

No: 522

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988



ENROLLED

Committee Substitute for
SENATE BILL NO. 522

(By Senator *Androsich, Mr. President*)



PASSED March 2, 1988

In Effect July 1, 1988 



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 522

(SENATORS TONKOVICH, MR. PRESIDENT (BY REQUEST) AND HARMAN,
original sponsor)

[Passed March 2, 1988; to take effect July 1, 1988.]

AN ACT to amend and reenact section ten, article five; and section ten, article six, all of chapter twenty-one-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to unemployment compensation; extending surtax on debit balance employers; and extending cap on maximum weekly benefits.

Be it enacted by the Legislature of West Virginia:

That section ten, article five; and section ten, article six, all of chapter twenty-one-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 5. EMPLOYER COVERAGE AND RESPONSIBILITY.

§21A-5-10. Experience ratings; decreased rates; adjustment of accounts and rates; debit balance account rates.

- 1 On and after July one, one thousand nine hundred eighty-
- 2 one, an employer's payment shall remain two and seven-
- 3 tenths percent, until:

4 (1) There have elapsed thirty-six consecutive months
 5 immediately preceding the computation date throughout
 6 which an employer's account was chargeable with benefits.

7 (2) His payments credited to his account for all past
 8 years exceed the benefits charged to his account by an
 9 amount equal to at least the percent of his average annual
 10 payroll as shown in Column B of Table II. His rate shall be
 11 the amount appearing in Column C of Table II on line with
 12 the percentage in Column B.

13 When the total assets of the fund as of January one of a
 14 calendar year equal or exceed one hundred percent but are
 15 less than one hundred twenty-five percent of the average
 16 benefit payments from the trust fund for the three
 17 preceding calendar years, an employer's rate shall be the
 18 amount appearing in Column D of Table II on line with the
 19 percentage in Column B.

20 When the total assets of the fund as of January one of a
 21 calendar year equal or exceed one hundred twenty-five
 22 percent but are less than one hundred fifty percent, an
 23 employer's rate shall be the amount appearing in Column E
 24 of Table II on line with the percentage in Column B.

25 When the total assets of the fund as of January one of a
 26 calendar year equal or exceed one hundred fifty percent, an
 27 employer's rate shall be the amount appearing in Column F
 28 of Table II on line with the percentage in Column B.

29 **TABLE II**

| | Col. A | Col. B | Col. C | Col. D | Col. E | Col. F |
|----|-----------------------|---|----------------------------|---------------|---------------|---------------|
| | | Percentage of Average Annual Payroll By which Credits Exceed Charges | Employer's Rate | | | |
| | Rate Class | | | | | |
| 30 | (1) | 0.0 to 6.0 | 4.5 | 3.5 | 2.5 | 1.5 |
| 31 | (2) | 6.0 | 4.1 | 3.1 | 2.1 | 1.1 |
| 32 | (3) | 7.0 | 3.9 | 2.9 | 1.9 | 0.9 |
| 33 | (4) | 8.0 | 3.7 | 2.7 | 1.7 | 0.7 |
| 34 | (5) | 9.0 | 3.5 | 2.5 | 1.5 | 0.5 |
| 35 | (6) | 10.0 | 3.3 | 2.3 | 1.3 | 0.3 |
| 36 | (7) | 10.5 | 3.1 | 2.1 | 1.1 | 0.1 |
| 37 | (8) | 11.0 | 2.9 | 1.9 | 0.9 | 0.0 |
| 38 | (9) | 11.5 | 2.7 | 1.7 | 0.7 | 0.0 |
| 39 | (10) | 12.0 | 2.5 | 1.5 | 0.5 | 0.0 |

| | | | | | | |
|----|------|---------------|-----|-----|-----|-----|
| 40 | (11) | 12.5 | 2.3 | 1.3 | 0.3 | 0.0 |
| 41 | (12) | 13.0 | 2.1 | 1.1 | 0.1 | 0.0 |
| 42 | (13) | 14.0 | 1.9 | 0.9 | 0.0 | 0.0 |
| 43 | (14) | 16.0 | 1.7 | 0.7 | 0.0 | 0.0 |
| 44 | (15) | 18.0 and over | 1.5 | 0.5 | 0.0 | 0.0 |

45 All employer accounts in which charges for all past years
 46 exceed credits for such past years shall be adjusted effective
 47 June thirty, one thousand nine hundred sixty-seven, so that
 48 as of said date, for the purpose of determining such
 49 employer's rate of contribution, the credits for all past years
 50 shall be deemed to equal the charges to such accounts.

