WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

SENATE BILL No. 263

(By Mr. Paul)

PASSED March 8, 1937

In Effect from Passage
AN ACT to amend and reenact section three, article one, sections six, seven, fourteen, seventeen and eighteen, article two, sections three, four, five, seven, ten, eleven, twelve and nineteen, article five, sections one, two, three, four, eight, ten, eleven, twelve and thirteen, article six, sections two, four, six and eight, article seven, sections five and nine, article eight, and section four, article ten, to add section six-a to article two; to repeal section eight, article five, and sections fourteen, fifteen, sixteen, seventeen, eighteen and nineteen, article six; all of chapter one, acts of the Legislature of
West Virginia, second extraordinary session, one thousand nine hundred thirty-six, relating to unemployment compensation.

Be it enacted by the Legislature of West Virginia:

That section eight, article five, and sections fourteen, fifteen, sixteen, seventeen, eighteen and nineteen, article six, chapter one, acts of the Legislature of West Virginia, second extraordinary session, one thousand nine hundred thirty-six, be, and they are hereby, repealed; that section three, article one, sections six, seven, fourteen, seventeen and eighteen, article two, sections three, four, five, seven, ten, eleven, twelve and nineteen, article five, sections one, two, three, four, eight, ten, eleven, twelve and thirteen, article six, sections two, four, six and eight, article seven, sections five and nine, article eight and section four, article ten of said chapter one be amended and reenacted; and that article two of said chapter one be amended by adding thereto a new section to be numbered section six-a; all to read as follows:

ARTICLE I

Section 3. As used in this chapter, unless the context

2 clearly requires otherwise:
"Administration fund" means the unemployment compensation administration fund, from which the administrative expenses under this chapter shall be paid.

"Annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during one year.

"Average annual payroll" means the average of the annual payrolls of an employer for the last three or five preceding years, whichever is the higher.

"Base period" means the period beginning with the first day of the nine completed calendar quarters immediately preceding the first day of an individual's benefit year and ending with the last day of the next to the last completed calendar quarter immediately preceding any week with respect to which benefits are payable.

"Benefit year" with respect to any individual, means the fifty-two consecutive week period beginning with the first day of the week with respect to which benefits are first payable to him, and thereafter the fifty-two consecutive week period beginning with the first day of the first week with respect to which benefits are next payable to him.
23 after the termination of his last preceding benefit year.
24 "Benefits" means the money payable to an individual
25 with respect to his unemployment.
26 "Board" means board of review.
27 "Calendar quarter" means the period of three consecutive
28 calendar months ending on March thirty-one, June thirty,
29 September thirty, or December thirty-one, excluding, how-
30 ever, any calendar quarter or portion thereof which occurs
31 prior to January one, one thousand nine hundred thirty-
32 seven, or the equivalent thereof as the director may by
33 regulation prescribe.
34 "Director" means the unemployment compensation
35 director.
36 "Employing unit" means an individual, or type of organ-
37 ization, including any partnership, association, trust, estate,
38 joint stock company, insurance company, corporation
39 (domestic or foreign), or the receivership, trustee in bank-
40 ruptcy, trustee or successor thereof, or the legal represen-
41 tative of a deceased person which has on January one,
42 one thousand nine hundred thirty-five, or subsequent there-
to, had in its employ one or more individuals performing
service within this state.

"Employer" means an employing unit which for some
portion of a day, not necessarily simultaneously, in each of
twenty different weeks, which weeks need not be consecutive,
within either the current year or the preceding year, has
had in employment eight or more individuals (irrespective
of whether the same individuals were or were not employed
on each of such days).

"Employment," subject to the other provisions of this
subsection, means:

(1) Service, including service in interstate commerce,
performed for wages or under any contract of hire, written
or oral, express or implied.

(2) The term "employment" shall include an individual’s
entire service, performed within or both within and with-
out this state if: (a) The service is localized in this state;
or (b) The service is not localized in any state but some
of the service is performed in this state and (i) the base
of operations, or, if there is no base of operations, then
the place from which such service is directed or controlled,
is in this state; or (ii) the base of operations or place
from which such service is directed or controlled is not
in any state in which some part of the service is per-
formed but the individual’s residence is in this state.

