WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1997

ENROLLED

Committee Substitute for
SENATE BILL NO. 372

(By Senators [Names], By Request of the Executive)

PASSED APRIL 12, 1997
In Effect NINETY DAYS FROM Passage
ENROLLED

COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 372

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND BUCKALEW,
BY REQUEST OF THE EXECUTIVE)

[Passed April 12, 1997; in effect ninety days from passage.]

AN ACT to amend and reenact sections fifteen, sixteen and seventeen, article one-a, chapter twenty-one-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to amend article six of said chapter by adding thereto a new section, designated section seventeen; and to amend and reenact sections eleven and nineteen, article ten of said chapter, all relating generally to unemployment compensation; clarifying definitions of employer and employment; providing that agricultural labor if performed by certain aliens is not employment; authorizing food stamp overissuance intercept of unemployment benefits; codifying reporting requirements and required
information; providing exemptions to confidentiality requirements; allowing use of information; and clarifying that breach of confidentiality provisions are criminal violations.

Be it enacted by the Legislature of West Virginia:

That sections fifteen, sixteen and seventeen, article one-a, chapter twenty-one-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; that article six of said chapter be amended by adding thereto a new section, designated section seventeen; and that sections eleven and nineteen, article ten of said chapter be amended and reenacted, all to read as follows:

ARTICLE 1A. DEFINITIONS.


"Employer" means:

1. (1) Any employing unit which is or becomes a liable employer under any federal unemployment tax act;

2. (2) Any employing unit which has acquired or acquires the organization, trade or business, or substantially all the assets thereof, of an employing unit which at the time of such acquisition was an employer subject to this chapter;

3. (3) For the effective period of its election pursuant to section three, article five of this chapter, any employing unit which has elected to become subject to this chapter;

4. (4) Any employing unit which: (A) In any calendar quarter in either the current or preceding calendar year paid for service in employment wages of one thousand five hundred dollars or more; or (B) for some portion of a day in each of twenty different calendar weeks, whether or not the weeks were consecutive, in either the current or the preceding calendar year had in employment at least one individual (irrespective of whether the same individual was in employment in each day) except as provided in subdivisions (7) and (8) of this section:

5. (5) Any employing unit for which service in employment, as defined in subdivision (9), section sixteen of this article, the definition of "employment" in this article is per-
Any employing unit for which service in employment, as defined in subdivision (10), section sixteen of this article, the definition of "employment" in this article is performed;

(7) Any employing unit for which agricultural labor, as defined in subdivision (12), section sixteen of this article, the definition of "employment", is performed; or

(8) Any employing unit for which domestic service in employment, as defined in subdivision (13), section sixteen of this article, the definition of "employment", is performed.


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

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

(2) Any service performed by an employee, as defined in Section 3306(i) of the federal Unemployment Tax Act, including service in interstate commerce;

(3) Any service performed, including service in interstate commerce, by any officer of a corporation;

(4) An individual's entire service, performed within or both within and without 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 the service is directed or controlled, is in this state; or (ii) the base of operations or place from which the service is directed or controlled is not in any state in which some part of the service is performed but the individual's residence is in this state;

(5) Service not covered under subdivision (4) of this section and performed entirely without this state with
respect to no part of which contributions are required and paid under an unemployment compensation law of any other state or of the federal government, is employment subject to this chapter if the individual performing the services is a resident of this state and the commissioner approves the election of the employing unit for whom the services are performed that the entire service of the individual is employment subject to this chapter;

(6) Service is localized within a state, if: (A) The service is performed entirely within the state; or (B) the service is performed both within and without the state, but the service performed without the state is incidental to the individual's service within this state, as, for example, is temporary or transitory in nature or consists of isolated transactions;

(7) Services performed by an individual for wages are employment subject to this chapter unless and until it is shown to the satisfaction of the commissioner that: (A) The individual has been and will continue to be free from control or direction over the performance of the services, both under his or her contract of service and in fact; and (B) the service is either outside the usual course of the business for which the 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) the individual is customarily engaged in an independently established trade, occupation, profession or business;

