

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973



ENROLLED

HOUSE BILL No. 609

(By Mrs. Rutledge)



PASSED March 26 1973

In Effect Ninety days from Passage



609

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 4-3-73

ENROLLED

House Bill No. 609

(By MRS. RUTLEDGE)

[Passed March 26, 1973; in effect ninety days from passage.]

AN ACT to amend and reenact section six, article two, chapter twenty-one-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the powers and duties of the commissioner of employment security.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. THE COMMISSIONER OF EMPLOYMENT SECURITY.

§21A-2-6. Powers and duties generally.

- 1 The commissioner shall be the executive and administrative
- 2 head of the department and shall have the power and duty, to:
- 3 (1) Exercise general supervision of and make regulations
- 4 for the government of the department;
- 5 (2) Prescribe uniform rules pertaining to investigations,
- 6 departmental hearings, and promulgate rules and regulations;
- 7 (3) Supervise fiscal affairs and responsibilities of the de-
- 8 partment;
- 9 (4) Prescribe the qualifications of, appoint, remove, and
- 10 fix the compensation of the officers and employees of the
- 11 department, subject to the provisions of section ten, article
- 12 four of this chapter, relating to the board of review;
- 13 (5) Organize and administer the department so as to

14 comply with the requirements of this chapter and to satisfy
15 any conditions established in applicable federal legislation;

16 (6) Make reports in such form and containing such infor-
17 mation as the United States department of labor may from
18 time to time require, and comply with such provisions as the
19 United States department of labor may from time to time
20 find necessary to assure the correctness and verification of
21 such reports;

22 (7) Make available to any agency of the United States
23 charged with the administration of public works or assistance
24 through public employment, upon its request, the name,
25 address, ordinary occupation and employment status of each
26 recipient of unemployment compensation, and a statement of
27 the recipient's rights to further compensation under this
28 chapter;

29 (8) Keep an accurate and complete record of all depart-
30 mental proceedings; record and file all bonds and contracts
31 and assume responsibility for the custody and preservation
32 of all papers and documents of the department;

33 (9) Sign and execute in the name of the state, by "The
34 State Department of Employment Security," any contract or
35 agreement with the federal government, its agencies, other
36 states, their subdivisions, or private persons;

37 (10) Prescribe a salary scale to govern compensation of
38 appointees and employees of the department;

39 (11) Make the original determination of right in claims for
40 benefits;

41 (12) Make recommendations, and an annual report to the
42 governor concerning the condition, operation, and functioning
43 of the department;

44 (13) Invoke any legal or special remedy for the enforce-
45 ment of orders or the provisions of this chapter;

46 (14) Exercise any other power necessary to standardize
47 administration, expedite departmental business, assure the
48 establishment of fair rules and regulations and promote the
49 efficiency of the service; and

50 (15) Keep an accurate and complete record and prepare
51 a monthly report of the number of persons employed and
52 unemployed in the state, which report shall be made available
53 upon request to members of the public and press.

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

H. Darrell Darby
Chairman Senate Committee

Clarence C. Strickland Jr
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard T. Woburn
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

H. I. Brotherton Jr
President of the Senate

Lewis T. R. Thomas
Speaker House of Delegates

The within *approved* this the *3rd*
day of *April*, 1973.

Arch A. Shaver Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/30/73

Time 3:00 p.m.