(3) Service not covered under paragraph (2) of this sub-
section and performed entirely without this state, with re-
spect to no part of which contributions are required and
paid under an unemployment compensation law of any
other state or of the federal government, shall be deemed
to be employment subject to this act if the individual per-
forming such services is a resident of this state and the
director approves the election of the employing unit for
whom such services are performed that the entire service
of such individual shall be deemed to be employment sub-
ject to this act.

(4) Service shall be deemed to be localized within a
state if: (a) The service is performed entirely within
such state; or (b) the service is performed both within
and without such state, but the service performed without
such state is incidental to the individual’s service within
the state: For example, is temporary or transitory in nature or consists of isolated transactions.

(5) Services performed by an individual for wages shall be deemed to be employment subject to this act unless and until it is shown to the satisfaction of the director that: (a) Such individual has been and will continue to be free from control or direction over the performance of such services, both under his contract of service and in fact; and (b) such service is either outside the usual course of the business for which such service is performed or that such service is performed outside of all the places of business of the enterprise for which such service is performed; and (c) such individual is customarily engaged in an independently established trade, occupation, profession, or business.

The term "employment" shall not include:

(1) Services performed in the employ of this state or any political subdivision thereof, or any instrumentality of this state or its subdivisions.

(2) Service performed in the employ of another state,
its political subdivisions or an instrumentality of that state or its subdivisions.

Service performed in the employ of the United States or an instrumentality of the United States.

Service with respect to which unemployment compensation is payable under an unemployment compensation system established by an act of congress. The director may enter into agreements with the proper agency established under such act of congress to provide reciprocal treatment to individuals who, after acquiring potential rights to benefits under this chapter, have acquired rights to unemployment compensation under an act of congress, or who have, after acquiring potential rights to unemployment compensation under an act of congress, acquired rights to benefits under this chapter. Such agreements shall become effective ten days after such publication as complies with the general rules of the department.

Agricultural labor.

Domestic service in a private home.

Service performed as an officer or member of a crew of a vessel on the navigable waters of the United States.
(8) Service performed by an individual in the employ of his son, daughter, or spouse.

(9) Service performed by a child under the age of twenty-one years in the employ of his father or mother.

(10) Service performed in the employ of an employing unit organized and operated exclusively for religious, charitable, scientific, literary, or educational purpose or for prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private shareholder or individual.

"Employment office" means a free employment office or branch thereof, operated by this state or maintained as a part of a state-controlled system of public employment offices.

"Fund" means the unemployment compensation fund established by this chapter.

"Payments" means the money required to be paid into the state unemployment compensation fund as provided by article five of this chapter.

"State" includes in addition to the states of the United

"Total and partial unemployment":

(1) An individual shall be deemed "totally unemployed" in any week during which he performs no services and with respect to which no wages are payable to him.

(2) An individual shall be deemed "partially unemployed" in any week of less than full time work if the wages payable to him for such week are less than six-fifths of the weekly benefit amount he should be entitled to receive if totally unemployed and eligible.

(3) As used in this subsection, the term "wages" shall include only that part of remuneration for odd jobs or subsidiary work, or both, which is in excess of three dollars in any one week, and the term "services" shall not include that part of odd jobs or subsidiary work, or both, for which remuneration equal to or less than three dollars in any one week is payable.

(4) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the director may by regulation otherwise prescribe.
"Wages" means all remuneration payable for personal services, including commissions and bonuses and the cash value of all remuneration payable in any medium other than cash. Gratuities customarily received by an individual in the course of his employment from persons other than his employing unit shall be treated as wages paid by his employing unit.

The reasonable cash value of remuneration payable in any medium other than cash, and the reasonable amount of gratuities shall be estimated and determined in accordance with rules prescribed by the director.

"Week" means a calendar week, ending at midnight Saturday, or the equivalent thereof, as determined in accordance with the regulations prescribed by the director.

"Weekly benefit amount" means the amount of benefit an individual would be entitled to receive for one week of total unemployment.

"Year" means a calendar year, or the equivalent thereof, as determined by the director.

**ARTICLE II**

Section 6. The director shall be the executive and admin-
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(1) Exercise general supervision of and make regulations for the government of the department.

