make recommendations to the Office of Technology, the
54 Department of Administration, the Purchasing Division, the

55 Secretary of State and the State Treasurer, regarding appropriate
56 technology services to be provided to the boards.

57 (3) The Office of Technology, the Department of
58 Administration, the Purchasing Division, the Secretary of State
59 and the State Treasurer shall cooperate with the committee and
60 provide technical support to the committee and to the boards
61 established pursuant to this chapter: *Provided*, That no agency,
62 office or department may charge a fee to the committee or to the
63 boards for advisory or support activities provided pursuant to
64 this section.

65 (4) The committee may evaluate professional recovery
66 networks and make such recommendations to the boards
67 established pursuant to this chapter, regarding consolidating
68 recovery services, contracting for recovery services and
69 recommending appropriate recovery services for the
70 professionals licensed pursuant to this chapter.

71 (5) On or before December 1 of each year, the committee
72 shall provide a written report to the Secretary of the Department
73 of Administration, the Joint Committee on Government
74 Organization and to the Legislative Oversight Commission on

75 Health and Human Resources Accountability. The report shall
76 contain cost saving proposals that will benefit at least two or
77 more boards. The committee may recommend other cost saving
78 measures as the committee deems appropriate.

