WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

ENROLLED

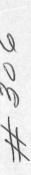
SENATE BILL NO. 306

(By Mr Carson Mr President) and Mr Carrigan

PASSED Much 7 1963

In Effect From Passage

Filed in Office of the Secretary of State
of West Virginia 3-15-23
JOE F. BURDETT
SECRETARY OF STATE



Senate Bill No. 306

(By Mr. Carson, Mr. President, and Mr. Carrigan)

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

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

Sec. 2. Conduct of Public Business.—During the period
when the public business is being conducted at the
mergency temporary location, or locations, the governing 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. | | | |
| | | | |

U, Ray Varker Chairmen Senate Committee Chairman House Committee Originated in the Senate. ROM passage. Takes effect Clerk of the House of Delegates Rresident of the Senate Speaker House of Delegates The within approved this the 19th

day of March, 1963.

Governor