(2) Prescribe uniform rules pertaining to investigations, departmental hearings, and promulgate rules and regulations.

(3) Supervise fiscal affairs and responsibilities of the department.

(4) Prescribe the qualifications of, appoint, remove, and fix the compensation of the officers and employees of the department.

(5) Organize and administer the department so as to comply with the requirements of this chapter and to satisfy any conditions established in applicable federal legislation.

(6) Make reports in such form and containing such information as the federal social security board may from time to time require, and comply with such provisions as the federal social security board may from time to time find necessary to assure the correctness and verification of such reports.
(7) Make available to any agency of the United States charged with the administration of public works or assistance through public employment, upon its request, the name, address, ordinary occupation and employment status of each recipient of unemployment compensation, and a statement of the recipient's rights to further compensation under this chapter.

(8) Keep an accurate and complete record of all departmental proceedings; record and file all bonds and contracts and assume responsibility for the custody and preservation of all papers and documents of the department.

(9) Sign and execute in the name of the state, by "The state department of unemployment compensation," any contract or agreement with the federal government, its agencies, other states, their subdivisions, or private persons.

(10) Prescribe a salary scale to govern compensation of appointees and employees of the department.

(11) Make the original determination of right in claims for benefits.

(12) Make recommendations, and an annual report to
the governor concerning the condition, operation, and functioning of the department.

(13) Invoke any legal, equitable or special remedy for the enforcement of orders or the provisions of this chapter.

(14) Exercise any other power necessary to standardize administration, expedite departmental business, assure the establishment of fair rules and regulations and promote the efficiency of the service.

Sec. 6a. The director is hereby authorized to enter into arrangements with the appropriate agencies of other states or the federal government whereby individuals performing services in this and other states for a single employing unit under circumstances not specifically provided for in section three, article one, of this act, or under similar provisions in the unemployment compensation laws of such other states, shall be deemed to be engaged in employment performed entirely within this state or within one of such other states, and whereby potential rights to benefits accumulated under the unemployment compensation laws of several states or under such a law of the federal government, or both, may
constitute the basis for the payment of benefits through a single appropriate agency under terms which the director finds will be fair and reasonable as to all affected interests and will not result in any substantial loss to the fund.

Sec. 7. The director shall establish within the department the division of unemployment compensation, and the division of employment service and such other divisions as will promote efficiency and economy in administration. Each division shall be a separate administrative division with respect to personnel, budget and duties, except insofar as the director may find that such separation is impracticable.

Sec. 14. For the original determination of benefit claims, the director shall appoint a necessary number of deputies as his representatives.

Sec. 17. The head of the employment service division shall have all powers and duties necessary to secure to the state the benefits of congressional action for the promotion and maintenance of a system of public employment offices. To this end the provisions of the act referred to in the preceding section and such additional congressional action consistent with the above act are accepted by the state and the
state pledges its observance and compliance therewith.

The state employment service division is designated the agent of this state for the purpose of compliance with the act of Congress entitled "An act to provide for the establishment of a national employment system and for cooperation with states in the promotion of such system, and for other purposes," approved June six, one thousand nine hundred thirty-three, as amended. The director shall appoint the head of the service and all appointees and employees in accordance with the regulations prescribed by the director of the United States employment service.

Sec. 18. All moneys received by this state under the said act of Congress, as amended, shall be paid into the employment service account, to be expended as provided by this act and by said act of Congress. For the purpose of establishing and maintaining free public employment offices, the director may enter into agreements with any political subdivision of the state or with any private nonprofit organization, and as part of such an agreement the director may accept money, services, or quarters as a contribution to the employment service account.
ARTICLE V

Section 3. (1) An employing unit, not otherwise subject to this act, which files with the director its written election to become an employer subject hereto for not less than two calendar years, shall, with the written approval of such election by the director, become an employer subject hereto to the same extent as all other employers, as of the date stated in such approval, and shall cease to be subject hereto as of January first of any calendar year subsequent to such two calendar years, only if at least thirty days prior to such first day of January, it has filed with the director a written notice to that effect.

