WEST VIRGINIA LEGISLATURE
FIRST EXTRAORDINARY SESSION, 1994

ENROLLED

HOUSE BILL No. 5003

(By Delegates Martin, Michael and Love)

Passed March 16, 1994
In Effect July 1, 1994
ENROLLED

H. B. 5003

(BY DELEGATES MARTIN, MICHAEL AND LOVE)

[Passed March 16, 1994; in effect July 1, 1994.]

AN ACT to amend and reenact sections four and five, article ten, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section eight-f, article twenty-one, chapter eleven of said code, all relating to continuing departments, agencies and boards; scheduling performance audits and preliminary performance reviews by the joint committee on government operations.

Be it enacted by the Legislature of West Virginia:

That sections four and five, article ten, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section eight-f, article twenty-one, chapter eleven of said code be amended and reenacted, all to read as follows:

CHAPTER 4. THE LEGISLATURE.

ARTICLE 10. THE WEST VIRGINIA SUNSET LAW.

§4-10-4. Termination of departments, agencies or boards following performance audits.

1 The following departments, agencies or boards shall be terminated on the date indicated, but no department, agency or board shall be terminated under this section unless a performance audit has been conducted upon such department, agency or board:

6 (1) On the first day of July, one thousand nine hundred
ninety-five: Division of environmental protection; division of labor; division of tourism; division of corrections; division of natural resources; division of highways.

(2) On the first day of July, one thousand nine hundred ninety-six: Division of culture and history; division of personnel.

(3) On the first day of July, one thousand nine hundred ninety-seven: Department of health and human resources.

§4-10-5. Termination of agencies or boards following preliminary performance reviews.

The following agencies or boards shall be terminated on the date indicated, but no agency or board shall be terminated under this section unless a preliminary performance review has been conducted upon such agency or board:

(1) On the first day of July, one thousand nine hundred ninety-four: Farm management commission; state structural barriers compliance board; share in your future commission.

(2) On the first day of July, one thousand nine hundred ninety-five: Emergency medical services advisory council; commission on charitable organizations; information system advisory commission; West Virginia labor-management council; board of social work examiners; the rural health initiative advisory panel; the marketing and development divisions of the department of agriculture; real estate commission; juvenile facilities review panel; office of water resources; center for professional development; board of architects; state building commission; family law masters system; public employees insurance agency; public employees insurance agency finance board; division of rehabilitation services.

(3) On the first day of July, one thousand nine hundred ninety-six: U.S. geological survey program and white-water commission within the division of natural resources; state geological and economic survey; workers'
compensation; unemployment compensation; office of judges of workers’ compensation; board of investments.

(4) On the first day of July, one thousand nine hundred ninety-seven: The driver’s licensing advisory board; West Virginia health care cost review authority; governor’s cabinet on children and families; oil and gas conservation commission; child advocate office; West Virginia contractors’ licensing board.

(5) On the first day of July, one thousand nine hundred ninety-eight: State lottery commission; the following divisions or programs of the department of agriculture: Meat inspection program and soil conservation committee; women’s commission; state board of risk and insurance management; board of examiners of land surveyors; commission on uniform state laws; council of finance and administration; forest management review commission; West Virginia’s membership in the interstate commission on the Potomac River basin; legislative oversight commission on education accountability; board of examiners in counseling; board of examiners in speech pathology and audiology.

(6) On the first day of July, one thousand nine hundred ninety-nine: Board of banking and financial institutions; capitol building commission; tree fruit industry self-improvement assessment program; public service commission.

(7) On the first day of July, two thousand: Family protection services board; environmental quality board; West Virginia’s membership in the Ohio river valley water sanitation commission; ethics commission; oil and gas inspectors’ examining board; veterans’ council; West Virginia’s membership in the southern regional education board.

CHAPTER 11. TAXATION.

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-8f. Termination of credit by law.

1 The tax credit allowed by this section shall be terminated on the thirty-first day of December, one
thousand nine hundred ninety-five, unless review of the
tax credit shall be undertaken pursuant to the provi-
sions of sections nine, ten and eleven, article ten, chapter
four of this code: Provided, That for those rehabilitation
projects for which a completed Part 2 (Description of
Rehabilitation) of the historic preservation certification
application was filed with the West Virginia division of
culture and history prior to that date and subsequently
approved in accordance with section eight-c of this
article, the credit shall continue to be allowed pursuant
to this article.

The West Virginia division of culture and history shall
provide a full disclosure of applications for credit made
and of credits granted pursuant to this section to the
joint committee on government and finance and to the
governor annually. The first report shall be presented
on or before the first day of January, one thousand nine
hundred ninety-five.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect July 1, 1994.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 5th day of April, 1994.

Governor