

SB334 CC #1 3-12

Passage

Debra Graham 4841

Senator Sypolt, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Committee Substitute Senate Bill No. 334, Authorizing miscellaneous agencies and boards to promulgate rules.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the House to Engrossed Committee Substitute for Senate Bill 334 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the House of Delegates on page two, section one, lines twenty-five through thirty-seven, and that the Senate and House agree to an amendment as follows:

On page two, section one, lines twenty-five through thirty-seven, by striking all of subsection (f) and inserting in lieu thereof a new subsection (f) to read as follows:

(f) The legislative rule filed in the State Register on July 29, 2021, authorized under the authority of §19-2C-3a 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 October 5, 2021, relating to the Commissioner of Agriculture (Auctioneers, [61 CSR 11B](#)), is authorized, with the following amendments:

On page 8, subdivision 16.1, by striking “two hundred dollars (\$200)” and inserting in lieu thereof “\$100”;

On page 8 subdivision 16.3, by striking “two hundred dollars (\$200)” and inserting in lieu

thereof “\$100”;

On page 9, subdivision 16.6 by striking “two hundred dollars (\$200)” and inserting in lieu thereof “\$100”;

On page 9, subdivision 16.7, by striking “two hundred dollars (\$200)” and inserting in lieu thereof “\$100”;

That the Senate agree to all other House of Delegates amendments to the bill;

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Senate Bill 334—A BILL to amend and reenact §64-9-1 et seq. of the Code of West Virginia, 1931, as amended, relating generally to authorizing and directing certain miscellaneous agencies and boards to promulgate legislative rules; authorizing the rules, as filed, as modified, and as amended by the Legislative Rule-Making Review Committee, and as amended by the Legislature; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to feeding of untreated garbage to swine; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to commercial feed; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to enrichment of flour and bread law regulations; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to fruits and vegetables: certification for potatoes for seedling purposes; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to Fresh Food Act; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to auctioneers; to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to hemp products; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to livestock care standards; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to the Rural Rehabilitation Program; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to the Farm-to-Food Bank

Tax Credit; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to farmers markets; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to seed certification; authorizing the State Auditor to promulgate a legislative rule relating to the procedure for local levying bodies to apply for permission to extend time to meet as levying body; authorizing the State Auditor to promulgate a legislative rule relating to accountability requirements for state funds and grants; authorizing the West Virginia Board of Chiropractic Examiners to promulgate a legislative rule relating to fees established by the Board; directing the West Virginia Board of Chiropractic Examiners to promulgate a legislative rule relating to chiropractic telehealth practices; authorizing the Contractor Licensing Board to promulgate a legislative rule relating to the Contractor Licensing Act; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to licensure; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to licensed professional counselors fees; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to marriage and family therapist licensing; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to marriage and family therapist fees; authorizing the Dangerous Wild Animal Board to promulgate a legislative rule relating to dangerous wild animals; authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to the West Virginia Board of Dentistry; authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to the formation and approval of professional limited liability companies; directing the West Virginia Board of Dentistry to promulgate a legislative rule relating to fees; authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to the formation and approval of dental corporation and dental practice ownership; authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to continuing education requirements; authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to the administration of anesthesia by dentists; authorizing the West Virginia Board of Dentistry to promulgate a legislative

rule relating to the expanded duties of dental hygienists and dental assistants; authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to teledentistry; directing the West Virginia Board of Licensed Dietitians to promulgate a legislative rule relating to licensure and renewal requirements; directing the West Virginia Board of Professional Engineers to promulgate a legislative rule relating to examination, licensure, and practice of professional engineers; authorizing the West Virginia Board of Funeral Service Examiners to promulgate a legislative rule relating to the fee schedule; authorizing the West Virginia Massage Therapy Licensure Board to promulgate a legislative rule relating to general provisions; directing the West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners relating to medical imaging technologists; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to licensing and disciplinary procedures for physicians, podiatric physicians, and surgeons; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to licensure, practice requirements disciplinary and complaint procedures, continuing education, and physician assistants; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to dispensing of prescription drugs by practitioners; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to continuing education for physicians and podiatric physicians; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to practitioner requirements for accessing the West Virginia Controlled Substances Monitoring Program Database; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to the establishment and regulation of limited license to practice medicine and surgery at certain state veterans nursing home facilities; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to registration to practice during a declared state of emergency; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to telehealth and interstate telehealth registration for physicians, podiatric physicians, and physician assistants; authorizing the West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to licensing

