

Senate Bill No. 523

(By Senators Green, D. Hall, Facemire, Laird, McCabe, Miller,
Prezioso, Wells, Plymale, Carmichael, Jenkins, Yost and
Stollings)

[Introduced February 10, 2014; referred to the Committee on
Military; and then to the Committee on Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §9A-1-11 of the Code of West Virginia,
1931, as amended; to amend and reenact §16-1B-1, §16-1B-2 and
§16-1B-3 of said code; to amend and reenact §16-29A-3 and §16-
29A-7 of said code; to amend and reenact §19-1-4 of said code;
and to amend and reenact §29-22-9a of said code, all relating
to construction of an additional state veterans' skilled
nursing facility; Veterans Facilities Support Fund
expenditures; issuance of bonds by the Hospital Finance
Authority; authorizing the Secretary of Veterans' Assistance
and the Commissioner of Agriculture to enter into agreement to
transfer certain property; Veterans Lottery Fund expenditures;
Veterans Nursing Homes Building Fund expenditures; and
Veterans Nursing Homes Debt Service Fund expenditures.

Be it enacted by the Legislature of West Virginia:

1 That §9A-1-11 of the Code of West Virginia, 1931, as amended,
2 be amended and reenacted; that §16-1B-1, §16-1B-2 and §16-1B-3 of
3 said code be amended and reenacted; that §16-29A-3 and §16-29A-7 of
4 said code be amended and reenacted; that §19-1-4 of said code be
5 amended and reenacted; and that §29-22-9a of said code be amended
6 and reenacted, all to read as follows:

7 **CHAPTER 9A. VETERANS' ASSISTANCE.**

8 **ARTICLE 1. DEPARTMENT OF VETERANS' AFFAIRS.**

9 **§9A-1-11. Establishment of Veterans Facilities Support Fund;**
10 **authorized expenditures.**

11 There is hereby ~~created~~ continued in the State Treasury a
12 special revenue fund to be designated and known as the Veterans
13 Facilities Support Fund, which shall be administered by the
14 secretary. All interest or other returns earned on the investment
15 of the moneys in the fund shall be credited to the fund. Funds paid
16 into the account shall be derived from the following sources: (1)
17 Any gift, grant, bequest, endowed fund or donation which may be
18 received by any veterans facility created by statute from any
19 governmental entity or unit or any person, firm, foundation or
20 corporation; and (2) all interest or other return on investment
21 accruing to the fund. Moneys in the fund are to be used for the
22 operational costs of any veterans facility created by statute, the
23 acquisition, design, construction, equipping, furnishing, including,

1 without limitation, the payment of debt service on bonds issued to
2 finance the foregoing and/or as otherwise designated or specified
3 by the donor. Any balance, including accrued interest or other
4 earnings, in this special fund at the end of any fiscal year shall
5 not revert to the General Revenue Fund but shall remain in the fund.
6 Funds from the Veterans Facility Support Fund for operational costs
7 will be distributed by appropriation of the Legislature. Funds from
8 the Veterans Facility Support Fund for the acquisition, design,
9 construction, equipping, furnishing, including, without limitation,
10 the payment of debt service on bonds issued to finance the veterans
11 nursing home and an additional veterans skilled nursing facility to
12 be located in Beckley, West Virginia, shall be transferred to the
13 Veterans Nursing Home Building Fund upon written request of the
14 director of the division of Veterans Affairs to the Investment
15 Management Board and the State Treasurer in accordance with the
16 provisions of this section. The secretary is authorized to enter
17 into agreement with the Commissioner of the Department of
18 Agriculture to transfer all or part of the approximately seventeen
19 acres of Department of Agriculture property in Beckley, West
20 Virginia, located adjacent to the Jackie Withrow Hospital which was
21 formerly known as Pinecrest Hospital, for construction of a veterans
22 skilled nursing facility.

23 **CHAPTER 16. PUBLIC HEALTH.**

24 **ARTICLE 1B. SKILLED NURSING FACILITIES FOR VETERANS OF THE UNITED**

1 **STATES ARMED FORCES.**2 **§16-1B-1. Legislative findings.**

3 The Legislature finds that the health and welfare of the
4 veterans of the Armed Forces who are citizens of our state will be
5 best served by the establishment of one or more skilled nursing
6 facilities exclusively for these veterans. Furthermore, the
7 Legislature finds that nearly two hundred thousand veterans in this
8 state have distinguished themselves with the highest level of
9 participation per capita of any state in the wars fought by this
10 nation. Further, an aging veterans' population which suffers from
11 wartime disabilities and illnesses are, or will be, in need of
12 skilled nursing care.

