

H.B. 2278

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SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999



# ENROLLED

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 2278**

(By Mr. Speaker, Mr. Kiss, and Delegate Trump)  
[By Request of the Executive]



Passed March 13, 1999

In Effect Ninety Days from Passage

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OFFICE OF THE CLERK  
SPEAKER OF THE HOUSE

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# **H. B. 2278**

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AN ACT to amend and reenact section nine, article nine, chapter twenty-one-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to appropriating federal funds made available to the state for unemployment insurance and job service activities.

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

That section nine, article nine, chapter twenty-one-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 9. UNEMPLOYMENT COMPENSATION ADMINISTRATION FUND.**

**§21A-9-9. Reed Act appropriations.**

- 1 (a) Pursuant to 42 U.S.C. 1103, Section 903 of the Social
- 2 Security Act, as amended, funds may become available to the
- 3 state. The provisions of 42 U.S.C. 1103, Section 903 of the

4 Social Security Act, as amended, impose certain requirements  
5 that affect the state's use of the funds. It is the purpose of this  
6 section to ensure that the state meets each requirement imposed  
7 by the provisions of 42 U.S.C. 1103, Section 903 of the Social  
8 Security Act, as amended, to enable the state to expend the  
9 funds for the purposes intended by federal law.

10 (b) The bureau of employment programs is designated as  
11 the state agency authorized to receive funds made available  
12 pursuant to 42 U.S.C. 1103, Section 903 of the Social Security  
13 Act, as amended.

14 (c) Expenditure of any funds made available to the state  
15 pursuant to 42 U.S.C. 1103, Section 903 of the Social Security  
16 Act, as amended, shall be for the specific purposes and in the  
17 amounts authorized under 42 U.S.C. 1103, Section 903 of the  
18 Social Security Act, as amended, and are to be made only in  
19 accordance with appropriation by the Legislature.

20 (d) The specific purpose and amount of an appropriation of  
21 funds received under 42 U.S.C. 1103, Section 903 of the Social  
22 Security Act, as amended, is, by operation of this section, the  
23 specific purpose and amount stated in the act of the Legislature  
24 appropriating the funds. Where the specific purpose or amount  
25 stated in the act of this Legislature appropriating the funds is  
26 not consistent with the provisions of 42 U.S.C. 1103, Section  
27 903 of the Social Security Act, as amended, the provisions of 42  
28 U.S.C. 1103, Section 903 of the Social Security Act, as  
29 amended, shall control and the specific purpose or amount  
30 authorized by those provisions are hereby incorporated into the  
31 appropriations act and, by the operation of this section, shall be  
32 the specific purpose or amount of the appropriation as if fully  
33 set forth in the appropriations act.

34 (e) Any restriction, limitation or obligation imposed by 42  
35 U.S.C. 1103, Section 903 of the Social Security Act, as  
36 amended, upon the use of funds made available to the state or  
37 upon the purposes for which they may be expended is hereby  
38 incorporated and made a part of this subsection as if fully set  
39 forth herein, and is hereby incorporated into the act of the  
40 Legislature appropriating the funds and, by the operation of this  
41 section, the appropriations act shall impose each and every

42 restriction, limitation or obligation imposed by 42 U.S.C. 1103,  
43 Section 903 of the Social Security Act, as amended, upon the  
44 use of the funds as if fully set forth in the appropriations act.

45 (f) Notwithstanding any other provision of this section to  
46 the contrary, moneys credited to the state under section 903 of  
47 the Social Security Act, as codified in 42 U.S.C. §1103, with  
48 respect to federal fiscal years 1999, 2000 and 2001 are autho-  
49 rized to be used only for the administration of the state's  
50 unemployment compensation program.

51 (g) The effective date of the use of any funds made avail-  
52 able to the state under the provisions of 42 U.S.C. 1103, Section  
53 903 of the Social Security Act, as amended, and the effective  
54 date of any restriction, limitation or obligation imposed by  
55 those provisions on the use of those funds, shall be the effective  
56 date of the appropriations act of the Legislature appropriating  
57 the funds, and the use of the funds shall not extend beyond the  
58 conclusion of any time limitation imposed by 42 U.S.C. 1103,  
59 Section 903 of the Social Security Act, as amended, for the  
60 expenditure of the funds.

61 (h) Notwithstanding any provision of article eleven, chapter  
62 four of this code to the contrary, the governor may not authorize  
63 the expenditure of funds received under 42 U.S.C. 1103,  
64 Section 903 of the Social Security Act, as amended, pursuant to  
65 the provisions of section five, article eleven, chapter four of this  
66 code unless otherwise permitted under federal law.

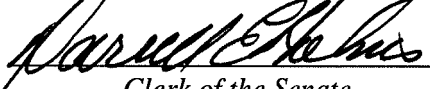
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

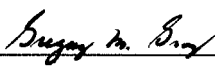
  
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Chairman Senate Committee

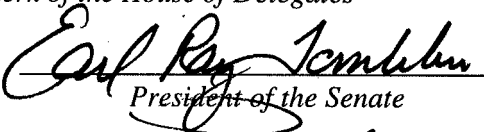
  
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Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

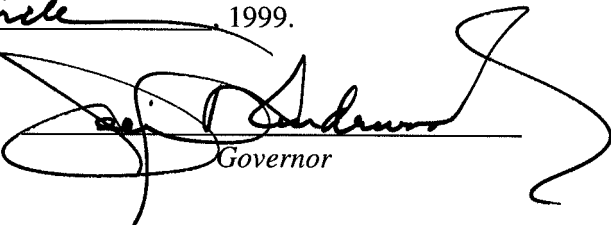
  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

The within approved this the 3/25  
day of March, 1999.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/26/99

Time 2:37 pm