

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Enrolled

Senate Bill 566

BY SENATOR BOSO

[Passed March 8, 2019; in effect 90 days from passage]

1 AN ACT to amend and reenact §29-5A-1 of the Code of West Virginia, 1931, as amended, relating
2 to compensation for members of the State Athletic Commission for attendance and
3 participation at public meetings.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5A. STATE ATHLETIC COMMISSION.

§29-5A-1. Creation of commission; members; officers; seal and rules.

1 (a) The State Boxing Commission, heretofore created, is hereby continued and renamed
2 the State Athletic Commission. The commission shall consist of five persons appointed by the
3 Governor, by and with the consent of the Senate, no more than three of whom shall belong to the
4 same political party and no two of whom shall be residents of the same county at the same time.
5 One member shall have at least three years of experience in the sport of boxing. One member
6 shall have at least three years of experience in the sport of mixed martial arts. One member shall
7 have at least three years of experience in the health care industry as a licensed physician,
8 registered nurse, nurse practitioner, or physicians' assistant. Two members shall be citizen
9 members who are not licensed under the provisions of this article and who do not perform any
10 services related to the persons regulated under this article. The members shall serve without pay
11 except that each member shall receive \$100 for each day that he or she attends and participates
12 in a public meeting in which the commission makes or deliberates towards an official act:
13 *Provided*, That the total compensation a member may receive during each fiscal year may not
14 exceed \$1,500.

15 (b) At the expiration of the term of each member, his or her successor shall be appointed
16 by the Governor for a term of four years. If there is a vacancy in the board, the vacancy shall
17 likewise be filled by appointment by the Governor and the Governor shall likewise have the power
18 to remove any commissioner at his or her pleasure.

19 (c) Any three members of the commission shall constitute a quorum for the exercise of the
20 power or authority conferred upon it. The members of the commission shall, at the first meeting

21 after their appointment, elect one of their number chairman of the commission and another of their
22 number secretary of the commission, shall adopt a seal for the commission, and shall make such
23 rules for the administration of their office, not inconsistent herewith, as they may consider
24 expedient; and they may hereafter amend or abrogate such rules.

25 (d) The concurrence of at least three commissioners is necessary to render a choice or
26 decision of the commission except that, notwithstanding the requirements of the Open
27 Governmental Proceedings Act, §6-9a-1 *et seq.* of this code, a quorum of the commission may
28 vote in writing to approve changes to the roster of participants or the roster of officials if the need
29 for the substitution(s) is made known to the commission within 48 hours of an event that the
30 commission previously approved: *Provided*, That the substitution(s) is necessary to effectuate the
31 match: *Provided, however*, That the written decision of the commission is presented at the next
32 scheduled meeting of the commission and recorded in its minutes.

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

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2019.

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Governor