

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957



ENROLLED

HOUSE BILL No. 127

(By Mr. Myler)



PASSED March 4 1957

In Effect July 1, 1957 Passage



ENROLLED

# House Bill No. 127

(By MR. MYLES)

[Passed March 4, 1957; in effect July 1, 1957.]

AN ACT to amend and reenact section two, article five, chapter twenty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to workmen's compensation appeal board.

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

That section two, article five, chapter twenty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 2. *Workmen's Compensation Appeal Board.*—

2 There shall be a board to be known as the "Workmen's  
3 Compensation Appeal Board," which shall be referred to  
4 in this chapter as the "board," to be composed of three  
5 members, none of whom shall be a contributor to the  
6 compensation fund or in any way connected with a con-  
7 tributor thereto and none of whom shall be a beneficiary

8 of the compensation fund or in any way connected with a  
9 beneficiary thereof. Two members of such board shall be  
10 of opposite politics to the third, and all three shall be  
11 citizens of this state who have resided therein for a period  
12 of at least five years. All members of the board shall be  
13 appointed by the governor for a term of six years. The  
14 governor is hereby vested with power to remove any mem-  
15 ber of the board according to section four, article six,  
16 chapter six of this code. They shall each receive an  
17 annual salary of three thousand six hundred dollars,  
18 payable in monthly installments, and shall also be entitled  
19 to reasonable and necessary traveling and other expenses  
20 incurred while actually engaged in the performance of  
21 their duties. The governor shall designate one of the mem-  
22 bers of the board as chairman thereof, and the board  
23 shall meet at the capitol or at such other places throughout  
24 the state as it may deem proper, at regular sessions com-  
25 mencing on the first Tuesday in February, April, June,  
26 August, October and December, and continuing as long  
27 as may be necessary for the proper and expeditious trans-  
28 action of the business before it. All clerical services re-

29 quired by the board shall be paid for by the compensation  
30 commissioner from any funds at his disposal. The board  
31 shall, from time to time, compile and promulgate such  
32 rules of practice and procedure as to it shall appear proper  
33 for the prompt and efficient discharge of its business and  
34 such rules shall be submitted to the supreme court of  
35 appeals for approval, and if approved by such court shall  
36 have the same force and effect as the approved rules of  
37 procedure of circuit courts. The board shall employ such  
38 clerical staff as may be necessary for the efficient conduct  
39 of its business but the number of such employees shall  
40 not exceed two. Salaries of the board, and its employees,  
41 and all of its necessary operating expense shall be paid  
42 from the workmen's compensation fund. The board shall  
43 submit its annual budget to the state compensation com-  
44 missioner for inclusion as a separate item in the budget  
45 estimates prepared by him annually, and, within the limits  
46 of such budget, all expenses of the board shall be by  
47 requisition to the commissioner. Salaries of the employees  
48 of the board shall be fixed by the board.

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

*E. H. Robertson*  
Chairman Senate Committee

*Joseph R. Schuie*  
Chairman House Committee

Originated in the House of Delegates

Takes effect *July 1, 1957* passage.

*James Keenan*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Ray J. Bean*  
President of the Senate

*W. T. Fleming*  
Speaker, House of Delegates

The within *approved* this the *14th* day of *March* 1957.

*Geoff. Henderson*  
Governor



Filed in the Office of the Secretary of State  
of West Virginia **MAR 14 1957**

D. PITT O'BRIEN  
SECRETARY OF STATE