

5

FILED

2006 APR -3 P 4:18

SB 653

WEST VIRGINIA LEGISLATURE  
Regular Session, 2006

**ENROLLED**

*Com. Sub. for Com. Sub. for*  
**SENATE BILL NO. 653**

*(By Senators Tomblin, Mr. President, and Spruce,  
By REQUEST OF THE EXECUTIVE)*

**PASSED March 11, 2006**

**In Effect 90 days from Passage**

FILED

2006 APR -3 P 4: 18

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**ENROLLED**

COMMITTEE SUBSTITUTE

FOR

COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 653**

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

---

[Passed March 11, 2006; in effect ninety days from passage.]

---

AN ACT to amend and reenact §5A-6-1, §5A-6-2, §5A-6-4, §5A-6-5, §5A-6-6 and §5A-6-8 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto three new sections, designated §5A-6-4a, §5A-6-4b and §5A-6-4c; and to amend and reenact §5A-7-4 of said code, all relating to the Office of Technology; making legislative findings; defining terms; providing duties, powers and authority of the Chief Technology Officer; requiring a four-year strategic plan; authorizing promulgation of legislative rules; providing authority over security of state government information; managing information technology and establishing a Project Management Office; requiring state spending units to

provide notice and obtain approval of Chief Technology Officer for certain information technology and telecommunication projects; limiting when fees may be charged; disallowing certain expenditures in excess of spending authority; transferring duties relating to disaster recovery centers to the Chief Technology Officer; requiring at least two redundant sites for disaster recovery centers; and exempting and limiting application to certain state entities.

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

That §5A-6-1, §5A-6-2, §5A-6-4, §5A-6-5, §5A-6-6 and §5A-6-8 of the Code of West Virginia, 1931, as amended, be amended and reenacted; that said code be amended by adding thereto three new sections, designated §5A-6-4a, §5A-6-4b and §5A-6-4c; and that §5A-7-4 of said code be amended and reenacted, all to read as follows:

**ARTICLE 6. OFFICE OF TECHNOLOGY.**

**§5A-6-1. Findings and purposes.**

1 The Legislature finds and declares that information  
2 technology is essential to finding practical solutions to the  
3 everyday problems of government and that the manage-  
4 ment goals and purposes of government are furthered by  
5 the development of compatible, linked information  
6 systems across government. Therefore, it is the purpose of  
7 this article to create, as an integral part of the Department  
8 of Administration, the Office of Technology with the  
9 authority to advise and make recommendations to all state  
10 spending units on their information systems and to have  
11 the authority to oversee coordination of the state's techni-  
12 cal infrastructure.

**§5A-6-2. Definitions.**

1 As used in this article:

2 (a) "Information systems" means computer-based  
3 information equipment and related services designed for

4 the automated transmission, storage, manipulation and  
5 retrieval of data by electronic or mechanical means;

6 (b) "Information technology" means data processing and  
7 telecommunications hardware, software, services, supplies,  
8 personnel, maintenance, training and includes the pro-  
9 grams and routines used to employ and control the capa-  
10 bilities of data processing hardware;

11 (c) "Information equipment" includes central processing  
12 units, front-end processing units, miniprocessors, micro-  
13 processors and related peripheral equipment, including  
14 data storage devices, networking equipment, services,  
15 routers, document scanners, data entry equipment, termi-  
16 nal controllers, data terminal equipment, computer-based  
17 word processing systems other than memory typewriters;

18 (d) "Related services" includes feasibility studies,  
19 systems design, software development and time-sharing  
20 services whether provided by state employees or others;

21 (e) "Telecommunications" means any transmission,  
22 emission or reception of signs, signals, writings, images or  
23 sounds of intelligence of any nature by wire, radio or other  
24 electromagnetic or optical systems. The term includes all  
25 facilities and equipment performing those functions that  
26 are owned, leased or used by the executive agencies of  
27 state government;

28 (f) "Chief Technology Officer" means the person holding  
29 the position created in section three of this article and  
30 vested with authority to oversee state spending units in  
31 planning and coordinating information systems that serve  
32 the effectiveness and efficiency of the state and individual  
33 state spending units and further the overall management  
34 goals and purposes of government;

35 (g) "Technical infrastructure" means all information  
36 systems, information technology, information equipment,  
37 telecommunications and related services as defined in this  
38 section;

39 (h) "Information technology project" means the process  
40 by which telecommunications, automated data processing,  
41 databases, the internet, management information systems  
42 and related information, equipment, goods and services  
43 are planned, procured and implemented;

44 (i) "Major information technology project" means any  
45 information technology project estimated to cost more  
46 than one hundred thousand dollars or require more than  
47 three hundred man hours to complete; and

48 (j) "Steering committee" means an internal agency  
49 oversight committee established jointly by the Chief  
50 Technology Officer and the agency requesting the project,  
51 which shall include representatives from the Office of  
52 Technology and at least one representative from the  
53 agency requesting the project.