51 Effective on and after the computation date of June
 52 thirty, one thousand nine hundred eighty-four, the
 53 noncredited contribution identified in section seven of this
 54 article shall not be added to the employer's debit balance to
 55 determine the employer contribution rate.

56 Effective on and after the computation date of June
 57 thirty, one thousand nine hundred sixty-seven, all
 58 employers with a debit balance account in which the
 59 benefits charged to their account for all past years exceed
 60 the payments credited to their account for such past years
 61 by an amount up to and including ten percent of their
 62 average annual payroll, shall make payments to the
 63 unemployment compensation fund at the rate of three
 64 percent of wages paid by them with respect to employment;
 65 except that effective on and after July one, one thousand
 66 nine hundred eighty-one, all employers with a debit
 67 balance account in which the benefits charged to their
 68 account for all past years exceed the payments credited to
 69 their account for such past years by an amount up to and
 70 including five percent of their average annual payroll, shall
 71 make payments to the unemployment compensation fund at
 72 the rate of five and five-tenths percent of wages paid by
 73 them with respect to employment.

74 Effective on or after July one, one thousand nine hundred
 75 eighty-one, all employers with a debit balance account in
 76 which the benefits charged to their account for all past
 77 years exceed the payments credited to their account for
 78 such past years by an amount in excess of five percent but
 79 less than ten percent of their average annual payroll, shall
 80 make payments to the unemployment compensation fund at
 81 the rate of six and five-tenths percent of wages paid by them
 82 with respect to employment.

83 Effective on and after the computation date of June
84 thirty, one thousand nine hundred sixty-seven, all
85 employers with a debit balance account in which the
86 benefits charged to their account for all past years exceed
87 the payments credited to their account for such past years
88 by an amount of ten percent or above of their average
89 annual payroll, shall make payments to the unemployment
90 compensation fund at the rate of three and three-tenths
91 percent of wages paid by them with respect to employment;
92 except that effective on and after July one, one thousand
93 nine hundred eighty-one, such payments to the
94 unemployment compensation fund shall be at the rate of
95 seven and five-tenths percent of wages paid by them with
96 respect to employment or at such other rate authorized by
97 this article.

98 "Debit balance account" for the purpose of this section
99 means an account in which the benefits charged for all past
100 years exceed the payments credited for such past years.

101 "Credit balance account" for the purposes of this section
102 means an account in which the payments credited for all
103 past years exceed the benefits charged for such past years.

104 Once a debit balance account rate is established for an
105 employer's account for a year, it shall apply for the entire
106 year.

107 "Due date" means the last day of the month next
108 following a calendar quarter. In determining the amount in
109 the fund on any due date, contributions received, but not
110 benefits paid, for such month next following the end of a
111 calendar quarter shall be included.

112 (a) Notwithstanding any other provision of this section,
113 every employer subject to the provisions of this chapter
114 shall, in addition to any other tax provided for in this
115 section, pay contributions at the rate of one percent surtax
116 on wages paid by him with respect to employment,
117 beginning January first, one thousand nine hundred eighty-
118 one, until such time that the commissioner determines that
119 the fund assets equal or exceed the average benefits
120 payments from the fund for the preceding three calendar
121 years at which time such surtax shall be discontinued, and
122 the commissioner shall so notify the employers subject to
123 the provisions of this chapter.

124 (b) Notwithstanding any other provision of this section,
125 every debit balance employer subject to the provisions of

126 this chapter, and any foreign corporation or business entity
 127 engaged in the construction trades which has not been an
 128 employer in the state of West Virginia for thirty-six
 129 consecutive months ending on the computation date, shall,
 130 in addition to any other tax provided for in this section, pay
 131 contributions at the rate of one percent surtax on wages
 132 paid by him with respect to employment for a period of four
 133 years, beginning January first, one thousand nine hundred
 134 eighty-six.

135 (c) Effective June thirty, one thousand nine hundred
 136 eighty-five, and each computation date thereafter, the
 137 reserve balance of a debit balance employer shall be
 138 reduced to fifteen percent if such balance exceeds fifteen
 139 percent. The amount of noncredited tax shall be reduced by
 140 an amount equal to the eliminated charges. If the
 141 eliminated charges exceed the amount of noncredited tax,
 142 the noncredited tax shall be reduced to zero.

