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# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973

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# ENROLLED

SENATE BILL NO. 190

(By Mr. Sharp on 1 Mr. Mordant)

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PASSED April 2 1973

In Effect Ninety days From Passage



190

FILED OFFICE  
ELCAN F. WEISKELL III  
SECRETARY OF STATE  
THIS DATE 4-11-73

## ENROLLED

### Senate Bill No. 190

(By Mr. Sharpe and Mr. Moreland)

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[Passed April 2, 1973; in effect ninety days from passage.]

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AN ACT to amend and reenact sections one and two, article three, chapter twenty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the home for aged and infirm men and women; removing the restriction of "white" only in relation to admission of inmates; lowering the age for admission to the home from sixty-five to sixty-two; removing the requirement that the applicant has no children, father, brothers, sisters or mother of sufficient financial ability to support such person; and removing the requirement that an applicant be recommended by the council of the department of public assistance of the county in which the individual seeking the admission resided at the date of application.

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

That sections one and two, article three, chapter twenty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

#### ARTICLE 3. HOME FOR AGED AND INFIRM MEN AND WOMEN.

##### §26-3-1. Continuation; name; management; superintendent.

1 The West Virginia home for aged and infirm men and  
2 women, heretofore established, shall be continued at Sweet  
3 Springs, Monroe county, West Virginia, to be known as  
4 Andrew S. Rowan Memorial Home, and shall be managed,  
5 directed and controlled as provided in article one, chapter  
6 twenty-five of this code. The chief executive officer thereof  
7 shall be a superintendent who must be a citizen of the state

8 and a person of good executive ability, and who shall be  
9 appointed by the governor by and with the advice and  
10 consent of the Senate.

**§26-3-2. Admission of inmates.**

1 Any man or woman shall be eligible for admission to said  
2 home who:

- 3 (1) Has attained the age of sixty-two years;
- 4 (2) Has resided in the state for at least one year imme-  
5 diately preceding the application;
- 6 (3) Has not made an assignment or transfer of property  
7 for the purpose of qualifying for public assistance;
- 8 (4) Is in need of continuing institutional care because  
9 of his physical or mental condition;
- 10 (5) Is actually in need and has not sufficient income  
11 or other resources to provide a subsistence compatible with  
12 decency and health.

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

*W. Marshall Wesley*  
Chairman Senate Committee

*Lawrence C. Christian Jr.*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Howard Roberson*  
Clerk of the Senate

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

*H. T. Brotherton Jr.*  
President of the Senate

*Lewis F. McManus*  
Speaker House of Delegates

The within *approved* this the *11th*  
*April*, 1973.  
day of \_\_\_\_\_  
*Arch A. Prange Jr.*  
Governor

PRESENTED TO THE  
GOVERNOR

Date 4/10/73

Time 10:35 a.m.