**§5A-6-4. Powers and duties of the Chief Technology Officer;  
generally.**

1 (a) With respect to all state spending units the Chief  
2 Technology Officer may:

3 (1) Develop an organized approach to information  
4 resource management for this state;

5 (2) Provide, with the assistance of the Information  
6 Services and Communications Division of the Department  
7 of Administration, technical assistance to the administra-  
8 tors of the various state spending units in the design and  
9 management of information systems;

10 (3) Evaluate, in conjunction with the Information  
11 Services and Communications Division, the economic  
12 justification, system design and suitability of information  
13 equipment and related services, and review and make  
14 recommendations on the purchase, lease or acquisition of  
15 information equipment and contracts for related services  
16 by the state spending units;

17 (4) Develop a mechanism for identifying those instances  
18 where systems of paper forms should be replaced by direct  
19 use of information equipment and those instances where  
20 applicable state or federal standards of accountability  
21 demand retention of some paper processes;

22 (5) Develop a mechanism for identifying those instances  
23 where information systems should be linked and informa-  
24 tion shared, while providing for appropriate limitations on  
25 access and the security of information;

26 (6) Create new technologies to be used in government,  
27 convene conferences and develop incentive packages to  
28 encourage the utilization of technology;

29 (7) Engage in any other activities as directed by the  
30 Governor;

31 (8) Charge a fee to the state spending units for evalua-  
32 tions performed and technical assistance provided under  
33 the provisions of this section, to be based entirely on direct  
34 personnel costs incurred in providing the evaluation or  
35 technical assistance and charged only after the evaluation  
36 or technical assistance has been provided. All fees col-  
37 lected by the Chief Technology Officer shall be deposited  
38 in a special account in the State Treasury to be known as  
39 the Chief Technology Officer Administration Fund.  
40 Expenditures from the fund shall be made by the Chief  
41 Technology Officer for the purposes set forth in this article  
42 and are not authorized from collections but are to be made  
43 only in accordance with appropriation by the Legislature  
44 and in accordance with the provisions of article three,  
45 chapter twelve of this code and upon the fulfillment of the  
46 provisions set forth in article two, chapter eleven-b of this  
47 code: *Provided*, That the provisions of section eighteen,  
48 article two, chapter eleven-b of this code shall not operate  
49 to permit expenditures in excess of the spending authority  
50 authorized by the Legislature. Amounts collected which  
51 are found to exceed the funds needed for purposes set forth  
52 in this article may be transferred to other accounts or

53 funds and redesignated for other purposes by appropria-  
54 tion of the Legislature;

55 (9) Monitor trends and advances in information technol-  
56 ogy and technical infrastructure;

57 (10) Direct the formulation and promulgation of policies,  
58 guidelines, standards and specifications for the develop-  
59 ment and maintenance of information technology and  
60 technical infrastructure, including, but not limited to:

61 (A) Standards to support state and local government  
62 exchange, acquisition, storage, use, sharing and distribu-  
63 tion of electronic information;

64 (B) Standards concerning the development of electronic  
65 transactions, including the use of electronic signatures;

66 (C) Standards necessary to support a unified approach  
67 to information technology across the totality of state  
68 government, thereby assuring that the citizens and busi-  
69 nesses of the state receive the greatest possible security,  
70 value and convenience from investments made in technol-  
71 ogy;

72 (D) Guidelines directing the establishment of statewide  
73 standards for the efficient exchange of electronic informa-  
74 tion and technology, including technical infrastructure,  
75 between the public and private sectors;

76 (E) Technical and data standards for information  
77 technology and related systems to promote efficiency and  
78 uniformity;

79 (F) Technical and data standards for the connectivity,  
80 priorities and interoperability of technical infrastructure  
81 used for homeland security, public safety and health and  
82 systems reliability necessary to provide continuity of  
83 government operations in times of disaster or emergency  
84 for all state, county and local governmental units; and

