WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

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ENROLLED

HOUSE BILL No. 1941

(By Mr. Moore and Mr. Casey)

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Passed March 8, 1983

In Effect Ninety Days From Passage
AN ACT to amend article six-a, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section four-a, relating to the appointment of the chairman of the board of miner training, education and certification by the executive when the board cannot agree upon a selection; and the boards authority to select the chairman upon subsequent vacancies.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6A. BOARD OF MINER TRAINING, EDUCATION AND CERTIFICATION.

$22-6A-4a. Failure to elect chairman; appointment.

1 Whenever a vacancy in the office of chairman of the board shall exist for more than sixty days, then the power of the six persons appointed to the board by the governor to select and agree upon the chairman shall be suspended. Upon such suspension, the chairman shall be appointed by the governor, with the advice and consent of the Senate, to serve for the unexpired term of the chairman. The governor shall select as chairman a person who is neither an employee of the depart-
ment of mines, a coal operator, employee of a coal operator or a miner and shall ascertain to his satisfaction that the person to be appointed can preside impartially as chairman of the board and has such experience in the design and operation of educational programs in fields other than mining as will, in the opinion of the governor, qualify the person to serve on the board notwithstanding his lack of past or present involvement in the mining industry.

After the governor has exercised the power of appointment conferred by this section and the person appointed qualifies and serves as chairman and a vacancy in the office of chairman thereafter occurs, then the suspension of the power of the other six members to select and agree upon a chairman shall cease and such power shall vest in and remain with such other members until and unless again suspended under this section because of the failure to timely exercise such power.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Joseph C. Wells  
Clerk of the Senate

Donald L. Hogg  
Clerk of the House of Delegates

Maurice J. McIntire  
President of the Senate

John H. Lee Jr.  
Speaker House of Delegates

The within ___________ this the ___________ day of _____________________, 1983.

Governor