WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1960

ENROLLED

HOUSE BILL No....25.....

(By Mr. Mylatt H. Scofield)

PASSED January 29, 1960

In Effect from Passage

Filed in Office of the Secretary of State
of West Virginia FEB 5, 1960
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact sections twenty-two and twenty-three, article thirteen-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the validation of prior acts and proceedings by county courts and public service boards for creation of public service districts; inclusion of additional territory and appointment of members of district boards.

Be it enacted by the Legislature of West Virginia:

That sections twenty-two and twenty-three, article thirteen-a, 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 22. Validation of Prior Proceedings by County Courts for Creation of Districts, Inclusion of Additional Territory and Appointment of Members of District Boards.
—All acts and proceedings taken by any county court of this state purporting to have been carried out under the provisions of this article which have been taken, prior to the date this section takes effect, for the purpose of creating public service districts or for the purpose of subsequent inclusion of additional territory to existing public service districts, after notice published by any such county court having territorial jurisdiction thereof of its intention to include such additional territory after hearing thereon, are hereby validated, ratified, approved and confirmed notwithstanding any other lack of power (other than constitutional) of any such county court to create such public service districts or to include additional territory to existing public service districts or irregularities (other than constitutional) in such proceedings, relating to the appointment and qualification of more than three members to the board of any such public service district or the subsequent appointment of successors of any or all of such members, notwithstanding that no city, incorporated town or other municipal corporation having a population in excess of three thousand
is included within the district, and the appointment and
qualification of such members, and further including any
irregularities in the petition for the creation of any public
service district, irregularities in the description of the
area embraced by such district, and irregularities in the
notice and publication of notice for the hearing creating
such district, prior to the date this section takes effect
is hereby validated, ratified, approved and confirmed;
and, further, in such cases where more than three mem-
ers of the board of such districts have been so appointed
prior to the date this section takes effect then such county
court shall appoint, and they are hereby authorized and
empowered to appoint, successors to such members in the
manner as otherwise provided by this article.

Sec. 23. Validation of Acts and Proceedings of Public
Service Boards.—All acts and proceedings taken by any
public service board the members of which were ap-
pointed, prior to the date this section takes effect, by any
county court of this state having territorial jurisdiction
thereof, are hereby validated, ratified, approved and con-
firmed, as to defects and irregularities which may other-
wise exist on account of their appointment and qualifica-
tion.
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.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker, House of Delegates

The within.......approved........this the 4th day of January, 1960.

Governor

Filed in Office of the Secretary of State of West Virginia FEB 5 1960

JOE F. BURDETT
SECRETARY OF STATE