ARTICLE 6. EMPLOYEE ELIGIBILITY; BENEFITS.

§21A-6-10. Benefit rate — Total unemployment; annual computation and publication of rates.

1 Each eligible individual who is totally unemployed in any
 2 week shall be paid benefits with respect to that week at the
 3 weekly rate appearing in Column (C) in the Benefit Table in
 4 this paragraph, on the line on which in Column (A) there is
 5 indicated the employee's wage class, except as otherwise
 6 provided under the term "total and partial unemployment"
 7 in section three, article one of this chapter. The employee's
 8 wage class shall be determined by his base period wages as
 9 shown in Column (B) in the Benefit Table. The right of an
 10 employee to receive benefits shall not be prejudiced nor the
 11 amount thereof be diminished by reason of failure by an
 12 employer to pay either the wages earned by the employee or
 13 the contribution due on such wages. An individual who is
 14 totally unemployed but earns in excess of twenty-five
 15 dollars as a result of odd-job or subsidiary work in any
 16 benefit week shall be paid benefits for such week in
 17 accordance with the provisions of this chapter pertaining to
 18 benefits for partial unemployment.

19 The maximum benefit for each wage class shall be equal
 20 to twenty-six times the weekly benefit rate.

21 On and after July one, one thousand nine hundred eighty-
 22 five, and until July one, one thousand nine hundred eighty-

23 nine, the maximum weekly benefit rate shall be seventy
 24 percent of the average weekly wage in West Virginia, which
 25 average weekly wage shall not exceed three hundred and
 26 twenty-two dollars per week; thereafter, the maximum
 27 benefit rate shall be sixty-six and two-thirds percent of the
 28 average weekly wage in West Virginia.

29 Beginning on July one, one thousand nine hundred
 30 eighty-nine, the commissioner shall determine the
 31 maximum weekly benefit rate upon the basis of the formula
 32 set forth above and shall establish wage classes as are
 33 required, increasing or decreasing the amount of the base
 34 period wages required for each wage class by one hundred
 35 fifty dollars, establishing the weekly benefit rate for each
 36 wage class by rounded dollar amount to be fifty-five
 37 percent of one fifty-second of the median dollar amount of
 38 wages in the base period for such wage class, and
 39 establishing the maximum benefit for each wage class as an
 40 amount equal to twenty-six times the weekly benefit rate.
 41 The maximum weekly benefit rate, when computed by the
 42 commissioner, in accordance with the foregoing provisions,
 43 shall be rounded to the next lowest multiple of one dollar.

44

BENEFIT TABLE

| A | B | | C | Maximum Benefit in Benefit Year for Total and/or Partial Un- employment |
|---------------|-------------------------|-----------------------|---------------------------|---|
| Wage Class | Wages in Base Period | | Weekly Benefit Rate | |
| 45 | | Under \$2,200.00 | Ineligible | |
| 46 | 1 | \$2,200.00 — 2,349.99 | \$24.00 | \$624.00 |
| 47 | 2 | 2,350.00 — 2,499.99 | 25.00 | 650.00 |
| 48 | 3 | 2,500.00 — 2,649.99 | 27.00 | 702.00 |
| 49 | 4 | 2,650.00 — 2,799.99 | 28.00 | 728.00 |
| 50 | 5 | 2,800.00 — 2,949.99 | 30.00 | 780.00 |
| 51 | 6 | 2,950.00 — 3,099.99 | 31.00 | 806.00 |
| 52 | 7 | 3,100.00 — 3,249.99 | 33.00 | 858.00 |
| 53 | 8 | 3,250.00 — 3,399.99 | 35.00 | 910.00 |
| 54 | 9 | 3,400.00 — 3,549.99 | 36.00 | 936.00 |
| 55 | 10 | 3,550.00 — 3,699.99 | 38.00 | 988.00 |
| 56 | 11 | 3,700.00 — 3,849.99 | 39.00 | 1,014.00 |
| 57 | 12 | 3,850.00 — 3,999.99 | 41.00 | 1,066.00 |