13 The Legislature further finds that construction of an
14 additional 120-bed veterans skilled nursing facility in southern
15 West Virginia is needed, to be located on Department of Agriculture
16 property in Beckley, West Virginia, adjacent to the Jackie Withrow
17 Hospital which was formerly known as Pinecrest Hospital. The West
18 Virginia veterans skilled nursing facility located in Clarksburg is
19 currently at its maximum capacity and has a large waiting list for
20 admission. With a veteran population that has now reached over
21 220,000, there is an overwhelming need for additional nursing home
22 beds in other areas of our state to accommodate our veterans as they
23 become unable to take care of themselves.

24 **§16-1B-2. Construction, staffing and operation of one or more**

1 **skilled nursing facilities for veterans of the Armed**
2 **Forces of the United States.**

3 The ~~director~~ Secretary of Veterans ~~Affairs~~ Assistance shall
4 establish, construct, equip and operate one or more skilled nursing
5 facilities, including a skilled nursing facility to be located in
6 Beckley, West Virginia, to serve the needs of citizens of this state
7 who are veterans of the Armed Forces of the United States. For each
8 nursing facility established, the director shall appoint a facility
9 administrator and other employees as are necessary to maintain the
10 facility and deliver quality care to residents of the facility.

11 **§16-1B-3. Issuance of bonds by the hospital finance authority;**
12 **payment of bonds from net profits of the veterans**
13 **lottery instant scratch-off game.**

14 The ~~director~~ secretary shall request that revenue bonds, not
15 exceeding the principal amount of \$10 million, be issued by the West
16 Virginia hospital finance authority under provisions of section
17 seven, article twenty-nine-a of this chapter: Provided, That the
18 secretary shall request that additional revenue bonds, not exceeding
19 the principle amount of \$15 million, be issued by the West Virginia
20 hospital finance authority under provisions of section seven,
21 article twenty-nine-a of this chapter for the construction of a
22 veterans skilled nursing facility to be located in Beckley, West
23 Virginia. Net profit from the veterans lottery instant scratch-off

1 game as authorized by section nine-a, article twenty-two, chapter
2 twenty-nine of this code and other revenues that the Legislature may
3 from time to time appropriate shall pay the principal and interest
4 obligations of the bonds and the architectural and other project
5 costs associated with the construction, reconstruction, renovation
6 and maintenance of one or more skilled nursing facilities, that will
7 only serve the skilled nursing needs of West Virginia veterans who
8 have performed active duty in an active component of the Armed
9 Forces or performed active service in a reserve component of the
10 Armed Forces.

11 **ARTICLE 29A. WEST VIRGINIA HOSPITAL FINANCE AUTHORITY ACT.**

12 **§16-29A-3. Definitions.**

13 As used in this article, unless the context clearly requires
14 a different meaning:

15 (1) "Authority" means the West Virginia Hospital Finance
16 Authority created by section four of this article, the duties,
17 powers, responsibilities and functions of which are specified in
18 this article;

19 (2) "Board" means the West Virginia Hospital Finance Board
20 created by section four of this article, which shall manage and
21 control the authority;

22 (3) "Bond" means a revenue bond issued by the authority to
23 effect the purposes of this article;

24 (4) "Construction" means and includes new construction,

1 reconstruction, enlargement, improvement and providing furnishings
2 or equipment;

3 (5) "Direct provider of health care" means a person or
4 organization whose primary current activity is the provision of
5 health care to individuals and includes a licensed or certified
6 physician, osteopath, dentist, nurse, podiatrist or physician's
7 assistant or an organization comprised of these health professionals
8 or employing these health professionals;

9 (6) "Hospital" means a corporation, association, institution
10 or establishment for the care of those who require medical
11 treatment, which may be a public or private corporation or
12 association, or state-owned or operated establishment and
13 specifically includes nursing homes which are licensed under chapter
14 sixteen of this code or those facilities certified under the Social
15 Security Act as intermediate care facilities for individuals with
16 an intellectual disability;