85 (G) Technical and data standards for the coordinated  
86 development of infrastructure related to deployment of  
87 electronic government services among state, county and  
88 local governmental units;

89 (11) Periodically evaluate the feasibility of subcontract-  
90 ing information technology resources and services, and to  
91 subcontract only those resources that are feasible and  
92 beneficial to the state;

93 (12) Direct the compilation and maintenance of an  
94 inventory of information technology and technical infra-  
95 structure of the state, including infrastructure and tech-  
96 nology of all state, county and local governmental units,  
97 which may include personnel, facilities, equipment, goods  
98 and contracts for service, wireless tower facilities, geo-  
99 graphic information systems and any technical infrastruc-  
100 ture or technology that is used for law enforcement,  
101 homeland security or emergency services;

102 (13) Develop job descriptions and qualifications neces-  
103 sary to perform duties related to information technology  
104 as outlined in this article; and

105 (14) Promulgate legislative rules, in accordance with the  
106 provisions of chapter twenty-nine-a of this code, as may be  
107 necessary to standardize and make effective the adminis-  
108 tration of the provisions of article six of this chapter.

109 (b) With respect to executive agencies, the Chief Tech-  
110 nology Officer may:

111 (1) Develop a unified and integrated structure for  
112 information systems for all executive agencies;

113 (2) Establish, based on need and opportunity, priorities  
114 and time lines for addressing the information technology  
115 requirements of the various executive agencies of state  
116 government;

117 (3) Exercise authority delegated by the Governor by  
118 executive order to overrule and supersede decisions made



119 by the administrators of the various executive agencies of  
120 government with respect to the design and management of  
121 information systems and the purchase, lease or acquisition  
122 of information equipment and contracts for related  
123 services;

124 (4) Draw upon staff of other executive agencies for  
125 advice and assistance in the formulation and implementa-  
126 tion of administrative and operational plans and policies;  
127 and

128 (5) Recommend to the Governor transfers of equipment  
129 and human resources from any executive agency and the  
130 most effective and efficient uses of the fiscal resources of  
131 executive agencies, to consolidate or centralize  
132 information-processing operations.

133 (c) The Chief Technology Officer may employ the  
134 personnel necessary to carry out the work of the Office of  
135 Technology and may approve reimbursement of costs  
136 incurred by employees to obtain education and training.

137 (d) The Chief Technology Officer shall develop a com-  
138 prehensive, statewide, four-year strategic information  
139 technology and technical infrastructure policy and devel-  
140 opment plan to be submitted to the Governor and the Joint  
141 Committee on Government and Finance. A preliminary  
142 plan shall be submitted by the first day of December, two  
143 thousand six, and the final plan shall be submitted by the  
144 first day of June, two thousand seven. The plan shall  
145 include, but not limited to:

146 (A) A discussion of specific projects to implement the  
147 plan;

148 (B) A discussion of the acquisition, management and use  
149 of information technology by state agencies;

150 (C) A discussion of connectivity, priorities and  
151 interoperability of the state's technical infrastructure with  
152 the technical infrastructure of political subdivisions and

153 encouraging the coordinated development of facilities and  
154 services regarding homeland security, law enforcement  
155 and emergency services to provide for the continuity of  
156 government operations in times of disaster or emergency;

157 (D) A discussion identifying potential market demand  
158 areas in which expanded resources and technical infra-  
159 structure may be expected;

160 (E) A discussion of technical infrastructure as it relates  
161 to higher education and health;

162 (F) A discussion of the use of public-private partnerships  
163 in the development of technical infrastructure and tech-  
164 nology services; and

165 (G) A discussion of coordinated initiatives in website  
166 architecture and technical infrastructure to modernize and  
167 improve government to citizen services, government to  
168 business services, government to government relations and  
169 internal efficiency and effectiveness of services, including  
170 a discussion of common technical data standards and  
171 common portals to be utilized by state, county and local  
172 governmental units.

173 (e) The Chief Technology Officer shall oversee telecom-  
174 munications services used by state spending units for the  
175 purpose of maximizing efficiency to the fullest possible  
176 extent. The Chief Technology Officer shall establish  
177 microwave or other networks and LATA hops; audit  
178 telecommunications services and usage; recommend and  
179 develop strategies for the discontinuance of obsolete or  
180 excessive utilization; participate in the renegotiation of  
181 telecommunications contracts; and encourage the use of  
182 technology and take other actions necessary to provide the  
183 greatest value to the state.

