

No: 313

APPROVED AND SIGNED BY THE GOVERNOR

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Date 3-29-83

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1983

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ENROLLED

SENATE BILL NO. 313

(By Mr. McLanahan, President)

—•—

PASSED March 12 1983  
In Effect ninety 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.

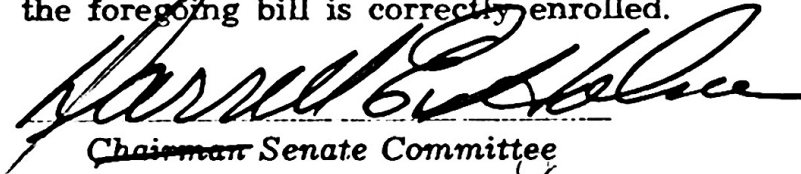
36 The workers' compensation commissioner shall serve  
37 as chairman of the board. The other nine members shall  
38 select one of their number to serve as vice chairman of  
39 the board and to preside in the absence of the commis-  
40 sioner. Meetings may be held at any time at the call of  
41 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.

  
Chairman Senate Committee

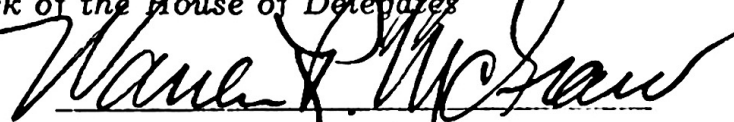
  
Chairman House Committee

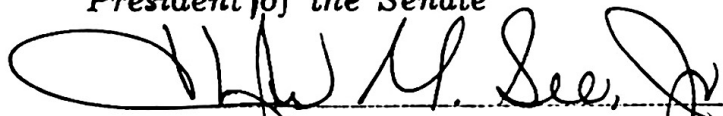
Originated in the Senate.

In effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker House of Delegates

The within is approved this the 29  
day of March, 1982.

  
Governor

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