

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1978

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ENROLLED

Committee Substitute for
HOUSE BILL No. 1238

(By Mr. Tucker + Mr. Farley)

— ● —

PASSED March 11, 1978

In Effect ninety days from Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1238
(By MR. TUCKER and MR. FARLEY)

[Passed March 11, 1978; in effect ninety days from passage.]

AN ACT to amend chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article nine, relating to the creation of a legislative commission on pensions and retirement; providing for terms and methods of appointment of members to commission; enumerating powers and duties of commission; providing for funding of commission and reimbursement of members for expenses.

Be it enacted by the Legislature of West Virginia:

That chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article nine, to read as follows:

ARTICLE 9. LEGISLATIVE COMMISSION ON PENSIONS AND RETIREMENT.

§4-9-1. Definition.

- 1 "Commission" as used in this article means the legislative
- 2 commission on pensions and retirement.

§4-9-2. Creation of commission.

1 There is hereby created a permanent commission to con-
2 tinually study and investigate public retirement systems. The
3 name of the commission shall be the legislative commission
4 on pensions and retirement.

§4-9-3. Powers and duties of commission.

1 The commission shall make a continuing study and investi-
2 gation of retirement benefit plans applicable to nonfederal
3 government employees in this state. The powers and duties
4 of the commission shall include, but not be limited to, the
5 following:

6 (a) Study of retirement benefit plans applicable to non-
7 federal government employees in the state of West Virginia,
8 including, without limitation, federal plans available to such
9 employees;

10 (b) Making of recommendations within the scope of the
11 study with particular attention to financing of the various
12 pension funds and financing of accrued liabilities;

13 (c) Consideration of all aspects of pension planning and
14 operation, and making of recommendations designed to
15 establish and maintain sound pension policy as to all funds;

16 (d) Filing of a report to each regular session of the
17 Legislature;

18 (e) Analyzing of each item of proposed pension and retire-
19 ment legislation, including amendments thereto, with particular
20 reference to analysis as to cost, actuarial soundness, and ad-
21 herence to sound pension policy, and reporting of its findings
22 in regard thereto to the Legislature; and

23 (f) Maintenance of reference materials concerning pension
24 and retirement matters, including, without limitation, informa-
25 tion as to laws and systems in other states. 9

§4-9-4. Appointment of members; terms.

1 The commission shall consist of three members of the
2 Senate to be appointed by the president of the Senate and
3 three members of the House of Delegates to be appointed by

4 the Speaker of the House, and the governor shall appoint
5 three members, one from labor, one from the business com-
6 munity and one from the general public. No more than two
7 of the three members appointed by the President of the Senate
8 and the Speaker of the House, respectively, may be members
9 of the same political party. The first appointed members
10 of the commission shall serve for a term expiring on the
11 thirtieth day of June in the year of the next succeeding regular
12 session of the Legislature. At the commencement of such
13 next succeeding regular session and at the commencement of
14 regular sessions every two years thereafter, members of the
15 commission shall be appointed for two year terms beginning
16 the first day of July in the year of each such regular session.
17 Vacancies on the commission shall be filled for unexpired
18 terms in the same manner as appointments to the commission.

§4-9-5. Time and place of meetings; officers.

1 The commission shall hold meetings at such times and
2 places as it may designate. It shall select a chairman, a vice
3 chairman and such other officers from its membership as it
4 may deem necessary.

§4-9-6. Staff.

1 The commission may employ such professional, clerical, and
2 technical assistants as it deems necessary in order to perform
3 the duties herein prescribed.

§4-9-7. Assistance of other agencies.

1 The commission may request information from any state
2 officer or agency in order to assist in carrying out the terms
3 of this article, and such officer or agency is authorized and
4 directed to promptly furnish any data requested.

§4-9-8. Members expenses; reimbursement.

1 The members of the commission and its assistants shall
2 be reimbursed for all expenses actually and necessarily in-
3 curred in the performance of their duties hereunder from
4 the fund of the joint committee on government and finance.
5 Compensation and other expenses of the commission may
6 be paid from the fund of the joint committee on government
7 and finance.

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

James L. Davis
Chairman Senate Committee

Clarence C. Chestnut Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. C. Willson, Jr.
Clerk of the Senate

V. A. Blankenship
Clerk of the House of Delegates

W. T. Brattain
President of the Senate

Donald L. Kopp
Speaker House of Delegates

The within is approved this the 24
day of March, 1978.

John D. Poythress
Governor

APPROVED AND SIGNED BY THE GOVERNOR

RECEIVED
MAR 21 9 39 AM '78
OFFICE OF THE GOVERNOR

Date March 24, 1978
Time 1:10 p.m.

OFFICE
SECY. OF STATE

78 MAR 29 P 1:36

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