

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

HOUSE BILL No. 22

(By Mr. Speaker Mr. Ames)



PASSED February 20 1947

In Effect July 1 1947 Passage

22

**ENROLLED**  
**House Bill No. 22**

(By MR. SPEAKER, MR. AMOS)

[Passed February 20, 1947; in effect July 1, 1947.]

AN ACT to amend and reenact section one, article eleven, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the continuation, management and control of West Virginia university and to the constitution, rights, powers and duties of the board of governors.

*Be it enacted by the Legislature of West Virginia:*

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

**CHAPTER 18. EDUCATION**

**Article 11. West Virginia University**

Section 1. *Continuation; Board of Governors.* The  
2 West Virginia University, heretofore established and lo-  
3 cated at Morgantown, in Monongalia county, shall be

4 continued, and shall be known as "West Virginia Uni-  
5 versity." The business and educational affairs of the  
6 university shall be under the control, supervision and  
7 management of the board of governors, which shall be a  
8 corporation, and as such may contract and be contracted  
9 with, sue and be sued, plead and be impleaded, and have  
10 and use a common seal. The board of governors shall  
11 consist of nine members, all of whom shall be citizens of  
12 the state, to be appointed by the governor, by and with  
13 the advice and consent of the senate, for overlapping terms  
14 of nine years, except that the original appointments shall  
15 be for terms of one, two, three, four, five, six, seven, eight,  
16 and nine years, respectively. At least one but not more  
17 than two members shall be appointed from each congres-  
18 sional district and at least four members shall be gradu-  
19 ates of West Virginia University. No more than five  
20 members shall belong to the same political party. No per-  
21 son shall be eligible for membership on the board of gov-  
22 ernors who is a member of any political party executive  
23 committee, or who holds any other public office or public  
24 employment under the federal government or under the

25 government of this state or any of its political subdivi-  
26 sions, or who is an appointee or employee of the board.  
27 Members shall be eligible for reappointment.

28 The governor shall appoint all members of the board of  
29 governors as soon after the effective date hereof as is  
30 practicable, for respective terms of office beginning on the  
31 first day of July, one thousand nine hundred forty-seven.  
32 Any vacancy on the board of governors shall be filled by  
33 the governor by appointment for the unexpired term.  
34 The terms of office of present members of the board of  
35 governors shall expire on the thirtieth day of June, one  
36 thousand nine hundred forty-seven.

37 No member may be removed from office by the gover-  
38 nor except for official misconduct, incompetence, neglect  
39 of duty, or gross immorality, and then only in the man-  
40 ner prescribed by law for the removal by the governor of  
41 state elective officers.

42 Before exercising any authority or performing any du-  
43 ties as a member of the board of governors, each member  
44 shall qualify as such by taking and subscribing to the  
45 oath of office prescribed by section five, article four of the

46 Constitution, the certificate whereof shall be filed in the  
47 office of the secretary of state. A suitable office or offices  
48 for the board shall be provided in the buildings of West  
49 Virginia University.

50 The board of governors shall have general control, su-  
51 pervision and management of the business and educa-  
52 tional affairs of the university and of Potomac state school,  
53 and shall have full authority to employ all officers, teach-  
54 ers and other employees of such institutions and fix their  
55 yearly or monthly salaries.

56 The board of governors shall meet annually in June at  
57 the university in the performance of its duties, and may  
58 meet at such other times and places as may be necessary  
59 for the best interests of the institutions under its control.  
60 Special meetings may be called by the board when in ses-  
61 sion, or by the president, who shall not succeed himself  
62 as president, of the board. The board shall at each annual  
63 meeting elect one of its members as president and one  
64 as vice-president of the board, and shall appoint a secre-  
65 tary and fix his salary, the same to be paid out of the  
66 funds appropriated by the legislature for the university.

67 The president of the university shall be the chief execu-  
68 tive officer of the board. The members of the board shall  
69 serve without compensation, but every member shall be  
70 reimbursed from the appropriation made by the legisla-  
71 ture for the support of the university for actual expenses  
72 incident to the performance of his duties, upon presenta-  
73 tion of an itemized sworn statement, thereof.

74 On the first day of October of each year, or as soon  
75 thereafter as practicable, the board of governors shall  
76 make to the governor and to the legislature a full report  
77 concerning the educational institutions under its control  
78 and management, together with its recommendations in  
79 respect to needed legislation.

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

*Forest L. McKeer*

Chairman Senate Committee

*R. L. Mauter*

Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1947 passage.

*Herman Hughes*

Clerk of the Senate

*J. R. Klipp*

Clerk of the House of Delegates

*Ormel M. Dickers*

President of the Senate

*John C. Crisp*

Speaker House of Delegates

The within Approved this the 25<sup>th</sup>  
day of Feb., 1947.

*Clarence M. ...*

Governor.



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

**FEB 26 1947**

W. S. ... SECRETARY OF STATE