| | | | | |
|-----|----|-----------------------|--------|----------|
| 58 | 13 | 4,000.00 — 4,149.99 | 43.00 | 1,118.00 |
| 59 | 14 | 4,150.00 — 4,299.99 | 44.00 | 1,144.00 |
| 60 | 15 | 4,300.00 — 4,449.99 | 46.00 | 1,196.00 |
| 61 | 16 | 4,450.00 — 4,599.99 | 47.00 | 1,222.00 |
| 62 | 17 | 4,600.00 — 4,749.99 | 49.00 | 1,274.00 |
| 63 | 18 | 4,750.00 — 4,899.99 | 51.00 | 1,326.00 |
| 64 | 19 | 4,900.00 — 5,049.99 | 52.00 | 1,352.00 |
| 65 | 20 | 5,050.00 — 5,199.99 | 54.00 | 1,404.00 |
| 66 | 21 | 5,200.00 — 5,349.99 | 55.00 | 1,430.00 |
| 67 | 22 | 5,350.00 — 5,499.99 | 57.00 | 1,482.00 |
| 68 | 23 | 5,500.00 — 5,649.99 | 58.00 | 1,508.00 |
| 69 | 24 | 5,650.00 — 5,799.99 | 60.00 | 1,560.00 |
| 70 | 25 | 5,800.00 — 5,949.99 | 62.00 | 1,612.00 |
| 71 | 26 | 5,950.00 — 6,099.99 | 63.00 | 1,638.00 |
| 72 | 27 | 6,100.00 — 6,249.99 | 65.00 | 1,690.00 |
| 73 | 28 | 6,250.00 — 6,399.99 | 66.00 | 1,716.00 |
| 74 | 29 | 6,400.00 — 6,549.99 | 68.00 | 1,768.00 |
| 75 | 30 | 6,550.00 — 6,699.99 | 70.00 | 1,820.00 |
| 76 | 31 | 6,700.00 — 6,849.99 | 71.00 | 1,846.00 |
| 77 | 32 | 6,850.00 — 6,999.99 | 73.00 | 1,898.00 |
| 78 | 33 | 7,000.00 — 7,149.99 | 74.00 | 1,924.00 |
| 79 | 34 | 7,150.00 — 7,299.99 | 76.00 | 1,976.00 |
| 80 | 35 | 7,300.00 — 7,449.99 | 78.00 | 2,028.00 |
| 81 | 36 | 7,450.00 — 7,599.99 | 79.00 | 2,054.00 |
| 82 | 37 | 7,600.00 — 7,749.99 | 81.00 | 2,106.00 |
| 83 | 38 | 7,750.00 — 7,899.99 | 82.00 | 2,132.00 |
| 84 | 39 | 7,900.00 — 8,049.99 | 84.00 | 2,184.00 |
| 85 | 40 | 8,050.00 — 8,199.99 | 85.00 | 2,210.00 |
| 86 | 41 | 8,200.00 — 8,349.99 | 87.00 | 2,262.00 |
| 87 | 42 | 8,350.00 — 8,499.99 | 89.00 | 2,314.00 |
| 88 | 43 | 8,500.00 — 8,649.99 | 90.00 | 2,340.00 |
| 89 | 44 | 8,650.00 — 8,799.99 | 92.00 | 2,392.00 |
| 90 | 45 | 8,800.00 — 8,949.99 | 93.00 | 2,418.00 |
| 91 | 46 | 8,950.00 — 9,099.99 | 95.00 | 2,470.00 |
| 92 | 47 | 9,100.00 — 9,249.99 | 97.00 | 2,522.00 |
| 93 | 48 | 9,250.00 — 9,399.99 | 98.00 | 2,548.00 |
| 94 | 49 | 9,400.00 — 9,549.99 | 100.00 | 2,600.00 |
| 95 | 50 | 9,550.00 — 9,699.99 | 101.00 | 2,626.00 |
| 96 | 51 | 9,700.00 — 9,849.99 | 103.00 | 2,678.00 |
| 97 | 52 | 9,850.00 — 9,999.99 | 104.00 | 2,704.00 |
| 98 | 53 | 10,000.00 — 10,149.99 | 106.00 | 2,756.00 |
| 99 | 54 | 10,150.00 — 10,299.99 | 108.00 | 2,808.00 |
| 100 | 55 | 10,300.00 — 10,449.99 | 109.00 | 2,834.00 |

