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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2011



ENROLLED

House Bill No. 2345

(By Delegates Manchin, Longstreth
and D. Poling)



Passed March 11, 2011

In Effect Ninety Days From Passage

HB 2345

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OFFICE OF THE CLERK
SECRETARY OF STATE

E N R O L L E D

H. B. 2345

(BY DELEGATES MANCHIN, LONGSTRETH AND D. POLING)

[Passed March 11, 2011; in effect ninety days from passage.]

AN ACT to amend and reenact §5-16-4 of the Code of West Virginia, 1931, as amended, relating to increasing the board membership of the Public Employees Insurance Agency Finance Board.

Be it enacted by the Legislature of West Virginia:

That §5-16-4 of the Code of West Virginia, 1931, 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) The Public Employees Insurance Agency Finance
2 Board is continued and consists of the following members,
3 effective July 1, 2012:

4 (1) The Secretary of the Department of Administration
5 or his or her designee;

6 (2) One member shall represent the interests of
7 education employees;

8 (3) One shall represent the interests of public
9 employees;

10 (4) One shall represent the interests of retired
11 employees;

12 (5) One shall represent the interests of organized labor;

13 (6) One shall represent the interest of a participating
14 political subdivision; and

15 (7) Five shall be selected from the public at large.

16 (b) The Governor shall appoint the member
17 representing the interests of education employees from a
18 list of three names submitted by the largest organization of
19 education employees in this state.

20 (c) The Governor shall appoint the member
21 representing the interests of organized labor from a list of
22 three names submitted by the state's largest organization
23 representing labor affiliates.

24 (d) The three members appointed from the public shall
25 each have experience in the financing, development or
26 management of employee benefit programs.

27 (e) The members shall be appointed by the Governor,
28 with the advice and consent of the Senate, for terms of
29 four years and members may serve until the successors are
30 appointed and qualified. Members may be reappointed for
31 successive terms. No more than five members, including
32 the Secretary of the Department of Administration, may be
33 of the same political party.

34 (f) All appointments shall be selected to represent the
35 different geographical areas within the state and all
36 members shall be residents of West Virginia. No member
37 may be removed from office by the Governor except for
38 official misconduct, incompetence, neglect of duty, neglect
39 of fiduciary duty or other specific responsibility imposed
40 by this article or gross immorality.

41 (g) The Secretary of the Department of Administration
42 shall serve as Chair of the Finance Board, which shall
43 meet at times and places specified by the call of the chair
44 or upon the written request to the chair of at least two
45 members. The Director of the Public Employees Insurance
46 Agency shall serve as staff to the board. Notice of each
47 meeting shall be given in writing to each member by the
48 director at least three days in advance of the meeting. Five
49 members constitute a quorum.

50 (h) The board shall pay each member the same
51 compensation and expense reimbursement that is paid to
52 members of the Legislature for their interim duties, for
53 each day or portion of a day engaged in the discharge of
54 official duties.

55 (i) Upon termination of the board and notwithstanding
56 any provisions in this article to the contrary, the director is
57 authorized to assess monthly employee premium
58 contributions and to change the types and levels of costs to
59 employees only in accordance with this subsection. Any
60 assessments or changes in costs imposed pursuant to this
61 subsection shall be implemented by legislative rule
62 proposed by the director for promulgation pursuant to the
63 provisions of article three, chapter twenty-nine-a of this
64 code. Any employee assessments or costs previously
65 authorized by the Finance Board shall then remain in
66 effect until amended by rule of the director promulgated
67 pursuant to this subsection.

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

Michael T. Ferro
Chairman, House Committee

Paul J. White
Chairman, Senate Committee

Originating in the House.

To take effect ninety days from passage.

Suegy M. East
Clerk of the House of Delegates

Danielle Habma
Clerk of the Senate

[Signature]
Speaker of the House of Delegates

[Signature]
Acting President of the Senate

The within is disapproved this the 20th
day of March, 2011.

Carl Ray Tomblin
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2011

Time 1110 AM