

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 36

(By Mr. Speaker, Mr. Singleton, & Mr. Richard)



PASSED March 9 1963

In Effect from Passage



36

Filed in Office of the Secretary of State
of West Virginia 3-15-63

JOE F. BURDETT
SECRETARY OF STATE

ENROLLED

House Bill No. 36

(By MR. SPEAKER, MR. SINGLETON, and MR. SELBERT)

[Passed March 9, 1963; in effect from passage.]

AN ACT to repeal section eleven, article ten, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to amend article one, chapter five of the code, as amended, by adding thereto a new section, designated section twenty-two, relating to vacancies in appointive offices filled by the governor; senate action with respect thereto; the bonds required; and filling vacancies in other appointive offices.

Be it enacted by the Legislature of West Virginia:

That section eleven, article ten, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as

amended, be repealed, and that article one, chapter five of the code, as amended, be amended by adding thereto a new section, designated section twenty-two, to read as follows:

Article 1. The Governor.

Section 22. Vacancies in Offices Filled by Governor

2 Appointment; Senate Action; Bond Requirements; Filling
3 Vacancies in Other Appointive Offices.—In case of a
4 vacancy, during the recess of the senate, in any office,
5 which vacancy the governor is authorized to fill by and
6 with the advice and consent of the senate, the gover-
7 nor shall, by appointment, fill such vacancy until the
8 next meeting of the senate, when the governor shall sub-
9 mit to the senate a nomination to fill such vacancy and,
10 upon confirmation of such nomination by the senate, by
11 a vote of a majority of all the members elected to the
12 senate, taken by yeas and nays, the person so nominated
13 and confirmed shall hold said office during the remainder
14 of the term for which his predecessor in office was
15 appointed, and until his successor shall be appointed and
16 qualified. No person whose nomination for office has
17 been rejected by the senate shall be again nominated for

18 the same office during the session in which his nomina-
19 tion was so rejected, unless at the request of the senate,
20 nor shall he be appointed to the same office during the
21 recess of the senate. No appointee who resigns from any
22 such office prior to confirmation, or whose name has not
23 been submitted for confirmation while the senate is in
24 session, shall be eligible, during the recess of the senate,
25 to hold any office the nomination for which must be
26 confirmed by the senate.

27 The bond, if any, required by law to be given by any
28 officer so temporarily appointed by the governor, shall
29 be in such penalty as is required by law of the incumbent
30 of such office.

31 Any vacancy in any other office filled by appointment,
32 or in any office hereinafter created to be filled by appoint-
33 ment, shall be filled by the same person, court or body
34 authorized to make appointment to such office for the full
35 term thereof.

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

Ray Parker
Chairman Senate Committee

Edel L. Crindall
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Nease
Clerk of the Senate

A Blankenship
Clerk of the House of Delegates

Howard Carson
President of the Senate

Julius W. Singletary Jr.
Speaker House of Delegates

The within approved this the 14th
day of March, 1963.

W. W. Baum
Governor

