WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1993

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ENROLLED

HOUSE BILL No. 2139

(By Delegates Martin and Jare)

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Passed March 29, 1993

In Effect July 1, 1993 Passage
AN ACT to amend and reenact section four, article sixteen, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to continuation of the public employees insurance agency finance board.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-4. Public employees insurance agency finance board created; qualifications, terms and removal of members; quorum; compensation and expenses; termination date.

(a) There is hereby created the public employees insurance agency finance board, which shall consist of the director and four members appointed by the governor with the advice and consent of the Senate for terms of four years and until the appointment of their successors: Provided, That the members initially appointed by the governor shall be appointed not later than the tenth day of September, one thousand nine hundred ninety, and may serve and may perform the duties required by this article until such time as the...
Senate may convene to give its advice and consent. Of the members first appointed, one shall be appointed for a term of one year, one for two years, one for three years, and one for four years. Members may be reappointed for successive terms. No more than three members (including the director) may be of the same political party.

(b) Of the four members appointed by the governor, one member shall represent the interests of education employees, one shall represent the interests of public employees and two shall be selected from the public at large. The two members appointed from the public shall each have experience in the financing, development or management of employee benefit programs. No member may be removed from office by the governor except for official misconduct, incompetence, neglect of duty, neglect of fiduciary duty or other specific responsibility imposed by this article, or gross immorality.

(c) The director shall serve as chairperson of the finance board, which shall meet at such time and place as shall be specified by the call of the director or upon the written request to the director of at least two members. Notice of each meeting shall be given in writing to each member by the director at least three days in advance of the meeting. Three members shall constitute a quorum. Members may be compensated fifty dollars for each day or portion of a day actually spent in the performance of their duties and may be reimbursed for reasonable and necessary expenses actually incurred in the performance of their duties.

(d) The finance board shall terminate on the first day of July, one thousand nine hundred ninety-four, unless extended by legislation enacted before the termination date.

(e) Upon termination of the board and notwithstanding any provisions in this article to the contrary, the director is authorized to assess monthly employee premium contributions and to change the types and levels of costs to employees only in accordance with this subsection. Any assessments or changes in costs imposed pursuant to this subsection shall be implemented by
rules and regulations of the director promulgated pursuant to the provisions of chapter twenty-nine-a of this code. Any employee assessments or costs authorized by the finance board shall remain in effect until amended by rule or regulation of the director promulgated pursuant to this subsection.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect July 1, 1993.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within was approved this the 7th day of April, 1993.

Governor
PRESENTED TO THE
GOVERNOR

Date 7/3/93
Time 2:15 pm