

RECEIVED  
98 APR -8 AM 9:36  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



# ENROLLED

## House Bill No. 4698

(By Delegates Douglas, Collins, Claypole,  
Prunty, Tucker, Capito and Stalnaker)



Passed March 14, 1998

In Effect Ninety Days from Passage



RECEIVED  
98 APR -8 AM 9:36  
OFFICE OF THE CLERK  
STATE OF WEST VIRGINIA

**ENROLLED**

**H. B. 4698**

(BY DELEGATES DOUGLAS, COLLINS, CLAYPOLE,  
PRUNTY, TUCKER, CAPITO AND STALNAKER)

---

[Passed March 14, 1998; in effect ninety days from passage.]

---

AN ACT to amend and reenact sections four, four-a, five and five-a, article ten, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to changing termination dates pursuant to the West Virginia sunset law.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 10. THE WEST VIRGINIA SUNSET LAW.**

**§4-10-4. Termination of agencies following full performance evaluations.**

1 The following agencies shall be terminated on the date  
2 indicated, but no agency may be terminated under this  
3 section unless a full performance evaluation has been  
4 conducted upon such agency:

5 (1) On the first day of July, one thousand nine  
6 hundred ninety-nine: West Virginia parkways, economic

7 development and tourism authority; workers'  
8 compensation; department of health and human resources;  
9 purchasing division within the department of  
10 administration.

11 (2) On the first day of July, two thousand: Division of  
12 corrections; division of environmental protection.

13 (3) On the first day of July, two thousand one:  
14 Division of natural resources.

15 (4) On the first day of July, two thousand two:  
16 Division of highways; division of labor.

17 (5) On the first day of July, two thousand three:  
18 Division of culture and history; school building authority.

19 (6) On the first day of July, two thousand four:  
20 Division of personnel; division of rehabilitation services.

**§4-10-4a. Termination of agencies previously subject to full performance evaluations following compliance monitoring and further inquiry updates.**

1 The following agencies shall be terminated on the date  
2 indicated, but no agency may be terminated under this  
3 section unless a compliance monitoring and further  
4 inquiry update has been completed on the agency  
5 subsequent to the prior completion of a full performance  
6 evaluation:

7 (1) On the first day of July, one thousand nine  
8 hundred ninety-nine: Tourism functions within the West  
9 Virginia development office; office of judges of workers'  
10 compensation.

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

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

5 (1) On the first day of July, one thousand nine  
6 hundred ninety-six: Juvenile facilities review panel.

7 (2) On the first day of July, one thousand nine  
8 hundred ninety-seven: public employees insurance agency  
9 advisory board; cable television advisory board.

10 (3) On the first day of July, one thousand nine  
11 hundred ninety-nine: Public service commission; tree fruit  
12 industry self improvement assessment program; capitol  
13 building commission; board of banking and financial  
14 institutions; state building commission; West Virginia state  
15 police; women's commission; soil conservation committee  
16 of the department of <sup>AGRICULTURE</sup> ~~natural~~ resources; family law master  
17 system; board of examiners in speech pathology and  
18 audiology; board of social work examiners; West Virginia  
19 lending and credit rate board; public defender services;  
20 racing commission; West Virginia commission for the deaf  
21 and hard of hearing.

22 (4) On the first day of July, two thousand: Family  
23 protection services board; environmental quality board;  
24 West Virginia's membership in the Ohio River valley water  
25 sanitation commission; ethics commission; oil and gas  
26 inspector's examining board; veterans' council; West  
27 Virginia's membership in the southern regional education  
28 board; board of respiratory care practitioners; board of  
29 examiners in counseling; educational broadcasting  
30 authority; West Virginia state rail authority.

31 (5) On the first day of July, two thousand one: Real  
32 estate commission; marketing and development division of  
33 the department of agriculture; board of architects; public  
34 employees insurance agency; public employees insurance  
35 agency finance board; center for professional  
36 development; rural health advisory panel; oil and gas  
37 conservation commission; state fire commission.

38 (6) On the first day of July, two thousand two:  
39 Whitewater commission within the division of natural  
40 resources; state geological and economic survey;  
41 unemployment compensation; West Virginia contractor  
42 licensing board.

43 (7) On the first day of July, two thousand three:  
44 Driver's licensing advisory board; West Virginia  
45 commission for national and community service.

*de  
6m 6*

46 (8) On the first day of July, two thousand four: meat  
47 inspection program of the department of agriculture; state  
48 board of risk and insurance management; board of  
49 examiners of land surveyors; interstate commission on  
50 uniform state laws; interstate commission on the Potomac  
51 River basin.

**§4-10-5a. Termination of agencies previously subject to preliminary performance reviews following compliance monitoring and further inquiry updates.**

1 The following agencies shall be terminated on the date  
2 indicated, but no agency may be terminated under this  
3 section unless a compliance monitoring and further  
4 inquiry update has been completed on the agency  
5 subsequent to the prior completion of a preliminary  
6 performance review:

7 (1) On the first day of July, one thousand nine  
8 hundred ninety-nine: Office of water resources of the  
9 division of environmental protection; office of  
10 environmental advocate of the division of environmental  
11 protection; governor's cabinet on children and families;  
12 West Virginia health care cost review authority; West  
13 Virginia investment management board; emergency  
14 medical services advisory council; parks section and parks  
15 functions of the division of natural resources.

16 (2) On the first day of July, two thousand: child  
17 support enforcement division; human rights commission.

18 (3) On the first day of July, two thousand one: state  
19 lottery commission.

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

*Ray Schooner*  
Chairman Senate Committee

*Nick Fardousi*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.)

*Russell E. White*  
Clerk of the Senate

*Bugmy D. Snow*  
Clerk of the House of Delegates

*Carl Ray Tomblin*  
President of the Senate

*Speyer*  
Speaker of the House of Delegates

The within *approved* this the *7th*  
day of *April*, 1998.

*Jeff Abernethy*  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/6/98

Time 12:15 pm