

770: 313

APPROVED AND SIGNED BY THE GOVERNOR

RECEIVED
MAR 25 11 25 AM '83
OFFICE OF THE GOVERNOR

Date 3-29-83

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983



ENROLLED

SENATE BILL NO. 313

(By Mr. McLaw, Jr. President)



PASSED March 12, 1983
In Effect ninty days from Passage



ENROLLED

Senate Bill No. 313

(BY MR. MCGRAW, MR. PRESIDENT)

[Passed March 12, 1983; in effect ninety days from passage.]

AN ACT to amend and reenact section eighteen, article one, chapter twenty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to workers' compensation advisory board.

Be it enacted by the Legislature of West Virginia:

That section eighteen, article one, 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 1. GENERAL ADMINISTRATIVE PROVISIONS.

§23-1-18. Workers' compensation advisory board created; membership; appointment; terms; meetings; duties; annual reports.

1 There is hereby created an advisory board to the com-
2 missioner of the workers' compensation fund to be
3 known as "the workers' compensation advisory board."

4 The workers' compensation advisory board consists of
5 ten members. The workers' compensation commissioner is
6 an ex officio member of the board whose term as such
7 member continues for that period in which the commis-
8 sioner holds that office. The other nine members of the
9 board shall be appointed by the governor with three mem-
10 bers representing employees subject to this chapter, three
11 members representing employers subject to this chapter
12 and three members representing providers of medical
13 services to such employees for which such providers are
14 compensated under the provisions of this chapter. The

15 term of each member except the workers' compensa-
16 tion commissioner shall be three years: *Provided*, That of
17 the persons originally appointed, three members, includ-
18 ing one member of each of the three representative
19 groups, shall be designated to serve for terms of one
20 year each, three members, including one member of each
21 of the three representative groups, shall be designated to
22 serve for terms of two years each and three members,
23 including one member of each of the three representative
24 groups, shall be designated to serve for a term of three
25 years each. The terms of all the initially appointed mem-
26 bers of the board shall begin on the first day of July,
27 one thousand nine hundred eighty-three. Upon the ex-
28 piration of each of such initial appointments the term of
29 each new appointee shall be three years, but any person
30 appointed to fill a vacancy occurring prior to the expira-
31 tion of the term for which his predecessor was appointed
32 shall be appointed only for the remainder of such term.
33 Each member shall serve until the appointment and
34 qualification of his successor. Members shall be eligible for
35 reappointment.

36 The workers' compensation commissioner shall serve
37 as chairman of the board. The other nine members shall
38 select one of their number to serve as vice chairman of
39 the board and to preside in the absence of the commis-
40 sioner. Meetings may be held at any time at the call of
41 the commissioner. The commissioner shall call a meeting
42 whenever a majority of the other members of the board
43 requests the commissioner to do so. At least one meeting
44 shall be held annually.

45 The purpose of the board and the duty of its members
46 are to advise the workers' compensation commissioner
47 on matters pertinent to the administration of the work-
48 ers' compensation fund. The board shall consider any
49 matter brought before it by the commissioner or any
50 appointed member and may consider any matter referred
51 to it by a person not a member of the board. At the con-
52 clusion of its consideration of any proposal the board
53 shall make its recommendation to the commissioner. The
54 commissioner is not bound by any recommendation of the

55 board. The board also may formulate general or long-
56 range plans for improvements in the administration of
57 the fund for the consideration of the commissioner.

58 By the second Wednesday of January of each year the
59 board shall prepare and deliver to the workers' com-
60 pensation commissioner and to the Legislature a report
61 of all the matters it considered, recommendations it made
62 and plans it formulated during the preceding calendar
63 year. The report shall include any recommendations it
64 may have for changes in the law which would be neces-
65 sary to implement any of its administrative recommenda-
66 tions.

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

Harold E. Blaine
Chairman Senate Committee

Donald Anello
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Todd C. Nicks
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Nancy McSwain
President of the Senate

W. M. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *29*
day of *March*, 1983.

John A. Ralston
Governor

RECEIVED

83 MAR 31 AID : 44

OFFICE
SECY. OF STATE