

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1966

ENROLLED

HOUSE BILL No. 297

(By Mr. O'Connor and Mr. Ragan)

PASSED February 8, 1966

In Effect from Passage



FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-14-66

#297

ENROLLED
House Bill No. 297
(By MR. D'AURORA and MR. RAGAN)

[Passed February 8, 1966; in effect from passage.]

AN ACT to establish a park and recreation board for the county
of Brooke, and to authorize the expenditure of moneys
received by such board from county funds and from
private grants and donations.

Be it enacted by the Legislature of West Virginia:

Section 1. Brooke County Court Authorized to Create
2 a Park and Recreation Board.—The county court of
3 Brooke county is hereby authorized and empowered to,
4 by order entered of record, create and establish a park
5 and recreation board, to be known as the “Brooke County
6 Park and Recreation Board.”

Sec. 2. Board a Body Corporate; Perpetual Existence;

2 **Right to Receive and Expend Moneys.**—The board as
3 created by the county court of Brooke county shall be a
4 public corporate board, with perpetual existence and a
5 corporate seal. It shall have the power to receive moneys
6 from said county court out of general or special county
7 funds, and to expend the same for the purposes here-
8 inafter enumerated. It shall additionally have the power
9 to receive and expend for said purposes any gift, grant,
10 donation, bequest or devise from sources other than the
11 public funds of Brooke county.

Sec. 3. Members; Appointment; Term; Residency;

2 **Vacancy.**—The board shall consist of five members who
3 shall be appointed by the county court of Brooke county.
4 The term of office of each member of the board shall be
5 for four years and until their successors have been
6 appointed and qualified, and said county court shall by
7 order fix the date on which the term of office of board
8 membership shall commence. No one shall be appointed
9 a member of said board who is not a bona fide resident
10 of Brooke county. Any member of the board who shall

11 cease to be a bona fide resident of said county shall
12 thereby be disqualified and his office shall become vacant.
13 When a vacancy occurs on said board by reason of the
14 change of residence, resignation, or death of a member
15 thereof, said county court shall appoint a successor who
16 shall fill out the unexpired term of such member.

Sec. 4. Oath of Members; Election of Officers; Quorum;

2 **Place of Business.**—After appointment the members of
3 the board shall qualify by taking and filing with the
4 clerk of the county court of Brooke county the oath pre-
5 scribed by law for public officials. One of the members
6 of the board shall be elected as president, another as vice
7 president, and another as secretary. A majority of the
8 board shall constitute a quorum for the transaction of
9 business. The board shall maintain an office at any place
10 in said county which it may designate.

Sec. 5. Contracts; Legal Actions; General Powers;

2 **Rules and Regulations.**—The board shall have the right
3 to enter into contracts; to bring any and all necessary
4 legal actions; to exercise all the necessary powers and
5 authority to manage and control park and recreation

6 areas in Brooke county, including the right to make rules
7 and regulations concerning the management and control
8 of such parks and recreation areas and to enforce any
9 such rules and regulations so promulgated.

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

O. Roy Parker

Chairman Senate Committee

James W. Loop

Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard M. Miller

Clerk of the Senate

C. Blankenship

Clerk of the House of Delegates

Howard Roberson

President of the Senate

H. Labau White

Speaker House of Delegates

The within approved this the 14th
day of February, 1966.

Francis C. Smith

Governor



FEB 14 8 45 PM '66
OFFICE OF THE GOVERNOR

PRESENTED TO THE
GOVERNOR

Date

2/14/66

Time

10:50 AM

FILED

FEB 14 11 03 PM '66

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

RDR