17 (7) "Hospital facilities" means any real or personal property
18 suitable and intended for, or incidental or ancillary to, use by a
19 hospital and includes: Outpatient clinics; laboratories; laundries;
20 nurses', doctors' or interns' residences; administration buildings;
21 facilities for research directly involved with hospital care;
22 maintenance, storage or utility facilities; parking lots and
23 garages; and all necessary, useful or related equipment, furnishings
24 and appurtenances and all lands necessary or convenient as a site

1 for the foregoing and specifically includes any capital improvements
2 to any of the foregoing. "Hospital facilities" specifically
3 includes office facilities not less than eighty percent of which are
4 intended for lease to direct providers of health care and which are
5 geographically or functionally related to one or more other hospital
6 facilities, if the authority determines that the financing of the
7 office facilities is necessary to accomplish the purposes of this
8 article;

9 (8) "Hospital loan" means a loan made by the authority to a
10 hospital and specifically includes financings by the authority for
11 hospital facilities pursuant to lease-purchase agreements,
12 installment sale or other similar agreements;

13 (9) "Note" means a short-term promise to pay a specified amount
14 of money, payable and secured as provided pursuant to this article
15 and issued by the authority to effect the purposes of this article;

16 (10) "Project costs" means the total of the reasonable or
17 necessary costs incurred for carrying out the works and undertakings
18 for the acquisition or construction of hospital facilities under
19 this article. "Project costs" includes, but is not limited to, all
20 of the following costs: The costs of acquisition or construction
21 of the hospital facilities; studies and surveys; plans,
22 specifications, architectural and engineering services; legal,
23 organization, marketing or other special services; financing,
24 acquisition, demolition, construction, equipping and site

1 development of new and rehabilitated buildings; rehabilitation,
2 reconstruction, repair or remodeling of existing buildings; interest
3 and carrying charges during construction and before full earnings
4 are achieved and operating expenses before full earnings are
5 achieved or a period of one year following the completion of
6 construction, whichever occurs first; and a reasonable reserve for
7 payment of principal of and interest on bonds or notes of the
8 authority. "Project costs" shall also include reimbursement of a
9 hospital for the foregoing costs expended by a hospital from its own
10 funds or from money borrowed by the hospital for such purposes
11 before issuance and delivery of bonds or notes by the authority for
12 the purpose of providing funds to pay the project costs. "Project
13 costs" also specifically includes the refinancing of any existing
14 debt of a hospital necessary in order to permit the hospital to
15 borrow from the authority and give adequate security for the
16 hospital loan. The determination of the authority with respect to
17 the necessity of refinancing and adequate security for a hospital
18 loan is conclusive;

19 (11) "Revenue" means any money or thing of value collected by,
20 or paid to, the authority as principal of or interest, charges or
21 other fees on hospital loans or any other collections on hospital
22 loans made by the authority to hospitals to finance, in whole or in
23 part, the acquisition or construction of any hospital facilities or
24 other money or property which is received and may be expended for

1 or pledged as revenues pursuant to this article;

2 (12) "Veterans skilled nursing facility" means a skilled
3 nursing care facility constructed and operated to serve the needs
4 of veterans of the Armed Forces of the United States who are
5 citizens of this state, and includes an additional veterans skilled
6 nursing facility to be located in Beckley, West Virginia.

7 **§16-29A-7. Bonds and notes.**

8 (a) The authority periodically may issue its negotiable bonds
9 and notes in a principal amount which, in the opinion of the
10 authority, shall be necessary to provide sufficient funds for the
11 making of hospital loans, including temporary loans during the
12 construction of hospital facilities, for the payment of interest on
13 bonds and notes of the authority during construction of hospital
14 facilities for which the hospital loan was made and for a reasonable
15 time thereafter and for the establishment of reserves to secure
16 those bonds and notes.

17 (b) The authority periodically may issue renewal notes, may
18 issue bonds to pay notes and, if it considers refunding expedient,
19 to refund or to refund in advance bonds or notes issued by the
20 authority by the issuance of new bonds pursuant to the requirements
21 of section thirteen of this article.

