

HB 5003

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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 ~~Passage~~



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
2 be terminated on the date indicated, but no department,
3 agency or board shall be terminated under this section
4 unless a performance audit has been conducted upon
5 such department, agency or board:

6 (1) On the first day of July, one thousand nine hundred

7 ninety-five: Division of environmental protection;
8 division of labor; division of tourism; division of
9 corrections; division of natural resources; division of
10 highways.

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

14 (3) On the first day of July, one thousand nine hundred
15 ninety-seven: Department of health and human resour-
16 ces.

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

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

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

10 (2) On the first day of July, one thousand nine hundred
11 ninety-five: Emergency medical services advisory
12 council; commission on charitable organizations; infor-
13 mation system advisory commission; West Virginia
14 labor-management council; board of social work ex-
15 aminers; the rural health initiative advisory panel; the
16 marketing and development divisions of the department
17 of agriculture; real estate commission; juvenile facilities
18 review panel; office of water resources; center for
19 professional development; board of architects; state
20 building commission; family law masters system; public
21 employees insurance agency; public employees insur-
22 ance agency finance board; division of rehabilitation
23 services.

24 (3) On the first day of July, one thousand nine hundred
25 ninety-six: U.S. geological survey program and white-
26 water commission within the division of natural resour-
27 ces; state geological and economic survey; workers'

28 compensation; unemployment compensation; office of
29 judges of workers' compensation; board of investments.

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

36 (5) On the first day of July, one thousand nine hundred
37 ninety-eight: State lottery commission; the following
38 divisions or programs of the department of agriculture:
39 Meat inspection program and soil conservation commit-
40 tee; women's commission; state board of risk and
41 insurance management; board of examiners of land
42 surveyors; commission on uniform state laws; council of
43 finance and administration; forest management review
44 commission; West Virginia's membership in the inter-
45 state commission on the Potomac River basin; legislative
46 oversight commission on education accountability; board
47 of examiners in counseling; board of examiners in
48 speech pathology and audiology.

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

54 (7) On the first day of July, two thousand: Family
55 protection services board; environmental quality board;
56 West Virginia's membership in the Ohio river valley
57 water sanitation commission; ethics commission; oil and
58 gas inspectors' examining board; veterans' council; West
59 Virginia's membership in the southern regional educa-
60 tion 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
2 terminated on the thirty-first day of December, one

3 thousand nine hundred ninety-five, unless review of the
4 tax credit shall be undertaken pursuant to the provi-
5 sions of sections nine, ten and eleven, article ten, chapter
6 four of this code: *Provided*, That for those rehabilitation
7 projects for which a completed Part 2 (Description of
8 Rehabilitation) of the historic preservation certification
9 application was filed with the West Virginia division of
10 culture and history prior to that date and subsequently
11 approved in accordance with section eight-c of this
12 article, the credit shall continue to be allowed pursuant
13 to this article.

14 The West Virginia division of culture and history shall
15 provide a full disclosure of applications for credit made
16 and of credits granted pursuant to this section to the
17 joint committee on government and finance and to the
18 governor annually. The first report shall be presented
19 on or before the first day of January, one thousand nine
20 hundred ninety-five.

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

[Handwritten signature]
.....
Chairman Senate Committee

Ernest C Moore
.....
Chairman House Committee

Originating in the House.

Takes effect July 1, 1994.

[Handwritten signature]
.....
Clerk of the Senate

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

[Handwritten signature]
.....
President of the Senate

[Handwritten signature]
.....
Speaker of the House of Delegates

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

[Handwritten signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/31/94

Time 9:35 am