WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1995

ENROLLED

SENATE BILL NO. 341

(By Senator Wagner, et al.)

PASSED March 8, 1995
In Effect July 1, 1995
ENROLLED

Senate Bill No. 341

(BY SENATORS WAGNER, BAILEY, BOWMAN, BUCKALEW, WALKER AND YODER)

[Passed March 8, 1995; to take effect July 1, 1995.]

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 the 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.

1 (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. All new appointments made subsequent to the first day of July, one thousand nine hundred ninety-four, shall be selected to represent the different geographical areas within the state and all members shall be residents of West Virginia. 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. The board shall pay each member the same compensation and expense reimbursement as is paid to members of the Legislature for their interim
duties as recommended by the citizens legislative compensation commission and authorized by law for each day or portion thereof engaged in the discharge of official duties.

(d) Pursuant to the provisions of article ten, chapter four of this code, the finance board shall terminate on the first day of July, two thousand one, 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.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect July 1, 1995.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 16th day of March, 1995.

Governor