

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4835

BY DELEGATES HOWELL, FOSTER, PORTERFIELD,

HAMRICK AND WAXMAN

[Introduced February 11, 2020; Referred to the
Committee on Government Organization]

1 A BILL to amend and reenact §30-1-19 of the Code of West Virginia, 1931, as amended, relating
2 to requiring all boards to be located in the same area and office space.

Be it enacted by the Legislature of West Virginia:

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

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

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

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

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

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

12 (3) The pro rata share of expenses that each board will be responsible for paying, including
13 salaries, office rent, office supplies, telephone, fax and computer services, travel expenses and
14 any other expenses anticipated by the boards;

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

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

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

19 (c) The boards that combine administrative staff functions pursuant to this section, may

20 promulgate rules in accordance with the provisions of §29A-3-1 *et seq.* of this code, to make any
21 necessary changes to facilitate the combining of administrative staff functions. The boards may
22 also promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code, to correct
23 any conflicts with a board's current rules.

24 (d) All boards referred to in this chapter shall be relocated to the same location in any part
25 of this state, as determined by a majority of the boards, by July 1, 2023. All boards shall enter into
26 a memorandum of understanding, in consultation with the Attorney General, to determine the pro
27 rata share of rent for any shared office space. All boards may share office resources, storage,
28 supplies, and staff as described in subsection (b) of this section: *Provided*, That each board
29 retains and complies with any statutory duties of confidentiality.

NOTE: The purpose of this bill is to require all boards referred to in Chapter 30 of the code be located in the same area in the state.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.