WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1977

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ENROLLED

Committee Substitute for
HOUSE BILL No. 1677

(By Mr. Wadsworth)

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PASSED April 9, 1977

In Effect ninety days from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 1677

(By Mr. Wiedebusch)

[Passed April 9, 1977; in effect ninety days from passage.]

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 one-c, relating to establishing a state labor-management advisory council; providing for appointment, terms, and setting forth certain functions and duties of the council; and establishing duration of council.

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 one-c, to read as follows:

ARTICLE 1C. WEST VIRGINIA LABOR-MANAGEMENT ADVISORY COUNCIL.

§21-1C-1. Appointment, terms, vacancies, chairman, quorum of the labor-management advisory council.

1 There is hereby created the West Virginia labor-management advisory council which shall consist of nineteen members, one member of the council shall be the commissioner of labor, one member of the council shall be a member of the economic development authority, and one member of the
6 council shall be the employment security commissioner or
7 his designated representative, who shall be ex officio non-voting members of the council. The other members of
8 the council shall be appointed by the governor by and with
9 the advice and consent of the Senate for terms of four years
10 and until their successors have been appointed and have qualified, except that the members first appointed shall be for two,
11 three and four years, respectively, as designated by the governor at the time of their appointment, and until their successors
12 have been appointed and have qualified.
13 Vacancies shall be filled by appointment by the governor for
14 the unexpired term of the member whose office is vacant and
15 the appointment shall be made within sixty days of the occurrence of the vacancy.
16 In making appointments to the council, the governor shall
17 consider names of persons recommended to him by the West
18 Virginia chamber of commerce, the West Virginia coal association, the West Virginia manufacturers' association, the
19 West Virginia retailers' association, utilities, other industrial
groups in this state, the West Virginia labor federation, the
20 united mine workers union, the West Virginia building trades
council, other labor organizations in the state. Membership
21 shall be composed of, in addition to those of the state or other
government agencies, no less than eight members from industry and eight from labor. The commissioner of labor shall
22 serve as the chairman of the council.
23 The council shall meet at least two times each year and at
24 other times on call of the chairman or a majority of the
25 members. Ten members of the council shall constitute a
26 quorum for the transaction of business.

§21-1C-2. Powers, duties and functions of the council; annual reports.
1 The council shall function as an advisory agency of state
government and provide leadership and assistance for labor
and management in this state, and shall serve to effect improved labor-management relations within the state, and to thereby attract and encourage new and existing industry in
2 this state.
The council shall not infringe upon or assume the responsibilities, duties or functions of the West Virginia labor-management relations board as set forth in article one-b of this chapter. The council may make recommendations to the governor and the Legislature and it shall publish an annual report of its activities during the preceding calendar year and shall forward a copy of the report to the governor and the Legislature not later than the first day of February of each year. Meetings of the council may be held at any location in this state: Provided, That the first and organizational meeting of said council shall be held at the state capitol.

The commissioner of labor shall supply necessary staff and supplies to the council as well as funds for reimbursing each member for reasonable and necessary costs incurred as a result of attending council meetings, and he shall act as the executive secretary of the council. The attorney general shall provide legal assistance to the council when required.

§21-1C-3. Duration of council.

Unless sooner terminated by law and until and unless extended, the West Virginia labor-management advisory council shall cease to exist on the thirtieth day of June, one thousand nine hundred eighty.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James A. Davie
Chairman Senate Committee

Clarence E. Chohos
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. M. Wilson, Jr.
Clerk of the Senate

W. L. Blankenship
Clerk of the House of Delegates

W. B. Baxley
President of the Senate

Donald L. Young
Speaker House of Delegates

The within was approved this the 26

day of April, 1977.

Governor