(2) Any employing unit for which services that do not constitute employment as defined in this act are performed, may file with the director a written election that all such services performed by individuals in its employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all the purposes of this act for not less than two calendar years. Upon the written approval of such election by the director, such services shall be deemed to constitute employment subject to this
act from and after the date stated in such approval. Such services shall cease to be deemed employment subject hereto as of January first of any calendar year subsequent to such two calendar years, only if at least thirty days prior to such first day of January such employing unit has filed with the director a written notice to that effect.

(3) Any employing unit which is or becomes an employer subject to this act within any calendar year shall be subject to this act during the whole of such calendar year.

Sec. 4. On and after January first, one thousand nine hundred thirty-six, an employer shall be liable for payments in respect to wages payable for employment occurring during each year in which he is subject to this act.

Sec. 5. An employer shall make payments to the unemployment compensation fund equal to the following percentages of wages payable by him with respect to employment as follows:

Nine-tenths of one per cent with respect to employment during the year one thousand nine hundred thirty-six.

One and eight-tenths per cent with respect to employ-
ment during the year one thousand nine hundred thirty-seven.

Two and seven-tenths per cent with respect to employment during the years one thousand nine hundred thirty-eight, one thousand nine hundred thirty-nine and one thousand nine hundred forty; and thereafter, the percentage shall be determined by sections eight to thirteen of this article.

Sec. 7. (1) The director shall maintain a separate account for each employer, and shall credit his account with all the contributions paid on his own behalf in excess of one per centum of his annual pay roll for each calendar year. But nothing in this act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged, in the amount herein-after provided, against the account of his most recent employer, except that if such individual had not earned within the completed calendar quarter and the expired portion of the uncompleted calendar quarter immediately preceding
the first week of any continuous period of unemployment,

wages for employment by such most recent employer equal
to more than twelve times his weekly benefit amount, such
benefits may also be charged against the account of his
next most recent employer, in the inverse chronological or-
der in which the employment of such individual occurred.
The maximum amount so charged against the account of any
employer shall not exceed one-sixth of the wages payable to
such individual by each such employer for employment
which occurs on and after the first day of such individ-
ual's base period, and shall not exceed sixty-five dollars per
completed calendar quarter or portion thereof, which oc-
curs within such base period. The director shall by general
rules prescribe the manner in which benefits shall be
charged against the accounts of several employers for whom
an individual performed employment at the same time.

(2) The director may prescribe regulations for the estab-
lishment, maintenance, and dissolution of joint accounts by
two or more employers, and shall, in accordance with such
regulations and upon application by two or more employers
to establish such an account, or to merge their several indi-
individual accounts in a joint account, maintain such joint account as if it constituted a single employer’s account.

(3) The director shall, for the year one thousand nine hundred forty-one and for each calendar year thereafter, classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts, with a view to fixing such contribution rates as will reflect such experience.

Sec. 10. After the requirements of section nine have been complied with, an employer’s payment shall remain two and seven-tenths per cent, until:

(1) There have elapsed three years throughout which an individual in his employ could have received benefits if unemployed and eligible.

(2) His payments credited to his account for all past years exceed the benefits charged to his account by an amount equal to at least seven and one-half per cent of his average annual payroll, in which case his rate shall be one and eight-tenths per cent.
(3) His payments credited to his account for all past years exceed the benefits charged to his account by an amount equal to at least ten per cent of his average annual payroll, in which case his rate shall be nine-tenths of one per cent.

The director shall determine an employer's compliance with these requirements.

Sec. 11. If the total payments credited to an employer's account for all past periods or the last sixty consecutive calendar months (whichever period is the more advantageous to the employer) are less than the total benefits charged against his account during the same period, his rate shall be three and six-tenths per cent, unless he shows to the satisfaction of the director that such experience is due to an act of God, fire, or other catastrophe, or act of civil or military authority, directly affecting the place in which individuals were employed by him, in which case the rate shall be two and seven-tenths per cent.

Sec. 12. If the director determines that the above rates work inequities and hardships upon particular individuals or industries he may hold an investigation after proper
notice and hearing and establish other rates more in con-
sonance with the risk of each employer and more nearly
calculated to increase stabilization of employment. Rates
fixed by the director shall be subject to the following lim-
itations:

(1) The combined rates of all employers shall be calcu-
lated to yield approximately two and seven-tenths per cent
of the total annual payrolls.