(8) All service performed by an officer or member of the crew of an American vessel (as defined in Section 305 of an act of Congress entitled Social Security Act Amendment of 1946, approved the tenth day of August, one thousand nine hundred forty-six), on or in connection with the vessel, provided that the operating office, from which the operations of the vessel operating on navigable waters within and without the United States is ordinarily and regularly supervised, managed, directed and controlled, is within this state;

(9) (A) Service performed by an individual in the employ of this state or any of its instrumentalities (or in the
employ of this state and one or more other states or their instrumentalities) for a hospital or institution of higher education located in this state: Provided, That the service is excluded from “employment” as defined in the federal Unemployment Tax Act solely by reason of Section 3306(c)(7) of that act and is not excluded from “employment” under subdivision (9), section seventeen of this article; and

(B) Service performed in the employ of this state or any of its instrumentalities or political subdivisions thereof or any of its instrumentalities or any instrumentality of more than one of the foregoing or any instrumentality of any foregoing and one or more other states or political subdivisions: Provided, That the service is excluded from “employment” as defined in the federal Unemployment Tax Act by Section 3306(c)(7) of that act and is not excluded from “employment” under subdivision (13), section seventeen of this article; and

(C) Service performed in the employ of a nonprofit educational institution which is not an institution of higher education;

(10) Service performed by an individual in the employ of a religious, charitable, educational or other organization but only if the following conditions are met:

(A) The service is excluded from “employment” as defined in the federal Unemployment Tax Act solely by reason of Section 3306(c)(8) of that act; and

(B) The organization had four or more individuals in employment for some portion of a day in each of twenty different weeks, whether or not the weeks were consecutive, within either the current or preceding calendar year, regardless of whether they were employed at the same moment of time;

(11) Service of an individual who is a citizen of the United States, performed outside the United States after the thirty-first day of December, one thousand nine hundred seventy-one, (except in Canada and in the case of the Virgin Islands after the thirty-first day of December,
one thousand nine hundred seventy-one, and before the first day of January, the year following the year in which the secretary of labor approves for the first time an unemployment insurance law submitted to him or her by the Virgin Islands for approval) in the employ of an American employer (other than service which is considered "employment" under the provisions of subdivision (4), (5) or (6) of this section or the parallel provisions of another state's law) if:

(A) The employer's principal place of business in the United States is located in this state; or

(B) The employer has no place of business in the United States, but: (i) The employer is an individual who is a resident of this state; or (ii) the employer is a corporation which is organized under the laws of this state; or (iii) the employer is a partnership or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one other state; or

(C) None of the criteria of paragraphs (A) and (B) of this subdivision is met but the employer has elected coverage in this state or, the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on the service, under the law of this state.

(D) An "American employer", for purposes of this subdivision, means a person who is: (i) An individual who is a resident of the United States; or (ii) a partnership if two thirds or more of the partners are residents of the United States; or (iii) a trust, if all of the trustees are residents of the United States; or (iv) a corporation organized under the laws of the United States or of any state;

(12) Service performed by an individual in agricultural labor as defined in subdivision (3), section seventeen of this article when:

(A) The service is performed for a person who: (i) During any calendar quarter in either the current or the preceding calendar year paid remuneration in cash of
twenty thousand dollars or more to individuals employed
in agricultural labor including labor performed by an
alien referred to in paragraph (B) of this subdivision; or
(ii) for some portion of a day in each of twenty different
calendar weeks, whether or not the weeks were consecu-
tive, in either the current or the preceding calendar year,
employed in agricultural labor, including labor performed
by an alien referred to in paragraph (B) of this subdi-
vision, ten or more individuals, regardless of whether they
were employed at the same moment of time;

