

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

HOUSE BILL No. 413

(By Mr. Gentry and Mr. Casey)



PASSED March, 5, 1947

In Effect from Passage



413

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(By MR. GENTRY and MR. CASEY)

[Passed March 5, 1947: in effect from passage.]

AN ACT to amend and reenact sections three, four and five, chapter one hundred fifty-seven, acts of the Legislature, regular session, one thousand nine hundred forty-five, relating to the establishment of a general hospital in Cabell county.

Be it enacted by the Legislature of West Virginia:

That sections three, four and five, chapter one hundred fifty-seven, acts of the Legislature, regular session, one thousand nine hundred forty-five, be amended and reenacted to read as follows:

Section 3. *Construction, etc., to be Under Control of*

2 *Board of Trustees.*—The said court and city, or said court
3 alone, as the case may be, shall appoint a board of trus-
4 tees, consisting of fourteen persons, of whom two shall be
5 licensed physicians who are members in good standing

6 of the Cabell county medical society, and one each shall
7 be a member of the following organizations, viz: Hunt-
8 ington ministerial association, Cabell county bar associ-
9 ation, the chamber of commerce of Huntington, the junior
10 chamber of commerce of Huntington, council of social
11 agencies and community chest, east Huntington civic club,
12 west Huntington commercial club, Cabell county farm
13 bureau, Cabell county farm women's council, woman's
14 club of Huntington, American federation of labor and the
15 congress of industrial organizations.

16 The president of the Cabell county court, and the mayor
17 of the city of Huntington if said city shall elect to par-
18 ticipate in the construction, acquisition, equipment, oper-
19 ation and maintenance of said hospital, shall be ex officio
20 members of said board of trustees. Said board shall be
21 increased by the addition of four members to be desig-
22 nated by such organizations or individuals as shall col-
23 lectively contribute five hundred thousand dollars or more
24 to the construction, acquisition, operation and mainte-
25 nance of said hospital. Said board is hereby authorized
26 and empowered to construct, acquire, equip, operate and

27 maintain said Cabell county general hospital, and the
28 term "board" when hereafter used in this article shall be
29 construed to mean the board of trustees of the Cabell
30 county general hospital.

Sec. 4. *Officers and Members of Board to Serve With-*
2 *out Compensation; Committees.*—No officer or member of
3 the board shall receive any compensation for his services
4 as a member thereof; and no person who holds any other
5 public office or public employment, except the president
6 of the county court of Cabell county and the mayor of the
7 city of Huntington, shall be eligible to membership on the
8 board. The officers of the board shall be a president, vice-
9 president, secretary and treasurer, and such other officers
10 as may be appropriate or necessary. Except as herein
11 otherwise provided, the board shall have the power to
12 establish by-laws, rules and regulations for its own gov-
13 ernment and respecting the construction, maintenance
14 and operation of said hospital, and it may by appropriate
15 resolution or resolutions designate one or more commit-
16 tees consisting of two or more members of the board to
17 have and exercise the powers of the board in the manage-

18 ment, control and operation of the hospital to the extent
19 provided for in any such resolution.

Sec. 5. *Qualifications of Members of Board; Terms of*
2 *Office; Vacancies.*---All members of the board shall be cit-
3 izens of West Virginia and residents of Cabell county, and
4 no more than two of such members shall be engaged in
5 the practice of medicine or surgery. The term of office of
6 the members of the board shall be three years, except that
7 the court and city, or the court alone, as the case may be,
8 shall divide those originally appointed into three classes;
9 the term of office of those of the first class consisting of
10 five members shall expire on March one, one thousand
11 nine hundred forty-eight; of the second class consisting
12 of five members on March one, one thousand nine hun-
13 dred forty-nine; and of the third class consisting of four
14 members on March one, one thousand nine hundred fifty;
15 at every third annual appointment after such classifica-
16 tion only four members shall be chosen for a full term of
17 three years to succeed those whose terms expire, and at
18 other annual appointments five members shall be chosen
19 for a full term of three years to succeed those whose

20 terms expire. Each of the organizations mentioned in sec-
21 tion three shall, on or before thirty days from the first day
22 of March in each year, certify the name of one of its mem-
23 bers as its choice for appointment as a member of said
24 board of trustees, and the person whose name is so cer-
25 tified shall be appointed by the said court and city, or said
26 court alone, as the case may be, as a member of the board
27 of trustees. The present members of the board of trustees
28 shall continue in office until their successors are appoint-
29 ed in accordance with the provisions of this section. All
30 vacancies in the board shall be filled by the appointment
31 of a successor member for the unexpired term by the
32 court and city, or the court alone, as the case may be, and
33 in every occasion appointment shall be made and the
34 terms of office shall continue until successors have been
35 appointed and qualified. Every appointee to fill a vacancy,
36 or upon the expiration of a term on the board, shall be a
37 member of the same organization as the predecessor. The
38 members of the board shall be chosen with regard to their
39 business and professional experience and their standing

40 as citizens in the community and without regard to their
41 religious or political affiliations. Members of the board
42 may be removed for such cause as other public officers
43 may be removed from office.

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

Forest L. McMan

Chairman Senate Committee

R. S. Matthews

Chairman House Committee

Originated in the House of Delegates

Takes effect

from

passage.

Howard Myers

Clerk of the Senate

James

Clerk of the House of Delegates

Conall M. Vickers

President of the Senate

John E. Amos

Speaker House of Delegates

The within

Approved

this the

12th

day of

March

, 1947.

Blair Neidauer

Governor.



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

MAR 13 1947

WM. C. C. B. C. C.
SECRETARY OF STATE