| | | | | |
|-----|----|-----------------------|--------|----------|
| 101 | 56 | 10,450.00 — 10,599.99 | 111.00 | 2,886.00 |
| 102 | 57 | 10,600.00 — 10,749.99 | 112.00 | 2,912.00 |
| 103 | 58 | 10,750.00 — 10,899.99 | 114.00 | 2,964.00 |
| 104 | 59 | 10,900.00 — 11,049.99 | 116.00 | 3,016.00 |
| 105 | 60 | 11,050.00 — 11,199.99 | 117.00 | 3,042.00 |
| 106 | 61 | 11,200.00 — 11,349.99 | 119.00 | 3,094.00 |
| 107 | 62 | 11,350.00 — 11,499.99 | 120.00 | 3,120.00 |
| 108 | 63 | 11,500.00 — 11,649.99 | 122.00 | 3,172.00 |
| 109 | 64 | 11,650.00 — 11,799.99 | 124.00 | 3,224.00 |
| 110 | 65 | 11,800.00 — 11,949.99 | 125.00 | 3,250.00 |
| 111 | 66 | 11,950.00 — 12,099.99 | 127.00 | 3,302.00 |
| 112 | 67 | 12,100.00 — 12,249.99 | 128.00 | 3,328.00 |
| 113 | 68 | 12,250.00 — 12,399.99 | 130.00 | 3,380.00 |
| 114 | 69 | 12,400.00 — 12,549.99 | 131.00 | 3,406.00 |
| 115 | 70 | 12,550.00 — 12,699.99 | 133.00 | 3,458.00 |
| 116 | 71 | 12,700.00 — 12,849.99 | 135.00 | 3,510.00 |
| 117 | 72 | 12,850.00 — 12,999.99 | 136.00 | 3,536.00 |
| 118 | 73 | 13,000.00 — 13,149.99 | 138.00 | 3,588.00 |
| 119 | 74 | 13,150.00 — 13,299.99 | 139.00 | 3,614.00 |
| 120 | 75 | 13,300.00 — 13,449.99 | 141.00 | 3,666.00 |
| 121 | 76 | 13,450.00 — 13,599.99 | 143.00 | 3,718.00 |
| 122 | 77 | 13,600.00 — 13,749.99 | 144.00 | 3,744.00 |
| 123 | 78 | 13,750.00 — 13,899.99 | 146.00 | 3,796.00 |
| 124 | 79 | 13,900.00 — 14,049.99 | 147.00 | 3,822.00 |
| 125 | 80 | 14,050.00 — 14,199.99 | 149.00 | 3,874.00 |
| 126 | 81 | 14,200.00 — 14,349.99 | 150.00 | 3,900.00 |
| 127 | 82 | 14,350.00 — 14,499.99 | 152.00 | 3,952.00 |
| 128 | 83 | 14,500.00 — 14,649.99 | 154.00 | 4,004.00 |
| 129 | 84 | 14,650.00 — 14,799.99 | 155.00 | 4,030.00 |
| 130 | 85 | 14,800.00 — 14,949.99 | 157.00 | 4,082.00 |
| 131 | 86 | 14,950.00 — 15,099.99 | 158.00 | 4,108.00 |
| 132 | 87 | 15,100.00 — 15,249.99 | 160.00 | 4,160.00 |
| 133 | 88 | 15,250.00 — 15,399.99 | 162.00 | 4,212.00 |
| 134 | 89 | 15,400.00 — 15,549.99 | 163.00 | 4,238.00 |
| 135 | 90 | 15,550.00 — 15,699.99 | 165.00 | 4,290.00 |
| 136 | 91 | 15,700.00 — 15,849.99 | 166.00 | 4,316.00 |
| 137 | 92 | 15,850.00 — 15,999.99 | 168.00 | 4,368.00 |
| 138 | 93 | 16,000.00 — 16,149.99 | 170.00 | 4,420.00 |
| 139 | 94 | 16,150.00 — 16,299.99 | 171.00 | 4,446.00 |
| 140 | 95 | 16,300.00 — 16,449.99 | 173.00 | 4,498.00 |
| 141 | 96 | 16,450.00 — 16,599.99 | 174.00 | 4,524.00 |
| 142 | 97 | 16,600.00 — 16,749.99 | 176.00 | 4,576.00 |
| 143 | 98 | 16,750.00 — 16,899.99 | 177.00 | 4,602.00 |