(B) The service is not performed in agricultural labor if
performed by an individual who is an alien admitted to
the United States to perform service in agricultural labor
pursuant to Sections 214(c) and 101(a)(15)(H) of the
Immigration and Nationality Act;

(C) For the purposes of the definition of employment,
any individual who is a member of a crew furnished by a
crew leader to perform service in agricultural labor for
any other person shall be treated as an employee of the
crew leader: (i) If the crew leader holds a valid certificate
of registration under the Migrant and Seasonal Agricul-
tural Worker Protection Act; or substantially all the
members of the crew operate or maintain tractors, mecha-
nized harvesting or crop-dusting equipment, or any other
mechanized equipment, which is provided by the crew
leader; and (ii) if the other person is not otherwise an
employer of the individual;

(D) For the purposes of this subdivision, in the case of
any individual who is furnished by a crew leader to
perform service in agricultural labor for any other person
and who is not treated as an employee of the crew leader
under paragraph (C) of this subdivision: (i) The other
person and not the crew leader shall be treated as the
employer of the individual; and (ii) the other person shall
be treated as having paid cash remuneration to the
individual in an amount equal to the amount of cash
remuneration paid to the individual by the crew leader
(either on his or her own behalf or on behalf of the other
person) for the service in agricultural labor performed for
the other person; and
(E) For the purposes of this subdivision, the term "crew leader" means an individual who: (i) Furnishes individuals to perform service in agricultural labor for any other person; (ii) pays (either on his or her own behalf or on behalf of the other person) the individuals so furnished by him or her for the service in agricultural labor performed by them; and (iii) has not entered into a written agreement with the other person under which the individual is designated as an employee of the other person; 

(13) (A) The term “employment” includes domestic service in a private home, local college club or local chapter of a college fraternity or sorority performed for a person who paid cash remuneration of one thousand dollars or more in any calendar quarter in the current calendar year or the preceding calendar year to individuals employed in domestic service; and 

(B) Notwithstanding the foregoing definition of “employment”, if the services performed during one half or more of any pay period by an employee for the person employing him or her constitute employment, all the services of the employee for the period are employment; but if the services performed during more than one half of any such pay period by an employee for the person employing him or her do not constitute employment, then none of the services of the employee for the period are employment.

§21A-1A-17. Employment does not include.

The term “employment” does not include:

(1) Service performed in the employ of the United States or any instrumentality of the United States exempt under the constitution of the United States from the payments imposed by this law, except that to the extent that the Congress of the United States shall permit states to require any instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation law, all of the provisions of this law shall be applicable to the instrumentalities and to service performed for the instrumentalities in the same manner, to the same extent and on the same terms as to all
other employers, employing units, individuals and services: Provided, That if this state is not certified for any year by the secretary of labor under Section 1603(c) of the federal Internal Revenue Code, the payments required of the instrumentalities with respect to the year shall be refunded by the commissioner from the fund in the same manner and within the same period as is provided in section nineteen, article five of this chapter, with respect to payments erroneously collected;

(2) Service performed with respect to which unemployment compensation is payable under the Railroad Unemployment Insurance Act and service with respect to which unemployment benefits are payable under an unemployment compensation system for maritime employees established by an act of Congress. The commissioner may enter into agreements with the proper agency established under an act of Congress to provide reciprocal treatment to individuals who, after acquiring potential 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 benefit under this chapter. Such agreement shall become effective ten days after the publications which shall comply with the general rules of the department;

(3) Service performed by an individual in agricultural labor, except as provided in subdivision (12), section sixteen of this article, the definition of "employment". For purposes of this subdivision, the term "agricultural labor" includes all services performed:

(A) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, bees, poultry and fur-bearing animals and wildlife;

(B) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement or maintenance of the farm and its tools and equipment, or in salvaging
(C) In connection with the production or harvesting of any commodity defined as an agricultural commodity in section fifteen (g) of the Agricultural Marketing Act, as amended, or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;