**§5A-6-4a. Duties of the Chief Technology Officer relating to  
security of government information.**

1 (a) To ensure the security of state government informa-  
2 tion and the data communications infrastructure from

3 unauthorized uses, intrusions or other security threats. At  
4 a minimum, these policies, procedures and standards shall  
5 identify and require the adoption of practices to safeguard  
6 information systems, data and communications infrastruc-  
7 tures, as well as define the scope and regularity of security  
8 audits and which bodies are authorized to conduct security  
9 audits. The audits may include reviews of physical  
10 security practices.

11 (b) (1) The Chief Technology Officer shall at least  
12 annually perform security audits of all executive branch  
13 agencies regarding the protection of government databases  
14 and data communications.

15 (2) Security audits may include, but are not limited to,  
16 onsite audits as well as reviews of all written security  
17 procedures and documented practices.

18 (c) The Chief Technology Officer may contract with a  
19 private firm or firms that specialize in conducting these  
20 audits.

21 (d) All public bodies subject to the audits required by  
22 this section shall fully cooperate with the entity designated  
23 to perform the audit.

24 (e) The Chief Technology Officer may direct specific  
25 remediation actions to mitigate findings of insufficient  
26 administrative, technical and physical controls necessary  
27 to protect state government information or data communi-  
28 cation infrastructures.

29 (f) The Chief Technology Officer shall promulgate  
30 legislative rules in accordance with the provisions of  
31 chapter twenty-nine-a of this code to minimize vulnerabil-  
32 ity to threats and to regularly assess security risks, deter-  
33 mine appropriate security measures and perform security  
34 audits of government information systems and data  
35 communications infrastructures.

36 (g) To ensure compliance with confidentiality restric-  
37 tions and other security guidelines applicable to state law-  
38 enforcement agencies, emergency response personnel and  
39 emergency management operations, the provisions of this  
40 section may not apply to the West Virginia State Police or  
41 the Division of Homeland Security and Emergency  
42 Management.

43 (h) The provisions of this section shall not infringe upon  
44 the responsibilities assigned to the State Comptroller, the  
45 Auditor or the Legislative Auditor, or other statutory  
46 requirements.

47 (i) In consultation with the Adjutant General, Chairman  
48 of the Public Service Commission, the Superintendent of  
49 the State Police and the Director of the Division of  
50 Homeland Security and Emergency Management, the  
51 Chief Technology Officer is responsible for the develop-  
52 ment and maintenance of an information systems disaster  
53 recovery system for the State of West Virginia with  
54 redundant sites in two or more locations isolated from  
55 reasonably perceived threats to the primary operation of  
56 state government. The Chief Technology Officer shall  
57 develop specifications, funding mechanisms and participa-  
58 tion requirements for all executive branch agencies to  
59 protect the state's essential data, information systems and  
60 critical government services in times of emergency,  
61 inoperativeness or disaster. Each executive branch agency  
62 shall assist the Chief Technology Officer in planning for its  
63 specific needs and provide to the Chief Technology Officer  
64 any information or access to information systems or  
65 equipment that may be required in carrying out this  
66 purpose. No statewide or executive branch agency pro-  
67 curement of disaster recovery services may be initiated, let  
68 or extended without the expressed consent of the Chief  
69 Technology Officer.

**§5A-6-4b. Project management duties of the Chief Technology  
Officer; establishment of the Project Management**

**Office and duties of the director of the Project Management Office.**

1 (a) Concerning the management of information technol-  
2 ogy projects, the Chief Technology Officer shall:

3 (1) Develop an approval process for proposed major  
4 information technology projects by state agencies to  
5 ensure that all projects conform to the statewide strategic  
6 plan and the information management plans of agencies;

7 (2) Establish a methodology for conceiving, planning,  
8 scheduling and providing appropriate oversight for  
9 information technology projects, including oversight for  
10 the projects and a process for approving the planning,  
11 development and procurement of information technology  
12 projects;

13 (3) Establish minimum qualifications and training  
14 standards for project managers;

15 (4) Direct the development of any statewide and  
16 multiagency enterprise project; and

17 (5) Develop and update a project management methodol-  
18 ogy to be used by agencies in the development of informa-  
19 tion technology.