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|-----|-----|-----------------------|--------|----------|
| 144 | 99 | 16,900.00 — 17,049.99 | 179.00 | 4,654.00 |
| 145 | 100 | 17,050.00 — 17,199.99 | 181.00 | 4,706.00 |
| 146 | 101 | 17,200.00 — 17,349.99 | 182.00 | 4,732.00 |
| 147 | 102 | 17,350.00 — 17,499.99 | 184.00 | 4,784.00 |
| 148 | 103 | 17,500.00 — 17,649.99 | 185.00 | 4,810.00 |
| 149 | 104 | 17,650.00 — 17,799.99 | 187.00 | 4,862.00 |
| 150 | 105 | 17,800.00 — 17,949.99 | 189.00 | 4,914.00 |
| 151 | 106 | 17,950.00 — 18,099.99 | 190.00 | 4,940.00 |
| 152 | 107 | 18,100.00 — 18,249.99 | 192.00 | 4,992.00 |
| 153 | 108 | 18,250.00 — 18,399.99 | 193.00 | 5,018.00 |
| 154 | 109 | 18,400.00 — 18,549.99 | 195.00 | 5,070.00 |
| 155 | 110 | 18,550.00 — 18,699.99 | 196.00 | 5,096.00 |
| 156 | 111 | 18,700.00 — 18,849.99 | 198.00 | 5,148.00 |
| 157 | 112 | 18,850.00 — 18,999.99 | 200.00 | 5,200.00 |
| 158 | 113 | 19,000.00 — 19,149.99 | 201.00 | 5,226.00 |
| 159 | 114 | 19,150.00 — 19,299.99 | 203.00 | 5,278.00 |
| 160 | 115 | 19,300.00 — 19,449.99 | 204.00 | 5,304.00 |
| 161 | 116 | 19,450.00 — 19,599.99 | 206.00 | 5,356.00 |
| 162 | 117 | 19,600.00 — 19,749.99 | 208.00 | 5,408.00 |
| 163 | 118 | 19,750.00 — 19,899.99 | 209.00 | 5,434.00 |
| 164 | 119 | 19,900.00 — 20,049.99 | 211.00 | 5,486.00 |
| 165 | 120 | 20,050.00 — 20,199.99 | 212.00 | 5,512.00 |
| 166 | 121 | 20,200.00 — 20,349.99 | 214.00 | 5,564.00 |
| 167 | 122 | 20,350.00 — 20,499.99 | 216.00 | 5,616.00 |
| 168 | 123 | 20,500.00 — 20,649.99 | 217.00 | 5,642.00 |
| 169 | 124 | 20,650.00 — 20,799.99 | 219.00 | 5,694.00 |
| 170 | 125 | 20,800.00 — 20,949.99 | 220.00 | 5,720.00 |
| 171 | 126 | 20,950.00 — 21,099.99 | 222.00 | 5,772.00 |
| 172 | 127 | 21,100.00 — 21,249.99 | 223.00 | 5,798.00 |
| 173 | 128 | 21,250.00 — and over | 225.00 | 5,850.00 |

174 After he has established such wage classes, the
175 commissioner shall prepare and publish a table setting
176 forth such information.

177 Average weekly wage shall be computed by dividing the
178 number of employees in West Virginia earning wages in
179 covered employment into the total wages paid to employees
180 in West Virginia in covered employment, and by further
181 dividing said result by fifty-two, and shall be determined
182 from employer wage and contribution reports for the
183 previous calendar year which are furnished to the
184 department on or before June one following such calendar
185 year. The average weekly wage, as determined by the
186 commissioner, shall be rounded to the next higher dollar.

187 The computation and determination of rates as aforesaid
188 shall be completed annually before July one, and any such
189 new wage class, with its corresponding wages in base
190 period, weekly benefit rate, and maximum benefit in a
191 benefit year established by the commissioner in the
192 foregoing manner effective on July one, shall apply only to a
193 new claim established by a claimant on and after said July
194 one, and shall not apply to continued claims of a claimant
195 based on his new claim established before said July one.



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

Bruce O. Wilson
.....
Chairman Senate Committee

Bernard V. Kelly
.....
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1988.

Judd C. Nichols
.....
Clerk of the Senate

Donald L. Kopp
.....
Clerk of the House of Delegates

Sam Tomlinson
.....
President of the Senate

W. J. [Signature]
.....
Speaker House of Delegates

The within *appeared* this the *10th*
day of *March* 1988.

Ruth A. Haney
.....
Governor



PRESENTED TO THE

GOVERNOR

Date 3/7/88

Time 2:30 p.m.

RECEIVED

1988 MAR 11 PM 4: 38

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE