

2013 APR 29 PM 5:58

**WEST VIRGINIA LEGISLATURE**  
**EIGHTY-FIRST LEGISLATURE**  
**REGULAR SESSION, 2013**

—●—  
**ENROLLED**

**Senate Bill No. 394**

(BY SENATORS KESSLER (MR. PRESIDENT), BARNES, BEACH, BLAIR, BOLEY, CANN, CARMICHAEL, CHAFIN, COLE, COOKMAN, EDGELL, FACEMIRE, FITZSIMMONS, GREEN, D. HALL, M. HALL, JENKINS, KIRKENDOLL, LAIRD, McCABE, MILLER, NOHE, PALUMBO, PLYMALE, PREZIOSO, SNYDER, STOLLINGS, SYPOLT, TUCKER, UNGER, WALTERS, WELLS, WILLIAMS AND YOST)

[PASSED APRIL 13, 2013; TO TAKE EFFECT JULY 1, 2013.]

SB394

FILED  
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ENROLLED

**Senate Bill No. 394**

SECRETARY OF STATE

(BY SENATORS KESSLER (MR. PRESIDENT), BARNES, BEACH, BLAIR, BOLEY, CANN, CARMICHAEL, CHAFIN, COLE, COOKMAN, EDGELL, FACEMIRE, FITZSIMMONS, GREEN, D. HALL, M. HALL, JENKINS, KIRKENDOLL, LAIRD, MCCABE, MILLER, NOHE, PALUMBO, PLYMALE, PREZIOSO, SNYDER, STOLLINGS, SYPOLT, TUCKER, UNGER, WALTERS, WELLS, WILLIAMS AND YOST)

[Passed April 13, 2013; to take effect July 1, 2013.]

AN ACT to amend and reenact §5-10-27 of the Code of West Virginia, 1931, as amended; to amend and reenact §7-14D-20 of said code; to amend and reenact §8-22A-22 of said code; to amend and reenact §15-2-33 of said code; and to amend and reenact §15-2A-12 of said code, all relating to providing scholarships for dependent children of law-enforcement officers who die in performance of duty; modifying scholarship benefits for certain dependents; and establishing scholarship benefits for certain dependents.

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

That §5-10-27 of the Code of West Virginia, 1931, as amended, be amended and reenacted; that §7-14D-20 of said code be amended and reenacted; that §8-22A-22 of said code be amended and reenacted; that §15-2-33 of said code be amended and reenacted; and that §15-2A-12 of said code be amended and reenacted, all to read as follows:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF  
THE GOVERNOR, SECRETARY OF STATE AND**

**ATTORNEY GENERAL; BOARD OF PUBLIC WORKS;  
MISCELLANEOUS AGENCIES, COMMISSIONS,  
OFFICES, PROGRAMS, ETC.**

**ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES  
RETIREMENT ACT.**

**§5-10-27. Preretirement death annuities.**

1           (a) (1) Except as otherwise provided in this section, in the  
2 event any member who has ten or more years of credited  
3 service or any former member with ten or more years of  
4 credited service and who is entitled to a deferred annuity,  
5 pursuant to section twenty-one of this article, may at any time  
6 prior to the effective date of his or her retirement, by written  
7 declaration duly executed and filed with the board of trustees,  
8 in the same manner as if he or she were then retiring from the  
9 employ of a participating public employer, elect option A  
10 provided in section twenty-four of this article and nominate  
11 a beneficiary whom the board finds to have had an insurable  
12 interest in the life of the member. Prior to the effective date  
13 of his or her retirement, a member may revoke his or her  
14 election of option A and nomination of beneficiary and he or  
15 she may again prior to his or her retirement elect option A  
16 and nominate a beneficiary as provided in this subsection.  
17 Upon the death of a member who has an option A election in  
18 force, his or her beneficiary, if living, shall immediately  
19 receive an annuity computed in the same manner in all  
20 respects as if the same member had retired the day preceding  
21 the date of his or her death, notwithstanding that he or she  
22 might not have attained age sixty years, and elected the said  
23 option A. If at the time of his or her retirement a member has  
24 an option A election in force, his or her election of option A  
25 and nomination of beneficiary shall thereafter continue in  
26 force. As an alternative to annuity option A, a member or  
27 former member may elect to have the preretirement death  
28 benefit paid as a return of accumulated contributions in a

29 lump sum amount to any beneficiary or beneficiaries he or  
30 she chooses.

31 (2) In the event any member or former member, who first  
32 became a member of the Public Employees Retirement  
33 System after the effective date of amendments made to this  
34 section during the 2006 regular legislative session and who  
35 has ten or more years of credited service and who is entitled  
36 to a deferred annuity, pursuant to section twenty-one of this  
37 article: Dies without leaving a surviving spouse; but leaves  
38 surviving him or her a child who is financially dependent on  
39 the member by virtue of a permanent mental or physical  
40 disability upon evidence satisfactory to the board; and has  
41 named the disabled child as sole beneficiary, the disabled  
42 child shall immediately receive an annuity computed in the  
43 same manner in all respects as if the member had: (A) Retired  
44 the day preceding the date of his or her death,  
45 notwithstanding that he or she might not have attained age  
46 sixty or sixty-two years, as the case may be; (B) elected  
47 option A provided in section twenty-four of this article; and  
48 (C) nominated his or her disabled child as beneficiary. A  
49 member or former member with ten or more years of credited  
50 service, who does not leave surviving him or her a spouse or  
51 a disabled child, may elect to have the preretirement death  
52 benefit paid as a return of accumulated contributions in a  
53 lump sum amount to any beneficiary or beneficiaries he or  
54 she chooses.

55 (b)(1) In the event any member who has ten or more  
56 years of credited service, or any former member with ten or  
57 more years of credited service and who is entitled to a  
58 deferred annuity, pursuant to section twenty-one of this  
59 article: Dies; and leaves a surviving spouse, the surviving  
60 spouse shall immediately receive an annuity computed in the  
61 same manner in all respects as if the member had: (A) Retired  
62 the day preceding the date of his or her death,  
63 notwithstanding that he or she might not have attained age

64 sixty or sixty-two years, as the case may be; (B) elected  
65 option A provided in section twenty-four of this article; and  
66 (C) nominated his or her surviving spouse as beneficiary.  
67 However, the surviving spouse shall have the right to waive  
68 the annuity provided in this section: *Provided*, That he or she  
69 executes a valid and notarized waiver on a form provided by  
70 the board and that the member or former member attests to  
71 the waiver. If the waiver is presented to and accepted by the  
72 board, the member or former member, may nominate a  
73 beneficiary who has an insurable interest in the member's or  
74 former member's life. As an alternative to annuity option A,  
75 the member or former member may elect to have the  
76 preretirement death benefit paid as a return of accumulated  
77 contributions in a lump sum amount to any beneficiary or  
78 beneficiaries he or she chooses in the event a waiver, as  
79 provided in this section, has been presented to and accepted  
80 by the board.

81 (2) Whenever any member or former member who first  
82 became a member of the retirement system after the effective  
83 date of the amendments to this section made during the 2006  
84 regular legislative session and who has ten or more years of  
85 credited service and who is entitled to a deferred annuity,  
86 pursuant to section twenty-one of this article, dies and leaves  
87 a surviving spouse, the surviving spouse shall immediately  
88 receive an annuity computed in the same manner in all  
89 respects as if the member had: (A) Retired the day preceding  
90 the date of his or her death, notwithstanding that he or she  
91 might not have attained age sixty or sixty-two years, as the  
92 case may be; (B) elected option A provided in section  
93 twenty-four of this article; and (C) nominated his or her  
94 surviving spouse as beneficiary. However, the surviving  
95 spouse shall have the right to waive the annuity provided in  
96 this section: *Provided*, That he or she executes a valid and  
97 notarized waiver on a form provided by the board and that the  
98 member or former member attests to the waiver. If the  
99 waiver is presented to and accepted by the board, the member

100 or former member may: (1) Elect to have the preretirement  
101 death benefit paid in a lump sum amount, rather than annuity  
102 option A provided in section twenty-four of this article, as a  
103 return of accumulated contributions to any beneficiary or  
104 beneficiaries he or she chooses; or (2) may name his or her  
105 surviving child, who is financially dependent on the member  
106 by virtue of a permanent mental or physical disability, as his  
107 or her sole beneficiary to receive an annuity computed in the  
108 same manner in all respects as if the member had: (A) Retired  
109 the day preceding the date of his or her death,  
110 notwithstanding that he or she might not have attained the  
111 age of sixty or sixty-two as the case may be; (B) elected  
112 option A provided in section twenty-four of this article; and  
113 (C) nominated his or her disabled child as beneficiary.

114 (c) In the event any member who has ten or more years of  
115 credited service or any former member with ten or more years  
116 of credited service and who is entitled to a deferred annuity,  
117 pursuant to section twenty-one of this article: (1) Dies  
118 without leaving surviving him or her a spouse; but (2) leaves  
119 surviving him or her an infant child or children; and (3) does  
120 not have a beneficiary nominated as provided in subsection  
121 (a) of this section, the infant child or children are entitled to  
122 an annuity to be calculated as follows: The annuity reserve  
123 shall be calculated as though the member had retired as of the  
124 date of his or her decease and elected a straight life annuity  
125 and the amount of the annuity reserve shall be paid in equal  
126 monthly installments to the member's infant child or children  
127 until the child or children attain age twenty-one or sooner  
128 marry or become emancipated; however, in no event shall  
129 any child or children receive more than \$250 per month each.  
130 The annuity payments shall be computed as of the date of the  
131 death of the member and the amount of the annuity shall  
132 remain constant during the period of payment. The annual  
133 amount of the annuities payable by this section shall not  
134 exceed sixty percent of the deceased member's final average  
135 salary.

136 (d) In the event any member or former member does not  
137 have ten or more years of credited service, no preretirement  
138 death annuity may be authorized, owed or awarded under this  
139 section, except as provided in subdivision (4), subsection (a),  
140 section fifteen of this article as amended during the 2005  
141 regular session of the Legislature.

142 (e) Any person qualified as a surviving dependent child  
143 under this section, who is the surviving dependent child of a  
144 law-enforcement officer who loses his or her life in the  
145 performance of duty, in addition to any other benefits due  
146 under this or other sections of this article is entitled to receive  
147 a scholarship to be applied to the career development  
148 education of that person. This sum, up to but not exceeding  
149 \$7,500 per year, shall be paid from the fund to any higher  
150 education institution in this state, career-technical education  
151 provider in this state or other entity in this state approved by  
152 the board, to offset the expenses of tuition, room and board,  
153 books, fees or other costs incurred in a course of study at any  
154 of those institutions so long as the recipient makes  
155 application to the board on an approved form and under rules  
156 as provided by the board and maintains scholastic eligibility  
157 as defined by the institution or the board. The board may by  
158 appropriate rules define age requirements, physical and  
159 mental requirements, scholastic eligibility, disbursement  
160 methods, institutional qualifications and other requirements  
161 as necessary and not inconsistent with this section.

## **CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.**

### **ARTICLE 14D. DEPUTY SHERIFF RETIREMENT SYSTEM ACT.**

#### **§7-14D-20. Additional death benefits and scholarships – Dependent children.**

1 (a) In addition to the spouse death benefits in sections  
2 eighteen and nineteen of this article, the surviving spouse is  
3 entitled to receive and there shall be paid to the spouse \$100  
4 monthly for each dependent child.

5 (b) If the surviving spouse dies or if there is no surviving  
6 spouse, the fund shall pay monthly to each dependent child  
7 a sum equal to one fourth of the surviving spouse's  
8 entitlement under either section nineteen or twenty of this  
9 article. If there is neither a surviving spouse nor a dependent  
10 child, the fund shall pay in equal monthly installments to the  
11 dependent parents of the deceased member during their joint  
12 lifetimes a sum equal to the amount which a surviving  
13 spouse, without children, would have received: *Provided*,  
14 That when there is only one dependent parent surviving, that  
15 parent is entitled to receive during his or her lifetime one-half  
16 the amount which both parents, if living, would have been  
17 entitled to receive: *Provided, however*, That if there is no  
18 surviving spouse, dependent child nor dependent parent of  
19 the deceased member the accumulated contributions shall be  
20 paid to a named beneficiary or beneficiaries: *Provided*  
21 *further*, That if there is no surviving spouse, dependent child,  
22 nor dependent parent of the deceased member, nor any named  
23 beneficiary or beneficiaries then the accumulated  
24 contributions shall be paid to the estate of the deceased  
25 member.

26 (c) Any person qualifying as a dependent child under this  
27 section, in addition to any other benefits due under this or  
28 other sections of this article, is entitled to receive a  
29 scholarship to be applied to the career development education  
30 of that person. This sum, up to but not exceeding \$7,500 per  
31 year, shall be paid from the fund to any higher education  
32 institution in this state, career-technical education provider in  
33 this state or other entity in this state approved by the board,  
34 to offset the expenses of tuition, room and board, books, fees  
35 or other costs incurred in a course of study at any of these

36 institutions so long as the recipient makes application to the  
37 board on an approved form and under such rules as the board  
38 may provide, and maintains scholastic eligibility as defined  
39 by the institution or the board. The board may propose  
40 legislative rules for promulgation in accordance with article  
41 three, chapter twenty-nine-a of this code which define age  
42 requirements, physical and mental requirements, scholastic  
43 eligibility, disbursement methods, institutional qualifications  
44 and other requirements as necessary and not inconsistent with  
45 this section.

## CHAPTER 8. MUNICIPAL CORPORATIONS.

### §8-22A-22. Additional death benefits and scholarships – Dependent children.

1 (a) Except as provided in subsection (a), section nine of  
2 this article, in addition to the spouse death benefits in this  
3 article, the surviving spouse is entitled to receive and there  
4 shall be paid to the spouse \$100 monthly for each dependent  
5 child.

6 (b) If the surviving spouse dies or if there is no surviving  
7 spouse, the fund shall pay monthly to each dependent child  
8 a sum equal to one hundred percent of the spouse's  
9 entitlement under this article divided by the number of  
10 dependent children. If there is neither a surviving spouse nor  
11 a dependent child, the fund shall pay in equal monthly  
12 installments to the dependent parents of the deceased member  
13 during their joint lifetimes a sum equal to the amount which  
14 a surviving spouse, without children, would have received:  
15 *Provided*, That when there is only one dependent parent  
16 surviving, that parent is entitled to receive during his or her  
17 lifetime one-half the amount which both parents, if living,  
18 would have been entitled to receive: *Provided, however*, That  
19 if there is no surviving spouse, dependent child or dependent  
20 parent of the deceased member, the accumulated

21 contributions shall be paid to a named beneficiary or  
22 beneficiaries: *Provided further*, That if there is no surviving  
23 spouse, dependent child or dependent parent of the deceased  
24 member, or any named beneficiary or beneficiaries, then the  
25 accumulated contributions shall be paid to the estate of the  
26 deceased member.

27 (c) Any person qualifying as a dependent child under this  
28 section, in addition to any other benefits due under this or  
29 other sections of this article, is entitled to receive a  
30 scholarship to be applied to the career development education  
31 of that person. This sum, up to but not exceeding \$7,500 per  
32 year, shall be paid from the fund to any higher education  
33 institution in this state, career-technical education provider in  
34 this state or other entity in this state approved by the board,  
35 to offset the expenses of tuition, room and board, books, fees  
36 or other costs incurred in a course of study at any of these  
37 institutions so long as the recipient makes application to the  
38 board on an approved form and under rules provided by the  
39 board and maintains scholastic eligibility as defined by the  
40 institution or the board. The board may propose legislative  
41 rules for promulgation in accordance with article three,  
42 chapter twenty-nine-a of this code which define age  
43 requirements, physical and mental requirements, scholastic  
44 eligibility, disbursement methods, institutional qualifications  
45 and other requirements as necessary and not inconsistent with  
46 this section.

## CHAPTER 15. PUBLIC SAFETY.

### ARTICLE 2. WEST VIRGINIA STATE POLICE.

**§15-2-33. Awards and benefits to dependents of member when  
the member dies in performance of duty; to  
dependents of a duty disability retirant;  
dependent child scholarship and amount.**

1           (a) The surviving spouse or the dependent child or  
2 children or dependent parent or parents of any member who  
3 has lost or loses his or her life by reason of injury, illness or  
4 disease resulting from an occupational risk or hazard inherent  
5 in or peculiar to the service required of employees while the  
6 member was or is engaged in the performance of his or her  
7 duties as an employee of the agency, or if a retirant dies from  
8 any cause after having been retired pursuant to the provisions  
9 of section twenty-nine of this article, the surviving spouse or  
10 other dependent is entitled to receive and shall be paid from  
11 the fund benefits as follows: To the surviving spouse  
12 annually, in equal monthly installments during his or her  
13 lifetime the greater of one or the other of two amounts:

14           (1) An amount equal to five and one-half percent of the  
15 total salary which was or would have been earned by the  
16 deceased member or duty disability retirant during twenty-  
17 five years of service based on the average earnings of the  
18 member or duty disability retirant while employed by the  
19 agency; or

20           (2) The sum of \$6,000.

21           (b) In addition, the surviving spouse is entitled to receive  
22 and shall be paid \$100 monthly for each dependent child or  
23 children. If the surviving spouse dies or if there is no  
24 surviving spouse, there shall be paid monthly to each  
25 dependent child or children from the fund a sum equal to  
26 twenty-five percent of the surviving spouse's entitlement. If  
27 there is no surviving spouse and no dependent child or  
28 children, there shall be paid annually in equal monthly  
29 installments from the fund to the dependent parents of the  
30 deceased member or retirant during their joint lifetimes a sum  
31 equal to the amount which a surviving spouse, without  
32 children, would have received: *Provided*, That when there is  
33 one dependent parent surviving, that parent is entitled to

34 receive during his or her lifetime one half the amount which  
35 both parents, if living, would have been entitled to receive.

36 (c) Any person qualified as a surviving dependent child  
37 under this section, in addition to any other benefits due under  
38 this or other sections of this article, is entitled to receive a  
39 scholarship to be applied to the career development education  
40 of that person. This sum, up to but not exceeding \$7,500 per  
41 year, shall be paid from the fund to any higher education  
42 institution in this state, career-technical education provider in  
43 this state or other entity in this state approved by the board,  
44 to offset the expenses of tuition, room and board, books, fees  
45 or other costs incurred in a course of study at any of those  
46 institutions so long as the recipient makes application to the  
47 board on an approved form and under rules as provided by  
48 the board and maintains scholastic eligibility as defined by  
49 the institution or the board. The board may by appropriate  
50 rules define age requirements, physical and mental  
51 requirements, scholastic eligibility, disbursement methods,  
52 institutional qualifications and other requirements as  
53 necessary and not inconsistent with this section.

54 (d) A surviving spouse or dependent of an employee  
55 meeting the requirements of this section is entitled to receive  
56 beneficiary payments on the first day following the date the  
57 deceased employee is removed from payroll by the agency.  
58 A surviving spouse or dependent of a member who is not  
59 currently an employee meeting the requirements of this  
60 section is entitled to receive beneficiary payments on the first  
61 day following the date of the deceased member's death. A  
62 surviving spouse or dependent of a retiree meeting the  
63 requirements of this section is entitled to receive beneficiary  
64 payments on the first day of the month following the date of  
65 the deceased retiree's death. Upon receipt of properly  
66 executed forms from the agency and the surviving spouse or  
67 dependent, the board shall process the surviving spouse or  
68 dependent benefit as soon as administratively feasible.

69           (c) For the purposes of this section, the term "salary"  
70    does not include any compensation paid for overtime service.

**ARTICLE 2A.       WEST VIRGINIA STATE POLICE  
                          RETIREMENT SYSTEM.**

**§15-2A-12. Awards and benefits to dependents of employees or  
                          retirants - When employee dies in performance  
                          of duty, etc.; dependent child scholarship and  
                          amount.**

1           The surviving spouse, the dependent child or children or  
2   dependent parent or parents of any employee who has lost or  
3   shall lose his or her life by reason of injury, illness or disease  
4   resulting from an occupational risk or hazard inherent in or  
5   peculiar to the service required of employees while the  
6   employee was engaged in the performance of his or her duties  
7   as an employee of the agency, or the survivor of a retirant  
8   who dies from any cause after having been retired pursuant  
9   to the provisions of section nine of this article, is entitled to  
10   receive and shall be paid from the fund benefits as follows:  
11   To the surviving spouse annually, in equal monthly  
12   installments during his or her lifetime, one or the other of two  
13   amounts, which shall become payable the first day of the  
14   month following the employee's or retirant's death and which  
15   shall be the greater of:

16           (1) An amount equal to nine-tenths of the base salary  
17   received in the preceding full twelve-month employment  
18   period by the deceased employee: *Provided*, That if the  
19   employee had not been employed with the agency for twelve  
20   full months prior to his or her death, the amount of monthly  
21   salary shall be annualized for the purpose of determining the  
22   benefit; or

23           (2) The sum of \$10,000.

24 In addition, the surviving spouse is entitled to receive and  
25 shall be paid \$150 monthly for each dependent child. If the  
26 surviving spouse dies or if there is no surviving spouse, there  
27 shall be paid monthly to each dependent child or children  
28 from the fund a sum equal to one third of the surviving  
29 spouse's entitlement. If there is no surviving spouse and no  
30 dependent child or children, there shall be paid annually in  
31 equal monthly installments from the fund to the dependent  
32 parents of the deceased member during their joint lifetimes a  
33 sum equal to the amount which a surviving spouse, without  
34 children, would have received: *Provided*, That when there is  
35 one dependent parent surviving, that parent is entitled to  
36 receive during his or her lifetime one half the amount which  
37 both parents, if living, would have been entitled to receive:  
38 *Provided, however*, That if there is no surviving spouse,  
39 dependent child or dependent parent of the deceased member,  
40 the accumulated contributions shall be paid to a named  
41 beneficiary or beneficiaries: *Provided further*, That if there is  
42 no surviving spouse, dependent child, dependent parent of the  
43 deceased member or any named beneficiary or beneficiaries,  
44 then the accumulated contributions shall be paid to the estate  
45 of the deceased member.

46 Any person qualifying as a surviving dependent child  
47 under this section, in addition to any other benefits due under  
48 this or other sections of this article, is entitled to receive a  
49 scholarship to be applied to the career development education  
50 of that person. This sum, up to but not exceeding \$7,500 per  
51 year, shall be paid from the fund to any higher education  
52 institution in this state, career-technical education provider in  
53 this state or other entity in this state approved by the board to  
54 offset the expenses of tuition, room and board, books, fees or  
55 other costs incurred in a course of study at any of these  
56 institutions as long as the recipient makes application to the  
57 board on an approved form and under rules provided by the  
58 board and maintains scholastic eligibility as defined by the  
59 institution or the board. The board may by appropriate rules

60 define age requirements, physical and mental requirements,  
61 scholastic eligibility, disbursement methods, institutional  
62 qualifications and other requirements as necessary and not  
63 inconsistent with this section.

64 A surviving spouse or dependent of an employee meeting  
65 the requirements of this section is entitled to receive  
66 beneficiary payments on the first day of the month following  
67 the date the deceased member is removed from payroll by the  
68 agency. A surviving spouse or dependent of a member who  
69 is not currently an employee meeting the requirements of this  
70 section is entitled to receive beneficiary payments on the first  
71 day of the month following the date of the deceased  
72 member's death. A surviving spouse or dependent of a  
73 retirant meeting the requirements of this section is entitled to  
74 receive beneficiary payments on the first day of the month  
75 following the date of the deceased retirant's death. Upon  
76 receipt of properly executed forms from the agency and  
77 surviving spouse or dependent, the board shall process the  
78 surviving spouse or dependent benefit as soon as  
79 administratively feasible.

80 It is the intent of the Legislature that the levels of benefits  
81 provided by operation of this section from the effective date  
82 of the enactment of this section during the regular session of  
83 the Legislature, 2005, be the same levels of benefits as  
84 provided by this section as amended and reenacted during the  
85 fourth extraordinary session of the Legislature, 2005.  
86 Accordingly, the effective date of the operation of this  
87 section as amended and reenacted during the fourth  
88 extraordinary session of the Legislature, 2005, is expressly  
89 made retrospective to April 9, 2005.

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

member *Rocky Tufano*  
Senate Committee

*Jenny Wells*  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 2013.

*Joseph M. Minardi*  
Clerk of the Senate

*Suzanne M. Spivey*  
Clerk of the House of Delegates

*Jeffrey K. ...*  
President of the Senate

*Richard ...*  
Speaker of the House of Delegates

FILED  
2013 APR 29 PM 5:58  
SECRETARY OF STATE

The within *is approved* this the *29th*  
Day of *April*, 2013.

*Earl Ray Tomblin*  
Governor

PRESENTED TO THE GOVERNOR

APR 26 2013

Time 11:00 am