WEST virginia legislature

2021 regular session

Introduced

House Bill 2154

By Delegates Howell and Foster

[Introduced February 10, 2021; Referred to the Committee on Government Organization]

A BILL to amend and reenact §30-1-19 of the Code of West Virginia, 1931, as amended, relating 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; board location requirements.

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

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

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

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

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

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

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

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

(c) The boards that combine administrative staff functions pursuant to this section, may promulgate rules in accordance with the provisions of §29A-3-1 *et seq.* of this code, to make any necessary changes to facilitate the combining of administrative staff functions. The boards may also promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code, to correct any conflicts with a board’s current rules.

(d) All boards referred to in this chapter shall be relocated to the same location in any part of this state, as determined by a majority of the boards, by July 1, 2024. All boards shall enter into a memorandum of understanding, in consultation with the Attorney General, to determine the pro rata share of rent for any shared office space. All boards may share office resources, storage, supplies, and staff as described in subsection (b) of this section: *Provided,* That each board 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.