22 (c) The authority may, upon concurrent resolution passed by the
23 Legislature, authorize the issuance of negotiable bonds and notes
24 in a principal amount which are necessary to provide sufficient

1 funds for the construction, reconstruction, renovation and
2 maintenance of one or more skilled nursing facilities, including a
3 veterans skilled nursing facility to be located in Beckley, West
4 Virginia, that will only serve the skilled nursing needs of West
5 Virginia veterans who have performed active duty in an active
6 component of the Armed Forces or performed active service in a
7 reserve component of the Armed Forces. These bonds issued by the
8 authority may not exceed \$10 million. The revenues pledged for the
9 repayment of principal and interest of these bonds shall include the
10 net profit of the veterans instant lottery scratch-off game
11 authorized by section nine-a, article twenty-two, chapter twenty-
12 nine of this code excluding all architectural fees and associated
13 project costs transferred pursuant to that section.

14 (d) Except as may otherwise be expressly provided by the
15 authority, every issue of its notes or bonds shall be special
16 obligations of the authority, payable solely from the property,
17 revenues or other sources of or available to the authority pledges
18 therefor.

19 (e) The bonds and the notes shall be authorized by resolution
20 of the authority, shall bear the date and shall mature at time or
21 times, in the case of any such note or any renewals thereof, not
22 exceeding seven years from the date of issue of the original note
23 and in the case of any bond not exceeding fifty years from the date
24 of issue, as the resolution may provide. The bonds and notes shall

1 bear interest at rate or rates, be in a denomination, be in a form,
2 either coupon or registered, carry registration privileges, be
3 payable in the medium of payment and at place or places and be
4 subject to the terms of redemption as the authority may authorize.
5 The bonds and notes of the authority may be sold by the authority,
6 at public or private sale, at or not less than the price the
7 authority determines. The bonds and notes are executed by the
8 chairman and vice chairman of the board, both of whom may use
9 facsimile signatures. The official seal of the authority or a
10 facsimile thereof shall be affixed to or printed on each bond and
11 note and attested, manually or by facsimile signature, by the
12 secretary-treasurer of the board, and any coupons attached to any
13 bond or note shall bear the signature or facsimile signature of the
14 chairman of the board. In case any officer whose signature, or a
15 facsimile of whose signature, appears on any bonds, notes or coupons
16 ceases to be an officer before delivery of the bonds or notes, the
17 signature or facsimile is nevertheless sufficient for all purposes
18 the same as if he or she had remained in office until the delivery;
19 and, in case the seal of the authority has been changed after a
20 facsimile has been imprinted on the bonds or notes, the facsimile
21 seal will continue to be sufficient for all purposes.

22 (f) A resolution authorizing bonds or notes or an issue of
23 bonds or notes under this article may contain provisions, which are
24 a part of the contract with the holders of the bonds or notes, as

1 to any or all of the following:

2 (1) Pledging and creating a lien on all or any part of the fees
3 and charges made or received or to be received by the authority, all
4 or any part of the moneys received in payment of hospital loans and
5 interest on hospital loans and all or any part of other moneys
6 received or to be received, to secure the payment of the bonds or
7 notes or of any issue of bonds or notes, subject to those agreements
8 with bondholders or noteholders which then exist;

9 (2) Pledging and creating a lien on all or any part of the
10 assets of the authority, including notes, deeds of trust and
11 obligations securing the assets, to secure the payment of the bonds
12 or notes or of any issue of bonds or notes, subject to those
13 agreements with bondholders or note holders which then exist;

14 (3) Pledging and creating a lien on any loan, grant or
15 contribution to be received from the federal, state or local
16 government or other source;

17 (4) The use and disposition of the income from hospital loans
18 owned by the authority and payment of the principal of and interest
19 on hospital loans owned by the authority;

20 (5) The setting aside of reserves or sinking funds and the
21 regulation and disposition thereof;

22 (6) Limitations on the purpose to which the proceeds of sale
23 of bonds or notes may be applied and pledging the proceeds to secure
24 the payment of the bonds or notes or of any issue of the bonds or

1 notes;

2 (7) Limitations on the issuance of additional bonds or notes
3 and the terms upon which additional bonds or notes may be issued and
4 secured;

5 (8) The procedure by which the terms of a contract with the
6 bondholders or noteholders may be amended or abrogated, the amount
7 of bonds or notes the holders of which must consent thereto and the
8 manner in which the consent may be given; and

9 (9) Vesting in a trustee or trustees the property, rights,
10 powers, remedies and duties which the authority considers necessary
11 or convenient.

