WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

ENROLLED

HOUSE BILL No. 63

(By M.J. McCleary)

PASSED February 15th, 1961

In Effect sixty days from passage

Filed in Office of the Secretary of State
of West Virginia January 25, 1961
JOE F. BURDETT
SECRETARY OF STATE
ENROLLED

House Bill No. 63
(By MRS. DREWRY and MR. CASEY)

[Passed February 15, 1961; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article one, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the qualifications, appointment, removal, and compensation of members of the state board of health.

Be it enacted by the Legislature of West Virginia:

That section two, article one, 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 2. Board of Health; Membership.—There shall be a state board of health, to be known as the West Virginia board of health, which shall be a corporation and as such may contract and be contracted with, plead and be impleaded, sue and be sued, and have and use a common seal. The state board of health shall consist of nine members, who shall be appointed by the governor, by
and with the advice and consent of the senate. Three members of the board shall be physicians or surgeons holding the degree of doctor of medicine, one shall be a dentist, one shall be an osteopathic physician, one shall be a pharmacist, one shall be chosen as the representative of the hospitals licensed in the state of West Virginia and two shall be representative citizens, neither of which said representative citizens shall be an employee of, or connected in any way with, any hospital licensed in this state, and neither of whom shall be a member of any of the professions named above.

All persons appointed to membership on the state board of health shall be citizens of this state and shall have been such citizens and residents of the state for at least five years prior to the date of their appointment. Every professional member of the said board shall be duly licensed to practice his profession in this state on the date of his appointment and shall have been so licensed and have been actively practicing his profession for at least five years immediately preceding the date of such appointment. Before appointing any professional member, the
governor shall request the state professional society of
the profession practiced by any proposed appointee to
furnish to the governor a full and complete report con-
cerning the qualifications and suitability of the proposed
appointee. All members of the board shall be appointed
for terms of nine years each, except that the persons
originally appointed, shall be appointed to serve for des-
ignated terms beginning on the first day of July, one
thousand nine hundred forty-nine, and continuing for one,
two, three, four, five, six, seven, eight, and nine years
respectively. Upon the expiration of such initial appoint-
ments the terms of each new appointee shall be nine
years. Any vacancy on the board shall be filled by the
governor by appointment for the unexpired term.

No more than five of the members of the board shall
belong to the same political party. Not less than one nor
more than two members shall be appointed from the same
congressional district. No person shall be eligible for ap-
pointment to membership on the state board who is a
member of any political party executive committee, or
who holds any public office or public employment under
the federal government or under the government of this state or any of its political subdivisions, or who is an appointee or employee of the board. All members shall be eligible for re-appointment.

No member may be removed from office by the governor except for official misconduct, incompetence, neglect of duty or gross immorality and then only in the manner prescribed by law for the removal by the governor of state elective officers: Provided, however, That the expiration or revocation of the professional license of any professional member of the board shall be cause for his removal.

The members of the board shall be paid the sum of twenty-five dollars for each day actually served in attendance at official meetings of the board. The total of such compensation paid to each member during any one fiscal year shall not exceed three hundred dollars. Each member shall also be paid mileage at the rate of ten cents per mile in the performance of his duties as a member of the board.
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.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 23rd day of February, 1961.

Governor