

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977



ENROLLED

*Committee Substitute for*

HOUSE BILL No. 1677

(By Mr. Wiedehusek)



PASSED April 9, 1977

In Effect ninety days from Passage

**ENROLLED**

**COMMITTEE SUBSTITUTE**

**FOR**

**H. B. 1677**

**(By MR. WIEDEBUSCH)**

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

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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
- 2 advisory council which shall consist of nineteen members, one
- 3 member of the council shall be the commissioner of labor,
- 4 one member of the council shall be a member of the
- 5 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-  
8 voting members of the council. The other members of  
9 the council shall be appointed by the governor by and with  
10 the advice and consent of the Senate for terms of four years  
11 and until their successors have been appointed and have qual-  
12 ified, except that the members first appointed shall be for two,  
13 three and four years, respectively, as designated by the gover-  
14 nor at the time of their appointment, and until their successors  
15 have been appointed and have qualified.

16 Vacancies shall be filled by appointment by the governor for  
17 the unexpired term of the member whose office is vacant and  
18 the appointment shall be made within sixty days of the occur-  
19 rence of the vacancy.

20 In making appointments to the council, the governor shall  
21 consider names of persons recommended to him by the West  
22 Virginia chamber of commerce, the West Virginia coal asso-  
23 ciation, the West Virginia manufacturers' association, the  
24 West Virginia retailers' association, utilities, other industrial  
25 groups in this state, the West Virginia labor federation, the  
26 united mine workers union, the West Virginia building trades  
27 council, other labor organizations in the state. Membership  
28 shall be composed of, in addition to those of the state or other  
29 government agencies, no less than eight members from in-  
30 dustry and eight from labor. The commissioner of labor shall  
31 serve as the chairman of the council.

32 The council shall meet at least two times each year and at  
33 other times on call of the chairman or a majority of the  
34 members. Ten members of the council shall constitute a  
35 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  
2 government and provide leadership and assistance for labor  
3 and management in this state, and shall serve to effect im-  
4 proved labor-management relations within the state, and to  
5 thereby attract and encourage new and existing industry in  
6 this state.

7 The council shall not infringe upon or assume the respon-  
8 sibilities, duties or functions of the West Virginia labor-man-  
9 agement relations board as set forth in article one-b of this  
10 chapter. The council may make recommendations to the gov-  
11 ernor and the Legislature and it shall publish an annual report  
12 of its activities during the preceding calendar year and shall  
13 forward a copy of the report to the governor and the Legisla-  
14 ture not later than the first day of February of each year.  
15 Meetings of the council may be held at any location in this  
16 state: *Provided*, That the first and organizational meeting  
17 of said council shall be held at the state capitol.

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

**§21-1C-3. Duration of council.**

1 Unless sooner terminated by law and until and unless ex-  
2 tended, the West Virginia labor-management advisory council  
3 shall cease to exist on the thirtieth day of June, one thousand  
4 nine hundred eighty.

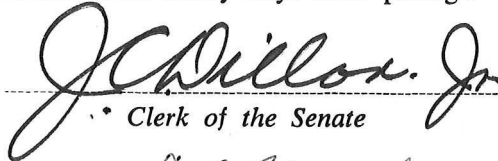
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
Chairman Senate Committee

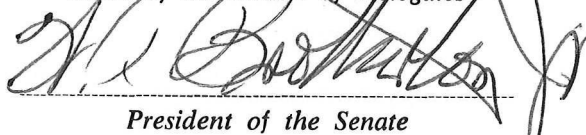
  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker House of Delegates

The within is approved this the 26  
day of April, 1977.

  
Governor

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APPROVED AND SIGNED BY THE GOVERNOR

APR 18 4 11 PM '77  
OFFICE OF THE GOVERNOR

Date April 26, 1977  
Time 4:25 p.m.

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OFFICE  
LEGY. OF STATE