WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997

ENROLLED

SENATE BILL NO. 535

(By Senator WOSON, ET AL.)

PASSED APRIL 12, 1997

In Effect From Passage
ENROLLED

Senate Bill No. 535

(By Senators Wooton, Ball, Bowman, Hunter, Schoonover and White)

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

AN ACT to amend chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article one-b, relating to estimating the number of West Virginia residents in applications and reporting of certain information for construction projects which are financed, in whole or in part, by public funds or at public expense; specifying report forms; and specifying effective and termination dates.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article one-b, to read as follows:
ARTICLE 1B. REPORTING OF EMPLOYMENT.

§21-1B-1. Findings; policy.
1 The Legislature finds that the purpose of economic
development efforts is to improve the lives of West
Virginians, and whereas, taxpayers spend a significant
amount of money on economic development projects to
create jobs, and state, county and municipal governments
want to maximize employment of local citizens whenever
contracting for public improvements a tracking mecha-
nism is needed to evaluate existing economic development
efforts regarding job creation to better assist the design of
training programs to meet the skills employers need.

§21-1B-2. Application of article.
1 This article applies to:
2 (a) Expenditures made after the first day of January, one
thousand nine hundred ninety-eight, by any public
authority made, in whole or in part, from public funds for
a public improvement project; and
3 (b) Any private capital project funded, in whole or in
part, after the first day of January, one thousand nine
hundred ninety-eight, by the issuance of tax incentives,
tax credits, or bonds or loans or other tax funded benefits
granted by the state or any of its political subdivisions any
economic development board or agency to induce or
encourage the undertaking of any such construction
project by any private person, corporation or any other
entity.

§21-1B-3. Compiling of information.
1 (a) Application for financial incentives from economic
development authorities, or other public authorities,
which will be used, in whole or in part, for the construc-
tion of public or capital improvement projects, shall
include a statement estimating the number and duration
of each construction job which will go to West Virginia
residents.
2 (b) Upon completion of any such project wherein the
contract for the project was awarded after the first day of
January, one thousand nine hundred ninety-eight, the applicant shall complete a report consisting of the number of individuals employed to construct such project, the county and state where they reside, and the total hours worked by each employee on such project and shall submit such report to the state tax department within thirty days of the completion of the project: Provided, That filing of a bureau of labor statistics report on employment, payroll and hours - intrastate construction, form bls 790b rev Jan 93, O.M.B. form approval no. 1220-0011, meets all requirements of this section when filed in accordance with this article: Provided, however, That the filing of a single annual report setting forth in the aggregate all contracts in this state to which this article applies and which sets forth the total number of individuals employed to construct such projects and the county and state where they reside shall be sufficient to fully meet the filing requirements of this article.

§21-1B-4. Effective date; termination provisions.

The provisions of this article shall be effective for projects bid, contracted or entered into after the first day of January, one thousand nine hundred ninety-eight, and the provisions of this article shall expire and become void at midnight, the thirty-first day of December, two thousand one.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within........................... this the 8th day of................................, 1967.

Governor