(D) (i) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if the operator produced more than one half of the commodity with respect to which the service is performed; or (ii) in the employ of a group of operators of farms (or a cooperative organization of which the operators are members) in the performance of service described in subparagraph (i) of this paragraph, but only if the operators produced more than one half of the commodity with respect to which the service is performed; but the provisions of subparagraphs (i) and (ii) of this paragraph are not applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption;

(E) On a farm operated for profit if the service is not in the course of the employer's trade or business or is domestic service in a private home of the employer. As used in this subdivision, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animals, truck farms, plantations, ranches, greenhouses, ranges and nurseries, or other similar land areas or structures used primarily for the raising of any agricultural or horticultural commodities;
vided in subdivision (13), section sixteen of this article, the
definition of "employment";

(5) Service performed by an individual in the employ of
his or her son, daughter or spouse;

(6) Service performed by a child under the age of
eighteen years in the employ of his or her father or
mother;

(7) Service as an officer or member of a crew of an
American vessel, performed on or in connection with the
vessel, if the operating office, from which the operations
of the vessel operating on navigable waters within or
without the United States are ordinarily and regularly
supervised, managed, directed and controlled, is without
this state;

(8) Service performed by agents of mutual fund broker-
dealers or insurance companies, exclusive of industrial
insurance agents, or by agents of investment companies,
who are compensated wholly on a commission basis;

(9) Service performed: (A) In the employ of a church or
convention or association of churches, or an organization
which is operated primarily for religious purposes and
which is operated, supervised, controlled or principally
supported by a church or convention or association of
churches; or (B) by a duly ordained, commissioned or
licensed minister of a church in the exercise of his or her
ministry or by a member of a religious order in the
exercise of duties required by the order; or (C) in a facility
conducted for the purpose of carrying out a program of
rehabilitation for individuals whose earning capacity is
impaired by age or physical or mental deficiency or injury
or providing remunerative work for individuals who
because of their impaired physical or mental capacity
cannot be readily absorbed in the competitive labor
market by an individual receiving the rehabilitation or
remunerative work; or (D) as part of an unemployment
work-relief or work-training program assisted or fi-
nanced, in whole or in part, by any federal agency or an
agency of a state or political subdivision thereof, by an
individual receiving the work relief or work training; or
(E) by an inmate of a custodial or penal institution;

(10) Service performed in the employ of a school, college or university, if the service is performed: (A) By a student who is enrolled and is regularly attending classes at the school, college or university; or (B) by the spouse of a student, if the spouse is advised, at the time the spouse commences to perform the service, that: (i) The employment of the spouse to perform the service is provided under a program to provide financial assistance to the student by the school, college or university; and (ii) the employment will not be covered by any program of unemployment insurance;

(11) Service performed by an individual who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a full-time program, taken for credit at the institution, which combines academic instruction with work experience, if the service is an integral part of the program, and the institution has so certified to the employer, except that this subdivision does not apply to service performed in a program established for or on behalf of an employer or group of employers;

(12) Service performed in the employ of a hospital, if the service is performed by a patient of the hospital, as defined in this article; and

(13) Service in the employ of a governmental entity referred to in subdivision (9), section sixteen of this article, the definition of "employment" if the service is performed by an individual in the exercise of duties: (A) As an elected official; (B) as a member of a legislative body, or a member of the judiciary, of a state or political subdivision; (C) as a member of the state national guard or air national guard; (D) as an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency; (E) in a position which, under or pursuant to the laws of this state, is designated as: (i) A major nontenured policymaking or advisory position; or
(ii) a policymaking or advisory position the performance
of the duties of which ordinarily does not require more
than eight hours per week.

Notwithstanding the foregoing exclusions from the
definition of "employment", services, except agricultural
labor and domestic service in a private home, are in
employment if with respect to the services a tax is re-
quired to be paid under any federal law imposing a tax
against which credit may be taken for contributions
required to be paid into a state unemployment compensa-
tion fund, or which as a condition for full tax credit
against the tax imposed by the federal Unemployment Tax
Act are required to be covered under this chapter.

