WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1964

ENROLLED
SENATE BILL NO. 33
(By Mr. Carson, Mr. President, and Mr. Jackson)

PASSED February 6, 1964
In Effect July 1, 1964

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 2-11-64
ENROLLED

Senate Bill No. 22

(By Mr. Carson, Mr. President, and Mr. Jackson)

[Passed February 6, 1964; in effect July 1, 1964.]

AN ACT to amend chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article eight, relating to the establishment, powers, and administration of a state commission on manpower, technology and training.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article eight, to read as follows:
Article 8. West Virginia Commission on Manpower, Technology and Training.

Section 1. Declaration of Legislative Policy and Intent.

The Legislature hereby finds and declares that experience has shown that automation and other forms of rapid technological change can cause industrial and governmental displacement and unemployment which seriously depress the morale and productive capacity of the work force of the state; that many of those displaced or not hired because of such developments find that there is no longer a market, or a very limited market, for their skills; that such developments generate demands for new and different skills and capabilities from those possessed by the work force; that current and prospective manpower surpluses and shortages generated by rapid technological change should be identified and appropriate steps be taken to plan for their amelioration; that advance knowledge of impending changes in work processes and their consequent manpower requirements should be secured as a basis for the planning of corrective measures; that the effectiveness of public and private training and educa-
tional resources should be reappraised continuously to evaluate their capacity to produce the skills needed in a changing technology; that the steps being taken by labor and management to adjust to these changes should be identified and made known; and that it is in the interest of the state of West Virginia that such appraisals of the impact of automation and technological development on the skills required in the work force and the job opportunities available to them be made and continuously reappraised, and that the information and knowledge so gained be made available to labor, employers, and public agencies as a basis for the planning of programs and actions to develop the skills of our work force for a changing technology, to deal more effectively with the problems of unemployment and to further the economic growth and development of the state and the well-being of its people.

Sec. 2. Commission Created; Members.—The West Virginia commission on manpower, technology and training is hereby created. The commission shall consist of fifteen members to be appointed by the governor by and with
the advice and consent of the senate and seven ex officio members. The governor shall appoint five members who represent the employer interest of the state, five members who represent labor organizations, and five members who represent the general public. The ex officio members shall be the commissioners of the state departments of agriculture, commerce, employment security, labor, and welfare, and the state directors of the division of vocational education and the division of vocational rehabilitation.

Sec. 3. Terms of Office; Vacancies.—Each member of the commission appointed by the governor shall hold office for a term of six years, subject to the will and pleasure of the governor, and until the appointment and qualification of his successor: Provided, That the initial appointments shall be made as follows: The governor shall appoint five members for a term of two years, five members for a term of four years, and five members for a term of six years. Ex officio members shall serve for terms concurrent with the term of each one's principal office. The term of each employer representative, labor organization representative, and of each general public
13 representative, shall cease whenever such individual
14 member is no longer a representative of the group for
15 which appointment to such term was made. Vacancies in
16 the terms of members appointed by the governor shall be
17 filled for the unexpired term.

Sec. 4. Expenses of Members.—Each member of the
2 commission shall receive necessary expenses actually in-
3 curred in the performance of official duties under the
4 provisions of this article. Requisition for expenses shall
5 be accompanied by a sworn and itemized statement which
6 shall be filed with the auditor.

Sec. 5. Chairman; Meetings.—The governor shall desig-
2 nate one of the members of the commission as the chair-
3 man of the commission. A majority of the members of the
4 commission shall constitute a quorum for the transaction
5 of business. The commission shall meet at least twice a
6 year; other meetings may be held upon the call of the
7 chairman or of a majority of its members.

Sec. 6. Executive Secretary; Personnel; Salary and Ex-
2 penses.—The commission is hereby authorized to employ
3 an executive secretary and such other personnel as in
its judgment may be necessary in carrying out the work
of the commission, and is further authorized to fix the
salaries for such employees and incur other expenses
necessary to the effective discharge of its powers and
duties within the limits of funds available.

The commission may utilize personnel of the depart-
ments, agencies and boards of the state whenever such
utilization is consistent with the laws, rules and regula-
tions under which such departments, agencies and boards
operate.

The commission may utilize personnel of the govern-
ment of the United States to the extent permissible by
law.

Sec. 7. Recommendations to Departments; Information
to Be Furnished by Departments.—The commission may
make recommendations to any department, board, agency
or officer of the state government for the purpose of imple-
menting the findings of the commission. Every depart-
ment, board, agency, and officer of the state government
shall cooperate with the commission for the achievement
of the purposes of this article.
Sec. 8. Studies by Other Departments.—The state departments of employment security, commerce, labor, and education shall cooperate with the commission in conducting studies, in making surveys and in performing similar activities whenever such is authorized under the laws, rules, and regulations under which said departments operate.

Sec. 9. Commission Duties and Functions.—The commission shall:

(a) Study the introduction of modern production and distribution techniques in West Virginia to determine the impact of automated processes and other technological advancements on employment opportunities, the skill requirements of industry, business, and governments, the displacement of employees, and the obsolescence of skills among members of the labor force.

(b) Study and analyze the processes of adjustment to automation and other technological advancements in the state's economy.

(c) Study and analyze surveys of current public and private programs in the field of job training, retraining,
and skill developments generally to evaluate their effectiveness in providing employable skills in reference to both the changing composition of the state's labor force and the changing skill requirements of industry.

(d) Recommend coordinated surveys in the various labor markets of the state to project as best possible the basic skill requirements of industry, business and government sufficiently in advance of need, and in the approximate quantity needed, to the end that such projections shall provide a body of usable information for the development of functional job training, retraining, and skill development programs by labor and management and responsible government agencies. Such surveys shall consider, but shall not necessarily be limited to the consideration of, the skills presently available to industry, business, and government, the present skill requirements of industry and the future skill requirements of industry.

(e) Encourage labor and management to undertake jointly similar surveys and projections within their respective industries and occupations to maintain a high level of private initiative in meeting the skill develop-
ment requirements of both employees and employers.

(f) The commission shall cooperate with and assist the national manpower advisory committee as established by the United States Manpower Development and Training Act of one thousand nine hundred sixty-two. The commission shall assist the appropriate agencies to establish in each training area within the state representative advisory committees on manpower.

Sec. 10. Authority to Accept Grants.—The commission may accept grants of funds from the government of the United States, from any department or agency of the state of West Virginia, or from any person or private agency permitted by law to make such grants.

Sec. 11. Records, Public Except Certain Confidential Information.—The information received from any group, firm, or individual in response to the commission's request shall be for the confidential information of the commission insofar as it relates to planning, manning, personnel, union membership, and related matters. Otherwise, and except as provided by law, the records of the commission
shall be open to inspection by the public during regular office hours.

Sec. 12. Contracts or Agreements by the Commission.—

The commission may enter agreements and contracts with the United States or any agency thereof, or with any state or agency thereof, or any private organization or individual engaged in functions comparable to those performed by the commission for the exchange of information, studies, and surveys, or may conduct surveys.

Sec. 13. Annual Report to Governor and Legislature.—

The commission shall submit annually to the governor and the Legislature its findings and recommendations not later than December thirty-first of each calendar year.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1964 passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 13th day of February, 1964.

Governor