

BOARD") CONSISTING OF ~~NINE~~ ELEVEN MEMBERS OF WHOM TWO SHALL REPRESENT INDUSTRY, TWO SHALL REPRESENT LABOR, TWO SHALL REPRESENT THE HEALTH PROFESSION, ONE SHALL REPRESENT AGRICULTURE, ONE SHALL REPRESENT BUSINESSES REGULATED BY THE PUBLIC SERVICE COMMISSION UNDER ARTICLE 78 AND THREE SHALL REPRESENT THE PUBLIC. ONE OF THE PUBLIC MEMBERS SHALL BE DESIGNATED AS CHAIRMAN BY THE COMMISSIONER. THE MEMBERS SHALL BE SELECTED UPON THE BASIS OF THEIR EXPERIENCE AND COMPETENCE IN THE FIELD OF OCCUPATIONAL SAFETY AND HEALTH. BOTH OF THE MEMBERS REPRESENTING THE HEALTH PROFESSIONS SHALL BE RECOMMENDED FOR APPOINTMENT BY THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE. THE SECRETARY OF THE DEPARTMENT OF AGRICULTURE SHALL RECOMMEND FOR APPOINTMENT THE MEMBER REPRESENTING AGRICULTURE. THE CHAIRMAN OF THE PUBLIC SERVICE COMMISSION SHALL RECOMMEND FOR APPOINTMENT THE MEMBER REPRESENTING BUSINESSES REGULATED BY THE PUBLIC SERVICE COMMISSION. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE COMMISSIONER WITH THE APPROVAL OF THE SECRETARY OF LICENSING AND REGULATION FOR A TERM OF SIX YEARS OR UNTIL THEIR SUCCESSORS ARE APPOINTED AND QUALIFIED AND SUCH APPOINTMENTS ARE APPROVED BY THE SECRETARY OF LICENSING AND REGULATION. VACANCIES SHALL BE FILLED BY APPOINTMENT FOR THE UNEXPIRED TERM BY THE COMMISSIONER WITH THE APPROVAL OF THE SECRETARY OF LICENSING AND REGULATION IN THE SAME MANNER AS THE ORIGINAL APPOINTMENTS. THE COMMISSIONER SHALL BE AN EX-OFFICIO MEMBER OF THE BOARD BUT SHALL HAVE NO VOTE. THE MEMBERS OF THE BOARD, OTHER THAN THE COMMISSIONER, SHALL RECEIVE SUCH COMPENSATION AS PROVIDED IN THE BUDGET FROM TIME TO TIME AND SHALL BE REIMBURSED FOR ACTUAL EXPENSES. THOSE MEMBERS SERVING ON THE BOARD ON JUNE 30, 1973 SHALL CONTINUE IN OFFICE UNTIL THE EXPIRATION OF THEIR TERMS OF OFFICE. MEMBERS OF THE BOARD SHALL BE ELIGIBLE FOR REAPPOINTMENT.

(B) THE BOARD SHALL ADVISE, CONSULT WITH AND MAKE RECOMMENDATIONS AND PROPOSE SUCH REASONABLE RULES, REGULATIONS AND STANDARDS, OR MODIFICATIONS, AMENDMENTS OR REVOCATIONS THEREOF TO THE COMMISSIONER, FOR THE PREVENTION OF CONDITIONS DETRIMENTAL TO SAFETY AND HEALTH IN EVERY EMPLOYMENT OR PLACE OF EMPLOYMENT IN THE STATE AS THE BOARD SHALL FIND UPON THE BASIS OF CIRCUMSTANTIAL EVIDENCE AND INFORMATION AVAILABLE TO OR DEVELOPED BY THE COMMISSIONER, OR UPON CIRCUMSTANTIAL EVIDENCE AND INFORMATION SUBMITTED BY ANY INTERESTED PERSON AT A PUBLIC HEARING HELD IN ACCORDANCE WITH SUBSECTION (G), TO BE NECESSARY FOR THE PROTECTION AND IMPROVED SAFETY AND HEALTH OF EMPLOYEES.

(C) IN THE DEVELOPMENT OF SUCH PROPOSED RULES, REGULATIONS AND STANDARDS, OR MODIFICATIONS, AMENDMENTS OR REVOCATIONS THEREOF, THE BOARD SHALL RECOMMEND OR PROPOSE OCCUPATIONAL SAFETY AND HEALTH