ARTICLE 6. EMPLOYEE ELIGIBILITY; BENEFITS.

§21A-6-17. Food stamp overissuance intercept of unemploy-
ment benefits.

(a) Notwithstanding the provisions of section two,
article ten of this chapter, the commissioner shall deduct
and withhold from any unemployment compensation
payable to an individual that owes an uncollected
overissuance of food stamp coupons, as defined under
subsection (f) of this section:

(1) The amount, if any, determined pursuant to a written
agreement between the individual and the department of
health and human resources under section 13(c)(3)(A) of
the Food Stamp Act of 1977, as codified in 7 U.S.C.
2022(c)(3)(A), and submitted to the commissioner; or

(2) Any amount otherwise required to be deducted and
withheld from such unemployment compensation pursu-
ant to legal process, as that term is used in section
13(c)(3)(B) of the Food Stamp Act of 1977, as codified in 7
U.S.C. 2022(c)(3)(B) properly served upon the commis-
ioner.

(b) Any amount deducted and withheld under subsection
(a) of this section shall be paid by the commissioner to the
department of health and human resources.

(c) Any amount deducted and withheld under subsection
(a) of this section shall for all purposes be treated as if it
were paid to the individual as unemployment compensa-
tion and paid by the individual to the department of 
health and human resources in satisfaction of the individ-
ual's uncollected overissuance.

(d) For purposes of this section, the term "unemploy-
ment compensation" means any compensation payable 
under this chapter, including amounts payable by the 
commissioner pursuant to an agreement under any federal 
law providing for compensation, assistance or allowances 
with respect to unemployment.

(e) This section applies only if appropriate arrangements 
have been made for reimbursement by the department of 
health and human resources for the administrative costs 
incurred by the commissioner under this section which are 
attributable to uncollected overissuance being enforced by 
the state or department of health and human resources.

(f) The term "uncollected overissuance" means, for 
purposes of this section, obligations which are being 
enforced pursuant to a plan described in section 13(c)(1) of 
the Food Stamp Act of 1977, as codified in 7 U.S.C. 
2022(c)(1).

ARTICLE 10. GENERAL PROVISIONS.

§21A-10-11. Reporting requirements and required information; 
use of information; libel and slander actions 
prohibited.

(a) Each employer, including labor organizations as 
defined in subsection (i) of this section, shall, quarterly, 
submit certified reports on or before the last day of the 
month next following the calendar quarter, on forms to be 
prescribed by the commissioner. The reports shall con-
tain:

(1) The employer's assigned unemployment compensa-
tion registration number, the employer's name and the 
address at which the employer's payroll records are 
maintained;

(2) Each employee's social security account number, 
name, and the gross wages paid to each employee, which 
shall include the first eight thousand dollars of remunera-
tion and all amounts in excess of such amount, notwithstanding subdivision (1), subsection (b), section twenty-eight, article one-a of this chapter;

(3) The total gross wages paid within the quarter for employment, which includes money wages and the cash value of other remuneration, and shall include the first eight thousand dollars of remuneration paid to each employee and all amounts in excess of such amount, notwithstanding subdivision (1), subsection (b), section twenty-eight, article one-a of this chapter; and

(4) Other information as is reasonably connected with the administration of this chapter.

(b) Information thus obtained may not be published or be open to public inspection so as to reveal the identity of the employing unit or the individual.

