

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

## ENROLLED

SENATE BILL NO. 306

(By Mr. Carson Mr President)  
and Mr Carrigan

PASSED March 7 1963

In Effect From Passage



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

JOE F. BURDETT  
SECRETARY OF STATE

#306

ENROLLED

Senate Bill No. 306

(By MR. CARSON, MR. PRESIDENT, and MR. CARRIGAN)

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[Passed March 7, 1963; in effect from passage.]

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AN ACT to amend chapter one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article four, relating to the relocation of meeting places of governing bodies of political subdivisions in the event of an enemy attack or threatened enemy attack.

*Be it enacted by the Legislature of West Virginia:*

That chapter one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended, by adding thereto a new article, designated article four, to read as follows:

**Article 4. Relocation of Meeting Places of Governing Bodies of Political Subdivisions.**

**Section 1. Relocation.**—Whenever, due to an emergency

2 resulting from the effects of enemy attack, or the antici-  
3 pated effects of a threatened enemy attack, it becomes  
4 imprudent, inexpedient or impossible to conduct the  
5 affairs of local government at the regular or usual place  
6 or places thereof, the governing body of each political  
7 subdivision of this state may meet at any place within  
8 or without the territorial limits of such political sub-  
9 division on the call of the presiding officer or any two  
10 members of such governing body, and shall proceed to  
11 establish and designate by ordinance, resolution or other  
12 manner, alternate or substitute sites or places as the  
13 emergency temporary location, or locations, of govern-  
14 ment where all, or any part, of the public business may  
15 be transacted and conducted during the emergency situ-  
16 ation. Such sites or places may be within or without the  
17 territorial limits of such political subdivisions and may  
18 be within or without this state.

**Sec. 2. Conduct of Public Business.**—During the period  
2 when the public business is being conducted at the  
3 emergency temporary location, or locations, the govern-  
4 ing body and other officers of a political subdivision of

5 this state shall have and possess and shall exercise, at  
6 such location, or locations, all of the executive, legisla-  
7 tive and judicial powers and functions conferred upon  
8 such body and officers by or under the laws of this state.  
9 Such powers and functions may be exercised in the light  
10 of the exigencies of the emergency situation without re-  
11 gard to or compliance with time consuming procedures  
12 and formalities prescribed by law and pertaining thereto,  
13 and all acts of such body and officers shall be as valid  
14 and binding as if performed within the territorial limits  
15 of their political subdivision.

**Sec. 3. Act Controlling.**—The provisions of this act  
2 shall control and be supreme in the event it shall be  
3 employed notwithstanding any statutory, charter or ordi-  
4 nance provision to the contrary or in conflict herewith.

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

*Cl. Ray Parker*  
Chairman Senate Committee

*Ethel L. Randall*  
Chairman House Committee

Originated in the Senate.

Takes effect FROM passage.

*Howard Meyer*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Howard Carson*  
President of the Senate

*Julius W. Singleton Jr.*  
Speaker House of Delegates

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

*W. W. Baum*  
Governor