

WEST VIRGINIA PROCEDURAL RULE
GOVERNOR'S OFFICE OF ECONOMIC & COMMUNITY DEVELOPMENT
CHAPTER 13-2c
SERIES 1c 2

Community
Industrial Development

Title: Rules for Notice of Inducement for Industrial Development Bonds

Section 1. General

1.1 Scope - This procedural rule establishes the format and application for a Notification of Inducement for Industrial Development Bonds.

1.2 Authority - WV Code §13-2c-21

1.3 Filing Date - June 12, 1985

1.4 Effective Date - July 12, 1985

Section 2. Format

2.1 Each inducement resolution submitted by a governmental body must approve the prospective issuance of bonds and setting forth the amount of the bond to be issued.

2.2 A Notice of Inducement must be signed by the clerk or recorder of the governmental body.

2.3 A Notice of Inducement will include the following:

- a 2.3.1 County of the Applicant Project
- b 2.3.2 Actual Issuer of the Bond
- c 2.3.3 Date of Inducement
- d 2.3.4 Official Name of the Bond
- e 2.3.5 Name of Lessee/User's Business
- f 2.3.6 Nature of Lessee/User's Business
- g 2.3.7 Amount of Total Financing
- h 2.3.8 Bond Counsel Address
- i 2.3.9 Signature of Clerk or Recorder of Governmental Body

Section 3. Application Form

3.1 Application for Notice of Inducement will be supplied by the Governor's Office of Economic and Community Development meeting the requirement of Rule 2.3.

AMENDED ELIGIBILITY RULES
FOR
THE GOVERNOR'S EMERGENCY EMPLOYMENT PROGRAM

WHEREAS, the Legislature adopted The Economic Development Act of 1985, effective July 1, 1985, codified in Chapter 5B of the West Virginia Code, as amended (the "Act") and made findings in Section 5B-1-2 of the Act that seriously high unemployment exists in many areas of the state, that the resulting economic insecurity undermines the health, safety and general welfare of the people of the entire state, that due to loss of employment in the state, families have left and are leaving the state to find work elsewhere, that these events are adversely affecting the tax base of the state, counties and municipalities;

WHEREAS, in Section 5B-2-2 of the Act, the Director of the Governor's Office of Community and Industrial Development, is authorized and directed to promulgate rules and regulations that are not subject to the provisions of Chapter 29A of the West Virginia Code, as amended (the Administration Procedures Act), to carry out the purposes and programs of the GOCID and set eligibility criteria for those programs;

WHEREAS, under Section 5B-2-1 of the Act, the functions of the former office known as the Governor's Office of Economic and Community Development were transferred to the GOCID, including, without limitation, that program cited and referred to as the Governor's Emergency Employment Program, ("GEEP"); and

WHEREAS, stopping an immediate loss of jobs on an emergency basis mitigates unemployment and amounts to finding emergency employment for those faced with the immediate loss of jobs, and, based on the aforementioned legislature findings in

the Act, provides a vital public service by promoting economic security and revitalization of our state, for the greater health, safety and general welfare of the people of the entire state;

NOW, THEREFORE, THE FOLLOWING AMENDED ELIGIBILITY RULES FOR THE "GOVERNOR'S EMERGENCY EMPLOYMENT PROGRAM" ARE HEREBY ADOPTED:

2.1. Effective as of October 1, 1985, aid henceforth may also be granted under the Governor's Emergency Employment Program (the "GEEP" Program) to prevent an immediate loss of jobs, upon findings by the Director of the GOCID as follows:

a ~~(1)~~ That the financial condition of the employer is such that West Virginia jobs have been lost or more likely than not will be lost; either permanently or for an extended period of time, beginning within thirty (30) days or less if emergency assistance is not forthcoming.

b ~~(2)~~ That the employer has diligently pursued other reasonable alternatives to emergency assistance but to date such efforts have not resulted in the emergency or long range funding necessary to preserve the continued viability of the jobs in question.

c ~~(3)~~ That providing the employer emergency aid necessary to preserve the jobs affords a reasonable prospect of continued viability of the jobs in question.

2.2. Existing eligiblity rules and procedures and guidelines shall continue to govern projects not meeting the foregoing emergency criteria but shall not govern situations that do meet these emergency critera, which by their emergency nature must be administered aid in as simple and expeditious manner as practicable consistent with the foregoing purposes.