

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 132

(By Mr. Brewer)



PASSED March 12 1953

In Effect ninety days from Passage



781

ENROLLED

House Bill No. 132

(By MR. BOWLES)

[Passed March 12, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article seven, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the effective date of social security coverage for new coverage groups.

Be it enacted by the Legislature of West Virginia:

That section three, article seven, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 3. *Federal-State Agreement: Interstate Agree-*
2 *ments.*—(a) The state agency, with the approval of the
3 governor, is hereby authorized upon enactment of ap-
4 plicable federal law, to enter on behalf of the state into
5 an agreement with the federal agency, consistent with
6 the terms and provisions of this act, for the purpose of

7 extending the benefits of the federal old-age and sur-
8 vivors insurance system to employees of the state or any
9 political subdivision thereof, or of any instrumentality
10 of any one or more of the foregoing with respect to
11 services specified in such agreement, which constitute
12 "employment" as defined in section two of this act. Such
13 agreement may contain such provisions relating to cover-
14 age, benefits, contributions, effective date, modification
15 and termination of the agreement, administration, and
16 other appropriate provisions as the state agency and
17 federal agency shall agree upon, but, except as may be
18 otherwise required by or under applicable federal
19 law as to the services to be covered, such agreement
20 shall provide in effect that:

21 (1) Benefits will be provided for employees whose
22 services are covered by the agreement, and their de-
23 pendants and survivors, on the same basis as though
24 such services constituted employment within the mean-
25 ing of title II of the social security act.

26 (2) The state will pay to the federal agency, at
27 such time or times as may be prescribed by the applicable

28 federal law or by regulation of the federal agency,
29 contributions with respect to wages as defined in sec-
30 tion two of this act, equal to the sum of the taxes
31 which would be imposed by sections one thousand four
32 hundred and one thousand four hundred ten of the
33 federal insurance contributions act if the services covered
34 by the agreement constituted employment within the
35 meaning of that act.

36 (3) Such agreement shall be effective with respect
37 to services in employment covered by the agreement
38 performed after a date specified therein but shall in
39 no event cover any such services performed prior to
40 January first, one thousand nine hundred fifty-one.

41 (4) All services which constitute employment as de-
42 fined in section two and are performed in the employ of
43 the state by employees of the state, shall be covered
44 by the agreement.

45 (5) All services which (a) constitute employment as
46 defined in section two (b) are performed in the employ
47 of a political subdivision or in the employ of an instru-
48 mentality of either the state or a political subdivision,

49 and (c) are covered by a plan which is in conformity
50 with the terms of the agreement and has been approved
51 by the state agency under section five, shall be covered
52 by the agreement.

53 (b) The state agency is hereby authorized to enter
54 on behalf of the State into an agreement, consistent to
55 the extent practicable with the terms and provisions
56 of this act, with the appropriate agency or agencies
57 of any other state or states and with the federal agency,
58 whereby the benefits of the federal old-age and survivors
59 insurance system shall be extended to employees of any
60 instrumentality jointly created by this state and such
61 other state or states.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

F. M. Kinley
Chairman Senate Committee

C. H. Humber
Chairman House Committee

Originated in the House of Delegates

Takes effect *twenty days from* passage.

Howard Meyer
Clerk of the Senate

J. Huff
Clerk of the House of Delegates

Reph. Bean
President of the Senate

W. E. Flannery
Speaker House of Delegates

The within *approved* this the *20th* day of *March*, 1953.

William C. Marland
Governor



FILED IN THE OFFICE OF THE SECRETARY OF STATE
OF WEST VIRGINIA
MAR 20 1953
D. PITT O'BRIEN,
SECRETARY OF STATE