12 **CHAPTER 19. AGRICULTURE.**

13 **ARTICLE 1. DEPARTMENT OF AGRICULTURE.**

14 **§19-1-4. Duties of commissioner.**

15 The Commissioner of Agriculture shall perform the following
16 duties:

17 (a) Devise means of advancing the agricultural interests of the
18 state and, in the performance of such duty, he or she shall have
19 authority to call upon any state department, or officer of the state
20 or county, to cooperate in promoting the agricultural interests of
21 the state. It shall be the duty of any such department, or officer,
22 upon request of the commissioner to render the assistance desired;

23 (b) Promote and encourage the organization of such societies
24 and associations as have for their object the improvement and

1 development of the state's agricultural, horticultural and kindred
2 interests, especially in production, processing for market and
3 distribution;

4 (c) Conduct cooperative work with the United States Department
5 of Agriculture in inspecting and determining the grade and condition
6 of farm produce at collecting centers, receiving centers and
7 shipping points;

8 (d) Induce the investment of capital in, and immigration into,
9 this state by the dissemination of information relative to the soil,
10 climate, health, natural resources, market opportunities and
11 advantages of the state;

12 (e) Investigate and report upon the kinds, conditions and
13 extent of the mineral products of the state and their value;

14 (f) Take charge of the museum of the Department of Agriculture,
15 collect, preserve and exhibit therein specimens of agricultural,
16 horticultural and kindred products, products of the forests,
17 minerals, flora and fauna of the state;

18 (g) Publish and distribute, from time to time, such reports and
19 bulletins concerning agriculture, horticulture and kindred subjects
20 as may be of value to the farmers of the state and, as conditions
21 may demand, publish a handbook giving the resources of the several
22 counties of the state, the varieties of soil and products, both
23 mineral and vegetable, and the adaptability of the different
24 sections of the state to the different branches of agriculture,

1 horticulture and kindred interests;

2 (h) Submit a biennial report to the Governor and Legislature
3 containing such information as to the operations of the department
4 as may be helpful to the agricultural interests of the state,
5 together with an itemized statement of all receipts and
6 disbursements during the biennial period covered thereby and giving
7 the name of every person employed during such period, the time
8 employed and the amount paid each employee;

9 (I) Perform such other duties and exercise such other powers
10 as are provided in this chapter and by general law; and

11 (j) Enter into an agreement with the Secretary of the
12 Department of Veterans Assistance to transfer all or part of the
13 approximately seventeen acres of Department of Agriculture property
14 in Beckley, West Virginia, located adjacent to the Jackie Withrow
15 Hospital which was formerly known as Pinecrest Hospital, for
16 construction of a veterans skilled nursing facility.

17 ~~(j)~~ (k) Propose rules, including regulatory standards, for
18 legislative approval in accordance with the provisions of article
19 three, chapter twenty-nine-a of this code for the purpose of
20 carrying out the requirements of this chapter.

21 **CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.**

22 **ARTICLE 22. STATE LOTTERY ACT.**

23 **§29-22-9a. Veterans instant lottery scratch-off game.**

24 (a) Beginning September 1, 2000, the commission shall establish

1 an instant lottery scratch-off game designated as the veterans
2 benefit game, which is offered by the lottery.

3 (b) Notwithstanding the provisions of section eighteen of this
4 article, all net profits received from the sale of veterans benefit
5 game lottery tickets, materials and games are deposited with the
6 State Treasurer into the Veterans Lottery Fund created under
7 subsection (c) of this section. The Legislature may make
8 appropriations from this fund for operational costs from moneys
9 remaining in the Veterans Lottery Fund after the acquisition,
10 design, construction, equipping, furnishing, including, without
11 limitation, the payment of debt service on bonds issued to finance
12 the foregoing, have been paid. Funds from the Veterans Lottery Fund
13 for the acquisition, design, construction, equipping, furnishing,
14 including, without limitation, the payment of debt service on bonds
15 issued to finance the construction of ~~a~~ veterans nursing ~~home~~ homes,
16 including the skilled nursing facility to be located in Beckley,
17 West Virginia, and/or veterans cemetery, shall be transferred to the
18 Veterans Nursing Home Building Fund and the Veterans Cemetery Fund
19 upon written request of the ~~Director~~ Secretary of the ~~Division~~
20 Department of Veterans ~~Affairs~~ Assistance to the Investment
21 Management Board and the State Treasurer in accordance with the
22 provisions of this section. Once the payment of the principal and
23 interest, any required operational costs and architectural and other
24 project costs associated with construction are paid in full for the