20 (b) The Chief Technology Officer shall create a Project  
21 Management Office within the Office of Technology.

22 (c) The Director of the Project Management Office shall:

23 (1) Implement the approval process for information  
24 technology projects;

25 (2) Assist the Chief Technology Officer in the develop-  
26 ment and implementation of a project management  
27 methodology to be used in the development and implemen-  
28 tation of information technology projects in accordance  
29 with this article;

30 (3) Provide ongoing assistance and support to state  
31 agencies and public institutions of higher education in the  
32 development of information technology projects;

33 (4) Establish a program providing training to agency  
34 project managers;

35 (5) Review information management and information  
36 technology plans submitted by agencies and recommend to  
37 the Chief Technology Officer the approval of the plans and  
38 any amendments thereto;

39 (6) Monitor the implementation of information manage-  
40 ment and information technology plans and periodically  
41 report its findings to the Chief Technology Officer;

42 (7) Assign project managers to review and recommend  
43 information technology project proposals.

44 (8) The director shall create criteria upon which infor-  
45 mation technology project proposal plans may be based  
46 including:

47 (A) The degree to which the project is consistent with the  
48 state's overall strategic plan;

49 (B) The technical feasibility of the project;

50 (C) The benefits of the project to the state, including  
51 customer service improvements;

52 (D) The risks associated with the project;

53 (E) Any continued funding requirements; and

54 (F) The past performance on other projects by the  
55 agency.

56 (9) Provide oversight for state agency information  
57 technology projects.

**§5A-6-4c. Major information technology projects proposals and  
the establishment of steering committees.**

1 (a) Prior to proceeding with a major information tech-  
2 nology project, an agency shall submit a project proposal,  
3 outlining the business need for the project, the proposed  
4 technology solution, if known, and an explanation of how  
5 the project will support the agency's business objective  
6 and the state's strategic plan for information technology.  
7 The project manager may require the submission of  
8 additional information as needed to adequately review any  
9 proposal.

10 (b) The proposal will further include:

11 (1) A detailed business case plan, including a cost-  
12 benefit analysis;

13 (2) A business process analysis, if applicable;

14 (3) System requirements, if known;

15 (4) A proposed development plan and project manage-  
16 ment structure;

17 (5) Business goals and measurement criteria, as appro-  
18 priate; and

19 (6) A proposed resource or funding plan.

20 (c) The project manager assigned to review the project  
21 development proposal shall recommend its approval or  
22 rejection to the Chief Technology Officer. If the Chief  
23 Technology Officer approves the proposal, then he or she  
24 shall notify the agency of its approval.

25 (d) Whenever an agency has received approval from the  
26 Chief Technology Officer to proceed with the development  
27 and acquisition of a major information technology project,  
28 the Chief Technology Officer shall establish a steering  
29 committee.

30 (e) The steering committee shall provide ongoing over-  
31 sight for the major information technology project and

32 have the authority to approve or reject any changes to the  
33 project's scope, schedule or budget.

34 (f) The Chief Technology Officer shall ensure that the  
35 major information technology project has in place ade-  
36 quate project management and oversight structures for  
37 addressing the project's scope, schedule or budget and  
38 shall address issues that cannot be resolved by the steering  
39 committee.

**§5A-6-5. Notice of request for proposals by state spending units  
required to make purchases through the State  
Purchasing Division.**

1 Any state spending unit that pursues an information  
2 technology purchase that does not meet the definition of a  
3 "major technology project" and that is required to submit  
4 a request for proposal to the State Purchasing Division  
5 prior to purchasing goods or services shall obtain the  
6 approval of the Chief Technology Officer, in writing, of  
7 any proposed purchase of goods or services related to its  
8 information technology and telecommunication systems.  
9 The notice shall contain a brief description of the goods  
10 and services to be purchased. The state spending unit shall  
11 provide the notice to the Chief Technology Officer prior to  
12 the time it submits its request for proposal to the State  
13 Purchasing Division.

**§5A-6-6. Notice of request for proposals by state spending units  
exempted from submitting purchases to the State  
Purchasing Division.**

1 (a) Any state spending unit that is not required to submit  
2 a request for proposal to the State Purchasing Division  
3 prior to purchasing goods or services shall notify the Chief  
4 Technology Officer, in writing, of any proposed purchase  
5 of goods or services related to its information  
6 technology or telecommunication systems. The notice  
7 shall contain a detailed description of the goods and  
8 services to be purchased. The state spending unit shall



9 provide the notice to the Chief Technology Officer a  
10 minimum of ten days prior to the time it requests bids on  
11 the provision of the goods or services.

