1	н. в. 2549
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3	(By Delegates T. Campbell and Canterbury)
4	[Introduced January 18, 2011; referred to the
5	Committee on the Judiciary.]
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10	A BILL to amend and reenact $\$21A-1-4$ of the Code of West Virginia,
11	1931, as amended, relating to Workforce West Virginia; and
12	requiring the executive director to establish a system of
13	issuing all licenses, certificates or permits, required for
14	business entities in the state, from a single location; and
15	promulgating rules for legislative approval to accomplish this
16	purpose.
17	Be it enacted by the Legislature of West Virginia:
18	That §21A-1-4 of the Code of West Virginia, 1931, as amended,
19	be amended and reenacted to read as follows:
20	ARTICLE 1. UNEMPLOYMENT COMPENSATION.
21	§21A-1-4. Workforce West Virginia created; divisions within
22	Workforce West Virginia created; certain terms
23	defined; employer violator system.
24	(a) There is continued an agency designated Workforce West

- 1 Virginia, composed of:
- 2 (1) Division of Unemployment Compensation;
- 3 (2) Division of Employment Service;
- 4 (3) Division of Workforce Development;
- 5 (4) Division of Research, Information and Analysis; and
- 6 (5) Any other divisions or units that the executive director 7 determines are necessary.
- 8 (b) Wherever within this chapter the term "department",
- 9 "bureau" or "fund" is used, it shall be taken to mean Workforce
- 10 West Virginia unless otherwise indicated. Any reference in this
- 11 code to the Bureau of Employment Programs means Workforce West
- 12 Virginia. Any reference in this code to the Commissioner of the
- 13 Bureau of Employment Programs or Employment Security means the
- 14 Executive Director of Workforce West Virginia.
- 15 (c) Workforce West Virginia shall be administered pursuant to
- 16 subsection (b), section one, article two, chapter five-f of this
- 17 code.
- 18 (d) The Executive Director of Workforce West Virginia shall
- 19 establish an employer violator system to identify individuals and
- 20 employers who are in default on any assessment, surcharge, tax or
- 21 penalty owed to the fund. The employer violator system shall
- 22 prohibit violators who own, control or have a ten percent or more
- 23 ownership interest, or other ownership interest as may be defined
- 24 by the executive director, in any company from obtaining or

- 1 maintaining any license, certificate or permit issued by the state
- 2 until the violator has paid all moneys owed to the fund or has
- 3 entered into and remains in compliance with a repayment agreement.
- 4 The employer violator system shall work cooperatively with all
- 5 state agencies to maintain an accurate, up-to-date list of
- 6 violators which shall be available in electronic format and online
- 7 for agencies and the public. Before an employer is added to the
- 8 violator list, he or she shall be given notice and an opportunity
- 9 for an expedited administrative hearing. The executive director
- 10 shall propose for promulgation emergency and legislative rules to
- 11 effectuate this subsection.
- 12 (e) The Executive Director of Workforce West Virginia shall
- 13 establish a system providing for the issuance of all licenses,
- 14 certificates or permits, required for business entities in the
- 15 state, from a single location at the various offices previously
- 16 established and maintained throughout the state that are under the
- 17 administration of the executive director. The executive director
- 18 shall propose for promulgation emergency and legislative rules to
- 19 effectuate this subsection.

NOTE: The purpose of this bill is for the Executive Director of Workforce West Virginia to establish a system of issuing all licenses, certificates or permits, required for business entities in the state, from a single location.

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

be added.