AN ACT to amend and reenact section three, article two, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the creation, organization, powers and duties of combined local boards of health.

Be it enacted by the Legislature of West Virginia:

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

Section 3. Counties, or Counties and Municipalities, May Combine in Employment of Officers and Installation and Maintenance of Equipment: Combined Local Boards of Health.—Any two or more counties, or any county or counties and any one or more municipalities within the said county or counties, may combine to cooperate with
the state department of health, by vote of the county
court in the case of a county and by vote of the council or
other governing body in the case of a municipality, and
may participate in the employment of trained health
officers and other agents and employees, or in the instal-
lation and maintenance of a common laboratory and other
equipment. Whenever any such units shall decide so to
cooperate and shall appropriate a sum or sums of money
for such joint or cooperate action, a sum equal to two-
fifths of the total amount contributed by the cooperating
units, shall be added thereto from the appropriation made
for the state department of health: Provided, That the
general plan of cooperation, as well as the principal health
officer, executive agent or laboratory director employed
by the cooperating units, shall first have been approved
by the state board of health.

Each county or municipality participating in any such
cooperative action shall select and appoint by
vote of the county court in the case of a county, and by
vote of the council or other governing body in the case of a
municipality, not less than one nor more than three per-
sons to be members of a combined board of health. No such person shall be selected by, nor represent on any such combined board, more than one such county or municipality. The number of persons to be selected by each participating county or municipality as members of such board, subject to the limitation contained in the two preceding sentences, shall be agreed upon by the several counties or municipalities participating.

All members of such combined board of health shall be appointed for terms of five years each, except that the persons first appointed pursuant to the provisions of this section, if more than one such persons is appointed at the same time by any one county court or municipal governing body, shall be individually designated to serve for terms of one, two, and three years, respectively, and if only one such person is appointed at such time by each participating county or municipality, the several participating counties or municipalities shall initially appoint such persons to serve for individually designated terms, which shall be agreed upon by the several appointing authorities, of one, two, three, four and five years respectively. Upon the
expiration of the term of such initial appointments the
term of each new appointee shall be five years. Any
vacancy on such board shall be filled by appointment, by
the original appointing authority, for the unexpired term.
All members shall serve until their duly qualified suc-
cessors have been appointed. The number of members of
such board belonging to one political party shall not
exceed by more than one the number of members of such
board belonging to any other political party.
All members of any such board shall be citizens and resi-
dents of the county or municipality they are appointed to
represent. All members shall be eligible for reappoint-
ment.
No member of such board may be removed from office
during the term for which he is appointed except for
official misconduct, incompetence, neglect of duty or gross
immorality.
No member of such board shall receive any compensa-
tion for his services but each may be reimbursed for
actual and necessary travel and other expenses neces-
sarily incurred by him in the performance of his duties
as a member of such board.

Any such combined board of health shall consist of the
several members so selected. Such board shall organize
by electing a chairman from among its members. It
shall have the power to adopt, and from time to time
amend, such rules and regulations as it may deem neces-
sary concerning the time and place of its meetings, the
procedure and method of conducting its meetings or busi-
ness, and any other matters affecting, or necessary to, the
orderly and efficient discharge of its duties or exercise of
its powers. All powers and duties belonging to or vested
in county boards of health or municipal boards of health
under any provision of this code are hereby vested in,
conferred upon, and declared to be, the powers and duties
of any combined board of health created pursuant to the
provisions of this section. All powers and duties belonging
to or vested in county or municipal health officers, so far
as they are applicable and not in conflict with the pro-
visions of this section, are hereby vested in, conferred
upon, and declared to be, the powers and duties of any
health officer appointed and employed by any combined board of health. Any health officer or other employee appointed or employed by any combined board of health shall be employed and serve, and may be discharged, at the will and pleasure of such board. The territorial jurisdiction of any such combined board of health shall be coextensive with the boundaries of all of the counties and municipalities which have been combined to cooperate as herein provided.

Upon the formation of a combined local board of health as herein provided, and during the period that it continues to exist, there shall be no separate county board of health or municipal board of health in any county or municipality represented on the combined board of health.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect immediately upon passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the ______ day of ______, 1953.

Governor

Filed in the Office of the Secretary of State MAR 15 1955

of West Virginia

Secretary of State