12 (b) If the Chief Technology Officer evaluates the suit-  
13 ability of the information technology and telecommunica-  
14 tion equipment and related services under the provisions  
15 of subdivision (3), subsection (a), section four of this article  
16 and determines that the goods or services to be purchased  
17 are not suitable, he or she shall, within ten days of receiv-  
18 ing the notice from the state spending unit, notify the state  
19 spending unit, in writing, of any recommendations he or  
20 she has regarding the proposed purchase of the goods or  
21 services. If the state spending unit receives a written  
22 notice from the Chief Technology Officer within the time  
23 period required by this section, the state spending unit  
24 shall not put the goods or services out for bid less than  
25 fifteen days following receipt of the notice from the Chief  
26 Technology Officer.

**§5A-6-8. Exemptions.**

1 (a) The provisions of this article do not apply to the  
2 Legislature, the judiciary or any state constitutional  
3 officer designated in section two, article seven, chapter six  
4 of this code.

5 (b) Notwithstanding any other provision of this article  
6 to the contrary, except for participation in the compilation  
7 and maintenance of an inventory of information technol-  
8 ogy and technical infrastructure of the state authorized by  
9 section four of this article, the provisions of this article do  
10 not apply to the West Virginia Board of Education, the  
11 West Virginia Department of Education or the county  
12 boards of education. However, the West Virginia Board of  
13 Education, the West Virginia Department of Education  
14 and the county boards of education will attempt to  
15 cooperate and collaborate with the Chief Technology  
16 Officer to the extent feasible.

17 (c) The Governor may by executive order exempt from  
18 the provisions of this article any entity created and  
19 organized to facilitate the public and private use of health  
20 care information and the use of electronic medical records  
21 throughout the state.

**ARTICLE 7. INFORMATION SERVICES AND COMMUNICATIONS DIVISIONS.**

**§5A-7-4. Powers and duties of division generally; professional staff; telephone service.**

1 (a) The division is responsible for providing technical  
2 services and assistance to the various state spending units  
3 with respect to developing and improving data processing  
4 and telecommunications functions. The division may  
5 provide training and direct data processing services to the  
6 various state agencies. The division shall, upon request of  
7 the Chief Technology Officer, provide technical assistance  
8 in evaluating the economic justification, system design and  
9 suitability of equipment and systems used in state govern-  
10 ment. The director shall report to the Chief Technology  
11 Officer.

12 (b) The director is responsible for the development of  
13 personnel to carry out the technical work of the division  
14 and may approve reimbursement of costs incurred by  
15 employees to obtain education and training.

16 (c) The director may assess each state spending unit for  
17 the cost of any evaluation of the economic justification,  
18 system design and suitability of equipment and systems  
19 used by the state spending unit or any other technical  
20 assistance that is provided or performed by the Chief  
21 Technology Officer and the division under the provisions  
22 of section four, article six of this chapter.

23 (d) The director shall transfer any moneys received as a  
24 result of the assessments that he or she makes under  
25 subsection (c) of this section to the Office of Technology.  
26 The director shall report quarterly to the Joint Committee

27 on Government and Finance on all assessments made  
28 pursuant to subsection (c) of this section.

29 (e) The director shall maintain an accounting system for  
30 all telephone service to the state.

31 (f) The provisions of this article do not apply to the  
32 Legislature or the judiciary.

19 [Enr. Com Sub for Com. Sub. for S. B. No. 653

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

*Handwritten signature: Randy White*  
.....  
Chairman Senate Committee

*Handwritten signature: R. Burr*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Handwritten signature: Daniel E. Holton*  
.....  
Clerk of the Senate

*Handwritten signature: Bruce M. Sad*  
.....  
Clerk of the House of Delegates

*Handwritten signature: Carl Ray Tomblin*  
.....  
President of the Senate

*Handwritten signature: Robert S. Taylor*  
.....  
Speaker House of Delegates

The within *is approved* ..... this the *30* .....  
Day of *April* ....., 2006.

*Handwritten signature: Paul M. Hancock*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

APR 03 2006

Time 2:03 pm