

APPROVED AND SIGNED BY THE GOVERNOR

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# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

— ● —

## ENROLLED

HOUSE BILL No. 1941

(By Mr. Moore & Mr. Casey)

— ● —

Passed March 8, 1983

In Effect Ninety Days From Passage



Mo: 1941

ENROLLED

# H. B. 1941

(By MR. MOORE and MR. CASEY)

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[Passed March 8, 1983; in effect ninety days from passage.]

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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  
2 shall exist for more than sixty days, then the power of the  
3 six persons appointed to the board by the governor to select  
4 and agree upon the chairman shall be suspended. Upon such  
5 suspension, the chairman shall be appointed by the governor,  
6 with the advice and consent of the Senate, to serve for the  
7 unexpired term of the chairman. The governor shall select as  
8 chairman a person who is neither an employee of the depart-

9 ment of mines, a coal operator, employee of a coal operator or  
10 a miner and shall ascertain to his satisfaction that the person to  
11 be appointed can preside impartially as chairman of the board  
12 and has such experience in the design and operation of educa-  
13 tional programs in fields other than mining as will, in the  
14 opinion of the governor, qualify the person to serve on the  
15 board notwithstanding his lack of past or present involvement  
16 in the mining industry.

17 After the governor has exercised the power of appointment  
18 conferred by this section and the person appointed qualifies  
19 and serves as chairman and a vacancy in the office of chairman  
20 thereafter occurs, then the suspension of the power of the  
21 other six members to select and agree upon a chairman shall  
22 cease and such power shall vest in and remain with such other  
23 members until and unless again suspended under this section  
24 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

*James C. Quells*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Isaac C. Welch*  
Clerk of the Senate

*Donald L. Stopp*  
Clerk of the House of Delegates  
*Walter P. McHew*  
President of the Senate

*W. H. Lee, Jr.*  
Speaker House of Delegates

The within is approved this the 17  
day of March, 1983.

*John R. Rye*  
Governor

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