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SB 364

FILED

2006 MAR 22 P 2:32

SECRETARY OF STATE
WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
Regular Session, 2006



ENROLLED

Committee Substitute for

SENATE BILL NO. 364

(By Senator Hunter, et al)



PASSED March 8, 2006

In Effect from **Passage**

FILED

2006 MAR 22 P 2: 31

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 364

(SENATORS HUNTER, TOMBLIN, MR. PRESIDENT, WHITE,
BAILEY, PLYMALE, MCCABE, HELMICK, DEMPSEY,
BOWMAN, SHARPE, KESSLER, FOSTER, HARRISON,
UNGER AND PREZIOSO, *original sponsors*)

[Passed March 8, 2006; in effect from passage.]

AN ACT to repeal §21-1C-7 of the Code of West Virginia, 1931, as amended; and to amend and reenact §21-1C-5 of said code, relating to continuing the West Virginia Jobs Act; and requiring annual reports by the Division of Labor.

Be it enacted by the Legislature of West Virginia:

That §21-1C-7 of the Code of West Virginia, 1931, as amended, be repealed; and that §21-1C-5 of said code be amended and reenacted to read as follows:

ARTICLE 1C. WEST VIRGINIA JOBS ACT.

§21-1C-5. Applicability and scope of article; reporting requirements.

1 (a) This article applies to expenditures for construction
2 projects by any public authority for public improvements
3 as defined by this article.

4 (b) For public improvement projects let pursuant to this
5 article, the public authority shall file, or require an
6 employer as defined in section two of this article to file,
7 with the Division of Labor copies of the waiver certificates
8 and certified payrolls, pursuant to article five-a of this
9 chapter, or other comparable documents that include the
10 number of employees, the county and state wherein the
11 employees reside and their occupation.

12 (c) The Division of Labor shall compile the information
13 required by this section and submit it annually to the Joint
14 Committee on Government and Finance by the fifteenth
15 day of October. The joint committee may forward these
16 reports to the Legislative Auditor to review and make
17 comments regarding the usefulness of the information
18 collected and to suggest changes to the division's method
19 of reporting to ensure the information collected will prove
20 useful in evaluating the effectiveness of the provisions of
21 this article.

22 (d) Each public authority has the duty to implement the
23 reporting requirements of this article. Every public
24 improvement contract or subcontract let by a public
25 authority shall contain provisions conforming to the
26 requirements of this article.

27 (e) The Division of Labor is authorized to establish
28 procedures for the efficient collection of data, collection of
29 civil penalties prescribed in section six of this article and
30 transmittal of data to the Joint Committee on Government
31 and Finance.

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

Candy White
.....
Chairman Senate Committee

R. Brun
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Russell E. Gibson
.....
Clerk of the Senate

Bruce M. Sand
.....
Clerk of the House of Delegates

Earl Ray Tomblin
.....
President of the Senate

Jack
.....
Speaker House of Delegates

The within *is approved* this the *22nd*
Day of *March*, 2006.

Paul J. Hancock
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 17 2006

Time 11:00am