(c) Notwithstanding the provisions of subsection (b) of this section, the commissioner may provide information thus obtained to the following governmental entities for purposes consistent with state and federal laws:

(1) The United States department of agriculture;

(2) The state agency responsible for enforcement of the medicaid program under Title XIX of the Social Security Act;

(3) The United States department of health and human services or any state or federal program operating and approved under Title I, Title II, Title X, Title XIV or Title XVI of the Social Security Act;

(4) Those agencies of state government responsible for economic and community development, secondary, post-secondary and vocational education; vocational rehabilitation, employment and training, including, but not limited to, the administration of the Perkins Act and the Job Training and Partnership Act;

(5) The tax division, but only for the purposes of collection and enforcement;

(6) The division of labor for purposes of enforcing the
wage bond and the contractor licensing provisions of chapter twenty-one of this code;

(7) Any agency of this or any other state, or any federal agency, charged with the administration of an unemployment compensation law or the maintenance of a system of public employment offices;

(8) Any claimant for benefits or any other interested party to the extent necessary for the proper presentation or defense of a claim; and

(9) The division of workers' compensation for purposes of collection and enforcement: Provided, That the division of workers' compensation shall provide similar information to the other divisions of the bureau of employment programs.

(d) The agencies or organizations which receive information under subsection (c) of this section shall agree that the information shall remain confidential so as not to reveal the identity of the employing unit or the individual consistent with the provisions of this chapter.

(e) The commissioner may, before furnishing any information permitted under this section, require that those who request the information shall reimburse the bureau of employment programs for any cost associated therewith.

(f) The commissioner may refuse to provide any information requested under this section if the agency or organization making the request does not certify that it will comply with the state and federal law protecting the confidentiality of the information.

(g) A person who violates the confidentiality provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than twenty dollars nor more than two hundred dollars, or imprisoned not longer than ninety days, or both.

(h) No action for slander or libel, either criminal or civil, shall be predicated upon information furnished by any employer or any employee to the commissioner in connec-
tion with the administration of any of the provisions of
this chapter.

(i) For purposes of subsection (a) of this section, the term
"labor organization" means any organization of any kind,
or any agency or employee representation committee or
plan, in which employees participate and which exists for
the purpose, in whole or in part, of dealing with employers
concerning grievances, labor disputes, wages, rates of pay,
hours of employment, or conditions of work. It includes
any entity, also known as a hiring hall, which is used by
the organization and an employer to carry out require-
ments described in 29 U.S.C. 158(f)(3) of an agreement
between the organization and the employer.

§21A-10-19. Disclosure of information to child support agen-
cies.

(a) The bureau of employment programs shall disclose,
upon request, to officers or employees of any state or local
child support enforcement agency, and to employees of the
federal secretary of health and human services, any wage
and benefit information with respect to individuals which
is contained in its records.

The term "state or local child support enforcement
agency" means any agency of a state or political subdivi-
sion thereof operating pursuant to a plan described in
section 453, 453a or 454 of the Social Security Act, which
has been approved by the secretary of health and human
services under Part D, Title IV of the Social Security Act.

(b) The requesting agency shall agree that the informa-
tion is to be used only for the purpose of establishing and
collecting child support obligations from, and locating,
individuals owing the obligations which are being en-
forced pursuant to a plan described in section 453, 453a or
454 of the Social Security Act which has been approved by
the secretary of health and human services under Part D,
Title IV of the Social Security Act.

(c) The information may not be released unless the
requesting agency agrees to reimburse the costs involved
for furnishing the information.
(d) In addition to the requirements of this section, all other requirements with respect to confidentiality of information obtained in the administration of this chapter and the sanctions imposed on improper disclosure shall apply to the use of the information by officers, and employees of child support enforcement agencies. A state or local child support enforcement agency may disclose to any agent of the agency that is under contract with the agency to carry out the purposes described in subsection (b) of this section, wage information that is disclosed to an officer or employee of the agency under subsection (a) of this section. Any agent of a state or local child support agency that receives wage information under this paragraph shall comply with the safeguards established to keep the information confidential and is subject to the criminal provisions of subsection (g), section eleven of this article.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within is approved this the ________ day of __________________, 1997.

[Signature]
Governor
PRESENTED TO THE
GOVERNOR

Date 4/20/97

Time 2:30 PM