1 construction and operation of the initial two veterans skilled
2 nursing ~~facility~~ facilities, including the skilled nursing facility
3 to be located in Beckley, West Virginia, or veterans cemetery, the
4 Legislature may appropriate from the fund created under this section
5 moneys for the construction, including the architectural fees and
6 other associated costs, equipping and operation of additional
7 skilled nursing facilities and/or cemeteries for veterans of the
8 Armed Forces of the United States Military: *Provided, That in*
9 *addition to the payment of the above-mentioned items, funds may be*
10 *deposited in the Veterans Cemetery Fund created in section eleven-a,*
11 *article one, chapter nine-a of this code and, thereafter, the*
12 *Legislature may appropriate any excess funds to the General Revenue*
13 *Fund.*

14 (c) There is hereby created in the State Treasury a special
15 revenue fund designated and known as the Veterans Lottery Fund which
16 shall consist of all revenues derived from the veterans benefit game
17 and any appropriations to the fund by the Legislature and all
18 interest or other returns earned from investment of the fund.

19 (d) There is hereby created in the State Treasury a special
20 revenue fund designated and known as the Veterans Nursing ~~Home~~ Homes
21 Building Fund which shall consist of all funds for the acquisition,
22 design, construction, equipping, furnishing, including, without
23 limitation, the payment of debt service on bonds issued to finance
24 the foregoing. Following the selection of the architect, the

1 director shall certify the estimated total cost of the architect and
2 all construction and associated costs to the Joint Committee on
3 Government and Finance prior to the transfer of funds for
4 construction. If funds transferred exceed the estimated costs
5 certified to the joint committee, the director shall certify the
6 additional costs to the joint committee.

7 (e) There is hereby created in the State Treasury a special
8 revenue fund designated and known as the Veterans Nursing ~~Home~~ Homes
9 Debt Service Fund to which the required funding from the Veterans
10 Nursing ~~Home~~ Homes Building Fund is transferred to refund revenue
11 bonds to pay the principal, interest, redemption premium and
12 coverage ratio requirement, if any, on the revenue bonds issued
13 under the provisions of section seven, article twenty-nine-a,
14 chapter sixteen of this code. The Veterans Nursing ~~Home~~ Homes Debt
15 Service Fund has first priority to all funds in the Veterans Nursing
16 ~~Home~~ Homes Building Fund established herein not otherwise designated
17 or specified by the donor. Beginning on or before July 28, 2003,
18 and continuing until June 28, ~~2035~~ 2050, the Treasurer shall
19 allocate to the Veterans Nursing ~~Home~~ Homes Debt Service Fund from
20 the Veterans Nursing ~~Home~~ Homes Building Fund, as a first priority,
21 an amount equal to one tenth of the projected annual principal,
22 interest, redemption premium and coverage ratio requirement on any
23 and all revenue bonds and refunding bonds issued, or to be issued,
24 on or after July 1, 2003, under the provisions of said section in

1 connection with a veterans nursing home as certified to the
2 Treasurer and the Investment Management Board by the ~~Director~~
3 Secretary of the ~~Division~~ Department of Veterans ~~Affairs~~ Assistance.
4 In the event there are insufficient funds available in any month to
5 transfer the amount required pursuant to this subsection to the
6 Veterans Nursing ~~Home~~ Homes Debt Service Fund, the deficiency shall
7 be added to the amount transferred in the next succeeding month in
8 which revenues are available to transfer the deficiency.

9 (f) The commission shall change the design or theme of the
10 veterans benefit game regularly so that the game remains competitive
11 with the other instant lottery scratch-off games offered by the
12 commission. The tickets for the instant lottery game created in
13 this section shall clearly state that the profits derived from the
14 game are being used to benefit veterans in this state.

NOTE: The purpose of this bill is to provide for construction of an additional 120 bed state veterans skilled nursing facility to be located in Beckley, West Virginia.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.