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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001



ENROLLED

House Bill No. 2526

(By Delegates Douglas, Kuhn, Butcher,
Hatfield, Manchin, Prunty and Leggett)



Passed March 28, 2001

In Effect July 1, 2001

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H. B. 2526

(BY DELEGATES DOUGLAS, KUHN, BUTCHER,
HATFIELD, MANCHIN, PRUNTY AND LEGGETT)

[Passed March 28, 2001; in effect July 1, 2001.]

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 continuing 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 continued; qualifications, terms and removal of members; quorum; compensation and expenses; termination date.

- 1 (a) There is hereby continued the public employees
- 2 insurance agency finance board, which consists of the director
- 3 and six members appointed by the governor with the advice and

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4 consent of the Senate for terms of four years and until the
5 appointment of their successors: *Provided*, That of the two
6 members added to the board by the amendment of this section,
7 enacted during the regular legislative session, one thousand
8 nine hundred ninety-nine, the at-large member shall be ap-
9 pointed for an initial term of two years and the member
10 representing organized labor shall be appointed for a term of
11 four years. Members may be reappointed for successive terms.
12 No more than four members (including the director) may be of
13 the same political party.

14 (b) Of the six members appointed by the governor, one
15 member shall represent the interests of education employees,
16 one shall represent the interests of public employees, one shall
17 represent the interests of organized labor and three shall be
18 selected from the public at large. The governor shall appoint the
19 member representing the interests of education employees from
20 a list of three names submitted by the largest organization of
21 education employees in this state. The governor shall appoint
22 the member representing the interests of organized labor from
23 a list of three names submitted by the state's largest organiza-
24 tion representing labor affiliates. The three members appointed
25 from the public shall each have experience in the financing,
26 development or management of employee benefit programs. All
27 new appointments made after the first day of July, one thousand
28 nine hundred ninety-four, shall be selected to represent the
29 different geographical areas within the state and all members
30 shall be residents of West Virginia. No member may be
31 removed from office by the governor except for official
32 misconduct, incompetence, neglect of duty, neglect of fiduciary
33 duty or other specific responsibility imposed by this article, or
34 gross immorality.

35 (c) The director shall serve as chairperson of the finance
36 board, which shall meet at times and places specified by the call
37 of the director or upon the written request to the director of at
38 least two members. Notice of each meeting shall be given in
39 writing to each member by the director at least three days in
40 advance of the meeting. Four members constitutes a quorum.

41 The board shall pay each member the same compensation and
42 expense reimbursement as is paid to members of the Legislature
43 for their interim duties, as recommended by the citizens
44 legislative compensation commission and authorized by law for
45 each day or portion of a day engaged in the discharge of official
46 duties.

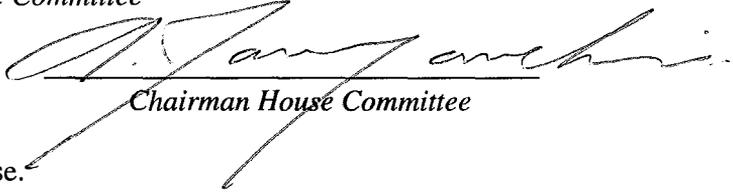
47 (d) Pursuant to the provisions of article ten, chapter four of
48 this code, the finance board shall terminate on the first day of
49 July, two thousand three, unless extended by legislation enacted
50 before the termination date.

51 (e) Upon termination of the board and notwithstanding any
52 provisions in this article to the contrary, the director is autho-
53 rized to assess monthly employee premium contributions and
54 to change the types and levels of costs to employees only in
55 accordance with this subsection. Any assessments or changes
56 in costs imposed pursuant to this subsection shall be imple-
57 mented by legislative rule proposed by the director for promul-
58 gation pursuant to the provisions of article three, chapter
59 twenty-nine-a of this code; any employee assessments or costs
60 previously authorized by the finance board shall then remain in
61 effect until amended by rule of the director promulgated
62 pursuant to this subsection.

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



Chairman Senate Committee



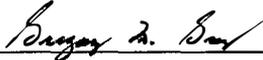
Chairman House Committee

Originating in the House.

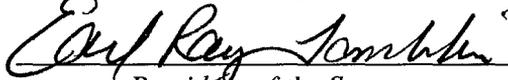
In effect July 1, 2001.



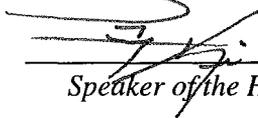
Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 6th
day of April, 2001.



Governor

PRESENTED TO THE

GOVERNOR

Date 4/3/01

Time 9:00 am