(2) The rate for a particular employer shall not be less
than two and seven-tenths per cent until there has been
three years throughout which an individual in his employ
could have received benefits if unemployed and eligible.

Sec. 19. Within one year after the date on which payment
or interest thereon is due, an employer, who has paid such
payment or interest, may make application for:

(1) An adjustment thereof in connection with subsequent
payments.

(2) A refund thereof if adjustment cannot be made.

If the director determines that payments and interest
were erroneously collected, he shall make the adjustment
without interest, in connection with subsequent payments
of the employer, or if such adjustment cannot be made, re-
fund the amount without interest from the clearing account
of the unemployment compensation fund.
For like cause and within the same period the director, on
his own initiative, may make an adjustment or refund.

ARTICLE VI

Section 1. An unemployed individual shall be eligible to
receive benefits, only if the director finds that:
(1) He has registered for work at and thereafter con-
tinues to report at an employment office in accordance
with the regulations of the director.
(2) He has made a claim for benefits in accordance with
the provisions of article seven of this chapter.
(3) He is able to work, and is available for work.
(4) He has been totally unemployed for a waiting period
of two weeks prior to the week for which he claims benefits
for total unemployment (and for the purposes of this sub-
section, two weeks of partial unemployment shall be deemed
to be equivalent to one week of total unemployment).
(5) He has within the first three out of the last four
completed calendar quarters immediately preceding the first
Sec. 2. The waiting period of two weeks need not be consecutive but may be accumulated during the thirteen consecutive weeks preceding the week for which benefits are claimed. This requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment; but the waiting period must occur after benefits could first become payable to an individual under this chapter; and provided further that no individual shall be required to accumulate more than five waiting period weeks during any sixty-five consecutive week period.

During the waiting period the individual must be eligible in all respect except for the requirements of subsections two and five, section one of this article.

No week shall be counted toward the waiting period if benefits have been paid with respect thereto.

Sec. 3. If the director finds that during the qualifying period specified by subsection (5) of section one of this article, an individual has been:
(1) Incapable of work because of some physical or mental
disability; (2) engaged in self-employment; or (3) engaged
in the performance of services not subject to this chapter;
the qualifying period shall be extended by the duration of
the incapacity, self-employment or services. No such ex-
tensions shall exceed four additional calendar quarters.

Sec. 4. Upon the determination of the facts by the
director, an individual shall be disqualified for benefits:
(1) For the week in which he left work voluntarily with-
out good cause and for not less than one nor more than
five weeks which immediately follow.
(2) For the week in which he has been discharged for
misconduct connected with his work and for not less than
one nor more than nine weeks which immediately follow.
(3) For the week in which he failed without good cause,
to apply for available suitable work, accept suitable work
when offered, or return to his customary self employment
when directed to do so by the director and for not less
than one nor more than five weeks which immediately
follow.
15 (4) For a week in which his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he was last employed, unless the director is satisfied that he was not (one) participating, financing, or directly interested in such dispute, and (two) did not belong to a grade or class of workers who were participating, financing, or directly interested in the labor dispute which resulted in the stoppage of work.

16 (5) For a week with respect to which he is receiving or has received:

17 (a) Wages in lieu of notice; (b) compensation for temporary partial disability under the workmen’s compensation law of any state or under a similar law of the United States;

18 (c) old age benefits under title II of the social security act or similar payments under any act of congress.

Sec. 8. Benefits shall become payable from the fund twenty-four months after the first day when payments first accrue.

4 Benefits shall be payable only with respect to unemployment occurring after expiration of such twenty-four months.
Sec. 10. Each eligible individual who is totally unemployed in any week shall be paid benefits with respect to that week at the rate of fifty per cent of his full time weekly wage, but no more than fifteen dollars per week nor less than five dollars or three-fourths of his full time weekly wage, whichever is the lesser.

Sec. 11. An eligible individual who is partially unemployed in any week shall be paid with respect to such week a partial benefit. Such partial benefit shall be an amount equal to the difference between his weekly benefit amount and five-sixths of his wages (as used in the definition of "total and partial unemployment" in section three, article one of this act) for such week.

If such partial benefit for any week equal less than two dollars it shall not be payable unless and until the accumulated total of such partial benefits with respect to weeks occurring within the thirteen preceding weeks equal two dollars or more.

