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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1993



ENROLLED

HOUSE BILL No. 2139

(By Delegates Martin and Jove)



Passed March 29 1993

In Effect July 1, 1993 Passage

ENROLLED
H. B. 2139

(By DELEGATES MARTIN AND LOVE)

[Passed March 29, 1993; in effect July 1, 1993.]

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.

1 (a) There is hereby created the public employees
2 insurance agency finance board, which shall consist of
3 the director and four members appointed by the
4 governor with the advice and consent of the Senate for
5 terms of four years and until the appointment of their
6 successors: *Provided*, That the members initially
7 appointed by the governor shall be appointed not later
8 than the tenth day of September, one thousand nine
9 hundred ninety, and may serve and may perform the
10 duties required by this article until such time as the

11 Senate may convene to give its advice and consent. Of
12 the members first appointed, one shall be appointed for
13 a term of one year, one for two years, one for three years,
14 and one for four years. Members may be reappointed for
15 successive terms. No more than three members (includ-
16 ing the director) may be of the same political party.

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

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

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

44 (e) Upon termination of the board and notwithstand-
45 ing any provisions in this article to the contrary, the
46 director is authorized to assess monthly employee
47 premium contributions and to change the types and
48 levels of costs to employees only in accordance with this
49 subsection. Any assessments or changes in costs imposed
50 pursuant to this subsection shall be implemented by

51 rules and regulations of the director promulgated
52 pursuant to the provisions of chapter twenty-nine-a of
53 this code. Any employee assessments or costs authorized
54 by the finance board shall remain in effect until
55 amended by rule or regulation of the director promul-
56 gated pursuant to this subsection.

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

[Handwritten Signature]
.....
Chairman Senate Committee

Ernest C. Moore
.....
Chairman House Committee

Originating in the House.

Takes effect July 1, 1993.

Parrell Edwards
.....
Clerk of the Senate

Donald L. Glogg
.....
Clerk of the House of Delegates

Keith Bentata
.....
President of the Senate

[Handwritten Signature]
.....
Speaker of the House of Delegates

The within *is approved* this the *7th*
day of *April* 1993.

Garson Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 7/2/93

Time 2:15 PM