WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981

ENROLLED

HOUSE BILL No. 1704

(By Mr. Blackwell)

Passed April 11, 1981
In Effect Ninety Days From Passage
AN ACT to amend and reenact section two, article five, chapter twenty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to requiring the workmen’s compensation appeal board to meet the first Tuesday of every month for a period of two days or as long as necessary to transact its business.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 5. REVIEW.


There shall be a board to be known as the “Workmen’s Compensation Appeal Board,” which shall be referred to in this article as the “board,” to be composed of three members. Two members of such board shall be of opposite politics to the third, and all three shall be citizens of this state who have resided therein for a period of at least five years. All members of the board shall be appointed by the governor and shall receive an annual salary in accordance with the provisions of section two-a, article seven, chapter six of this code. The salaries shall be payable in monthly installments,
and the members shall also be entitled to all reasonable and
necessary traveling and other expenses actually incurred while
engaged in the performance of their duties. The governor
shall designate one of the members of the board as chairman
thereof, and the board shall meet at the capitol or at such
other places throughout the state as it may deem proper at
regular sessions designated as "Appeal Board Hearing Days"
commencing on the first Tuesday of every month or the
next regular business day, for a period of at least three
days, for the purpose of conducting hearings on appeals.
and continuing as long as may be necessary for the
proper and expeditious transaction of the hearings, deci-
sions and other business before it. All clerical services re-
quired by the board shall be paid for by the compensation
commissioner from any funds at his disposal. The board shall,
from time to time, compile and promulgate such rules of
practice and procedure as to it shall appear proper for the
prompt and efficient discharge of its business and such rules
shall be submitted to the supreme court of appeals for approval,
and if approved by such court shall have the same force and
effect as the approved rules of procedure of circuit courts. The
board shall employ such clerical staff as may be necessary for
the efficient conduct of its business but the number of such em-
ployees shall not exceed four. Salaries of the board, and its em-
ployees, and all of its necessary operating expenses shall be
paid from the workmen's compensation fund. The board shall
submit its annual budget to the state compensation commis-
ioner for inclusion as a separate item in the budget estimates pre-
pared by him annually and within the limits of such budget, all
expenses of the board shall be by the requisition of the com-
missioner. Salaries of the employees of the board shall be fixed
by the board.

The board shall report monthly to the governor and com-
mmissioner on the status of all claims on appeal.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

R. P. Bayle
Chairman Senate Committee

Tony E. Whitaker
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Todd C. Walls
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within _______ approved _______ this the _______ day of _______, 1981.

[Signature]
Governor