Sec. 12. (1) The full time weekly wage of any individual means the weekly wages that such individual would receive if he were employed at the most recent wage rate earned
by him for employment by an employer during the period
prescribed pursuant to paragraph (3) of this subsection,
and for the customary scheduled full time weekly hours
prevailing for his occupation in the enterprise in which he
last earned wages for employment by an employer during
the same period.

(2) If the director finds that the full time weekly wage,
as above defined, would be unreasonable or arbitrary or not
readily determinable with respect to any individual, the
full time weekly wage of such individual shall be deemed
to be one-thirteenth of his total wages for employment by
employers during that quarter in which such total wages
were highest during the period prescribed pursuant to
paragraph (3) of this section.

(3) The full time weekly wage of any individual shall
be determined and redetermined at such reasonable times
as the director may find necessary to administer this act
and may by regulations prescribe. The period hereinabove
referred to shall consist of the next to the last completed
calendar quarter immediately preceding the date with re-
spect to which an individual’s full time weekly wage is
Sec. 13. The director shall compute wage credits for each individual by crediting him with the wages earned by him for employment by employers during each quarter, or three hundred ninety dollars, whichever is the lesser. Benefits paid to any eligible individual shall be charged, in the same chronological order as such wages were earned, against one-sixth of his wage credits which are based upon wages earned during his base period and which have not been previously charged hereunder. The maximum total amount of benefits payable to any eligible individual during any benefit year shall not exceed whichever is the lesser of (1) twelve times his weekly benefit amount, and (2) one-sixth of such uncharged wage credits with respect to his base period.

ARTICLE VII

Sec. 2. An employer shall post and maintain in places readily accessible to individuals in his service the claim procedure regulations prescribed by the director. At the time
any such individual becomes unemployed, an employer shall furnish such individual with a copy of the regulations. The director shall provide an employer copies of the regulations without cost.

Sec. 4. A deputy shall promptly investigate a claim and shall, after the establishment of the facts, determine whether or not such claim is valid; and, if valid, shall determine:

1. The week with respect to which benefits will commence.
2. The amount of benefit.
3. The maximum duration of benefits.

The deputy, then, shall promptly notify the claimant and interested parties of his findings and decisions.

Sec. 6. The board shall follow the same procedure in referred cases as in disputed cases. The board shall upon such findings and such additional evidence as it may procure make and transmit to the deputy a decision, which shall be deemed the decision of the deputy.

The deputy shall promptly notify the claimant and interested parties of the findings and decisions.

Sec. 8. Upon reference by the board, or a deputy, or upon
appeal from the determination of a deputy, an individual shall be entitled to a fair hearing and reasonable opportunity to be heard before an appeal tribunal as provided in section seven of this article.

Upon a consideration of all the evidence the appeal tribunal shall make a decision, and shall notify the parties of its findings and decision.

ARTICLE VIII

Sec. 5. Upon the receipt of payments and other moneys payable into the fund under this chapter, the director shall immediately deposit them in the clearing account. Refunds payable under section nineteen, article five shall be made from the clearing account. Such refunds shall be made upon warrants issued by the director.

Sec. 9. Except as otherwise provided in this article money in the clearing and benefit accounts shall be deposited by the director, with the consent of the governor, in any bank or public depository in which public funds of the state may be deposited. No public deposit insurance charge or premium shall be paid out of the unemployment compensation fund.
ARTICLE X

Sec. 4. An employing unit shall keep true and accurate work records containing such information as the director may prescribe. The record shall be open to inspection and be subject to being copied by the director or his authorized representatives at any reasonable time.

This act shall take effect as of January first, one thousand nine hundred thirty-seven.

The provisions of this act shall be construed as severable, and should any provision be held unconstitutional, or for any other reason invalid, the remaining provisions shall not be affected thereby.

Acts or parts of acts in conflict with or superseded by the provisions of this act are hereby repealed.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the.

Takes effect.

passage.

Clerk of the Senate

Clerk of the House of Delegate

President of the Senate

Speaker House of Delegates

The within Approved this the 19th day of March, 1937.

Governor

Filed in the office of the Secretary of State of West Virginia.

Wm. S. O'Brien, Secretary of State