

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1964

ENROLLED

SENATE BILL NO. 22

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

PASSED February 6 1964

In Effect July 1, 1964 Passage



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

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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.

2 —The Legislature hereby finds and declares that experi-
3 ence has shown that automation and other forms of rapid
4 technological change can cause industrial and governmen-
5 tal displacement and unemployment which seriously de-
6 press the morale and productive capacity of the work force
7 of the state; that many of those displaced or not hired be-
8 cause of such developments find that there is no longer a
9 market, or a very limited market, for their skills; that such
10 developments generate demands for new and different
11 skills and capabilities from those possessed by the work
12 force; that current and prospective manpower surpluses
13 and shortages generated by rapid technological change
14 should be identified and appropriate steps be taken to
15 plan for their amelioration; that advance knowledge of
16 impending changes in work processes and their conse-
17 quent manpower requirements should be secured as a
18 basis for the planning of corrective measures; that the
19 effectiveness of public and private training and educa-

20 tional resources should be reappraised continuously to
21 evaluate their capacity to produce the skills needed in a
22 changing technology; that the steps being taken by labor
23 and management to adjust to these changes should be
24 identified and made known; and that it is in the interest
25 of the state of West Virginia that such appraisals of the
26 impact of automation and technological development on
27 the skills required in the work force and the job oppor-
28 tunities available to them be made and continuously re-
29 appraised, and that the information and knowledge so
30 gained be made available to labor, employers, and public
31 agencies as a basis for the planning of programs and ac-
32 tions to develop the skills of our work force for a chang-
33 ing technology, to deal more effectively with the problems
34 of unemployment and to further the economic growth
35 and development of the state and the well-being of its
36 people.

Sec. 2. Commission Created; Members.—The West Vir-
2 ginia commission on manpower, technology and training
3 is hereby created. The commission shall consist of fifteen
4 members to be appointed by the governor by and with

5 the advice and consent of the senate and seven ex officio
6 members. The governor shall appoint five members who
7 represent the employer interest of the state, five members
8 who represent labor organizations, and five members who
9 represent the general public. The ex officio members shall
10 be the commissioners of the state departments of agri-
11 culture, commerce, employment security, labor, and wel-
12 fare, and the state directors of the division of vocational
13 education and the division of vocational rehabilitation.

Sec. 3. Terms of Office; Vacancies.—Each member of
2 the commission appointed by the governor shall hold
3 office for a term of six years, subject to the will and
4 pleasure of the governor, and until the appointment and
5 qualification of his successor: *Provided*, That the initial
6 appointments shall be made as follows: The governor
7 shall appoint five members for a term of two years,
8 five members for a term of four years, and five members
9 for a term of six years. Ex officio members shall serve
10 for terms concurrent with the term of each one's principal
11 office. The term of each employer representative, labor
12 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

4 its judgment may be necessary in carrying out the work
5 of the commission, and is further authorized to fix the
6 salaries for such employees and incur other expenses
7 necessary to the effective discharge of its powers and
8 duties within the limits of funds available.

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

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

Sec. 7. Recommendations to Departments; Information
2 **to Be Furnished by Departments.**—The commission may
3 make recommendations to any department, board, agency
4 or officer of the state government for the purpose of imple-
5 menting the findings of the commission. Every depart-
6 ment, board, agency, and officer of the state government
7 shall cooperate with the commission for the achievement
8 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,

15 and skill developments generally to evaluate their effec-
16 tiveness in providing employable skills in reference to
17 both the changing composition of the state's labor force
18 and the changing skill requirements of industry.

19 (d) Recommend coordinated surveys in the various
20 labor markets of the state to project as best possible the
21 basic skill requirements of industry, business and govern-
22 ment sufficiently in advance of need, and in the approxi-
23 mate quantity needed, to the end that such projections
24 shall provide a body of usable information for the de-
25 velopment of functional job training, retraining, and skill
26 development programs by labor and management and
27 responsible government agencies. Such surveys shall con-
28 sider, but shall not necessarily be limited to the considera-
29 tion of, the skills presently available to industry, business,
30 and government, the present skill requirements of indus-
31 try and the future skill requirements of industry.

32 (e) Encourage labor and management to undertake
33 jointly similar surveys and projections within their re-
34 spective industries and occupations to maintain a high
35 level of private initiative in meeting the skill develop-

36 ment requirements of both employees and employers.
37 (f) The commission shall cooperate with and assist
38 the national manpower advisory committee as established
39 by the United States Manpower Development and Train-
40 ing Act of one thousand nine hundred sixty-two. The
41 commission shall assist the appropriate agencies to estab-
42 lish in each training area within the state representative
43 advisory committees on manpower.

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

Sec. 11. Records, Public Except Certain Confidential
2 **Information.**—The information received from any group,
3 firm, or individual in response to the commission's request
4 shall be for the confidential information of the commis-
5 sion insofar as it relates to planning, manning, personnel,
6 union membership, and related matters. Otherwise, and
7 except as provided by law, the records of the commission

8 shall be open to inspection by the public during regular
9 office hours.

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

2 The commission may enter agreements and contracts
3 with the United States or any agency thereof, or with
4 any state or agency thereof, or any private organization
5 or individual engaged in functions comparable to those
6 performed by the commission for the exchange of infor-
7 mation, studies, and surveys, or may conduct surveys.

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

2 The commission shall submit annually to the governor
3 and the Legislature its findings and recommendations
4 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.

Roy Parker
Chairman Senate Committee

Ethel L. Caudall
Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1964 passage.

John H. Hayes
Clerk of the Senate

A. B. Blankenship
Clerk of the House of Delegates

Howard D. Barson
President of the Senate

Julius W. Singley, Jr.
Speaker House of Delegates

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

W. W. Barron
Governor

