

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1945

ENROLLED

SENATE BILL No. 117

(By Mr. Bowers)

PASSED March 10, 1945

In Effect 90 days from Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.



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Senate Bill No. 117

(By MR. BOWERS)

[Passed March 10, 1945; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article fourteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to board of park commissioners.

Be it enacted by the Legislature of West Virginia:

That section four, article fourteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 4 . The board shall consist of not less than three
2 nor more than five members as the council may, by

3 ordinance, determine, a majority of whom shall constitute
4 a quorum for the transaction of business, except as may
5 be hereinafter provided. Each member of said board
6 shall be a bona fide resident of the municipality and
7 shall own real estate within its corporate limits. The
8 council of the municipality may provide either by the
9 ordinance creating the board or by a subsequent ordinance
10 for the appointment of the members thereof by the coun-
11 cil, but unless and until it does so provide, the members
12 of the board shall be elected by the duly qualified voters
13 of the municipality at regular municipal elections. A
14 councilman, if otherwise qualified, may be a member of
15 said board, if the board consists of four or less members,
16 but one such councilman may be appointed by the council
17 and if it consists of five members not more than two
18 councilmen may be so appointed. The term of the board
19 membership of any such councilman so appointed shall
20 continue during his term and until his successor is ap-
21 pointed or elected and qualified. Membership on the
22 council shall not disqualify any member for election
23 to the board. The terms of other appointed or elected

24 members shall be for six years, and until their successors
25 have been duly elected or appointed and qualified: *Pro-*
26 *vided, however,* That the council of the municipality
27 shall appoint the members of the first board, such ap-
28 pointees to serve, one for a term of six years, one for a
29 term of four years, and one for a term of two years. The
30 ordinance creating the board shall fix the date upon
31 which the terms of such board members shall begin.
32 When any member of the board, during his term of office,
33 shall cease to be a bona fide resident of the municipality
34 or a freeholder thereof, he shall thereby be disqualified
35 as a member of said board and his office shall thereupon
36 become vacant.

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

Charles C Morris

Chairman Senate Committee

J. A. Delaney

Chairman House Committee

Originated in the

Senate

Takes effect

90 days from

passage

Thomas H. Hays

Clerk of the Senate

J. A. Delaney

Clerk of the House of Delegates

Arnold W. Tickers

President of the Senate

John E. Amos

Speaker House of Delegates

The within

Approved

this the

16

day of

March

, 1945.

W. A. Madsen

Governor.

Filed in the office of the Secretary of State
of West Virginia

MAR 19 1945

Wm. S. O'Brien,
Secretary of State