procedures for osteopathic physicians; authorizing the West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to Osteopathic Physicians Assistants; authorizing the West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to practitioner requirements for controlled substances licensure and Accessing the West Virginia Controlled Substances Monitoring Program Database; authorizing the West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to telehealth practice and interstate telehealth registration for osteopathic physicians and physician assistants; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy care; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to the Controlled Substance Monitoring Program; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacists; directing the West Virginia Board of Psychologists to promulgate a legislative rule relating to fees; authorizing the Public Service Commission to promulgate a legislative rule relating to rules governing the occupancy of customer-provided conduit; authorizing the West Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for licensure or certification; authorizing the West Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to the renewal of licensure and certification; authorizing the West Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for registration and renewal of appraisal management companies; authorizing the West Virginia Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to limited prescriptive authority for nurses in advanced practice; authorizing the West Virginia Board of Examiners of Registered Professional Nurses to promulgate a legislative rule relating to telehealth practice; authorizing the Secretary of State to promulgate a legislative rule relating to voter registration at the Division of Motor Vehicles; authorizing the Secretary of State to promulgate a legislative rule relating to voter registration list maintenance by the Secretary of State; authorizing the Secretary

of State to promulgate a legislative rule relating to the combined Voter Registration and Driver Licensing Fund; authorizing the Secretary of State to promulgate a legislative rule relating to the use of digital signatures; authorizing the Secretary of State to promulgate a legislative rule relating to regulation of political party headquarters finances; authorizing the Secretary of State to promulgate a legislative rule relating to standards and guidelines for electronic notarization, remote online notarization, and remote ink notarization; authorizing the Secretary of State to promulgate a legislative rule relating to real property electronic recording standards and regulations; authorizing the West Virginia Board of Social Work Examiners to promulgate a legislative rule relating to qualifications for the profession of social work; directing the West Virginia Board of Social Work Examiners to promulgate a legislative rule relating to the fee schedule; authorizing the West Virginia Board of Social Work Examiners to promulgate a legislative rule relating to continuing education for social workers and providers; authorizing the West Virginia Board of Examiners for Speech-Language Pathology and Audiology to promulgate a legislative rule relating to licensure of speech-pathology and audiology; authorizing the State Treasurer to promulgate a legislative rule relating to Substitute Checks- Exceptional Items Fund; authorizing the State Treasurer to promulgate a legislative rule relating to procedures for deposit of monies with the State Treasurer's Office by state agencies; authorizing the State Treasurer to promulgate a legislative rule relating to the selection of state depositories for disbursement accounts through competitive bidding; authorizing the State Treasurer to promulgate a legislative rule relating to the selection of state depositories for receipt accounts; authorizing the State Treasurer to promulgate a legislative rule relating to procedures for processing payments from the State Treasury; authorizing the State Treasurer to promulgate a legislative rule relating to reporting debt; authorizing the State Treasurer to promulgate a legislative rule relating to procedures for fees in collections by charge, credit, or debit card or by electronic payment; and authorizing the State Treasurer to promulgate a legislative rule relating to procedures for providing services to political subdivisions.

Respectfully submitted,

Geoff Foster

Chair.

Dave Sypolt

Chair.

Shannon Kimes

Patricia Rucker

Kayla Young

*Conferees on the part of the House
of Delegates.*

Glenn Jeffries

Conferees on the part of the Senate.