

REGULAR SESSION, 1974

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HOUSE BILL No. 1189

(By Mr. Teets)

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PASSED March 8 1974

In Effect July 1, 1974 Passage

FBI
 DEPT. OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 WASHINGTON, D. C. 20535
 TELEPHONE ROOM 3-19-74

ENROLLED

H. B. 1189

(By MR. TEETS)

[Passed March 8, 1974; in effect July 1, 1974.]

AN ACT to amend and reenact section two, article two-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the membership and organization of county and municipal boards of health; appointment and qualification; terms; removal and compensation.

Be it enacted by the Legislature of West Virginia:

That section two, article two-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2A. ALTERNATIVE METHOD OF ORGANIZING LOCAL HEALTH AGENCIES.

§16-2A-2. Membership and organization of county and municipal boards of health; appointment and qualification; terms; removal; compensation.

1 A county board of health or municipal board of health
2 created and established under the provisions of this article
3 shall be composed of five members appointed by the county
4 court or the governing body of the municipality. Where any
5 county board of education contributes funds to a county
6 court or a municipality, which creates such board of health,
7 for health purposes, such board of education may nominate
8 one member of such local board of health. Such nominee
9 shall be appointed to such board of health by the appointing

10 authority, if otherwise qualified. In the event such nominee
11 is rejected by the appointing authority, or in the event
12 his position on the board of health is vacated during the
13 term for which he is appointed, such county board of
14 education may nominate another person, who, if otherwise
15 qualified, shall be appointed to the board of health by the
16 appointing authority. In the event such county board of
17 education fails or refuses to nominate some person for such
18 appointment within thirty days of the date of the receipt of
19 a request, in writing, from the appointing authority, for a
20 nomination, the appointing authority shall proceed to make
21 such appointment without any nomination by the county board
22 of education.

23 All members of any such board of health shall be citizens
24 and residents of the county or municipality they are ap-
25 pointed to represent. No more than three of the members
26 of such board shall belong to the same political party,
27 nor shall more than two of such members be residents of
28 the same magisterial district or municipal ward, nor shall
29 more than two such members be personally and individually
30 licensed in, engaged in, or actively participating in or carrying
31 on, the same business, profession, or occupation. All mem-
32 bers shall be eligible for reappointment.

33 All members of such board shall be appointed for terms
34 of five years each, except that the persons appointed when
35 the board is initially created shall be individually designated
36 to serve for terms of one, two, three, four and five years,
37 respectively. Upon the expiration of such initial appointments
38 the terms for each new appointee shall be five years. Each
39 member shall serve until the appointment of his duly qualified
40 successor. Any vacancy on such board shall be filled by
41 appointment for the unexpired term.

42 Such county or municipal board of health shall organize
43 by electing from its members a chairman who shall serve as
44 such for a period of one year. Such chairman shall have the
45 power to sign documents, execute contracts and otherwise act
46 for and in the name of such board in all matters within its
47 lawful powers and duly authorized by a majority of its
48 members.

49 No member of such board may be removed from office
50 during the term for which he is appointed except for official
51 misconduct, incompetence, neglect of duty or gross immorality:
52 *Provided*, That the revocation of a professional license issued
53 by this state to any such member shall be sufficient reason and
54 cause for the removal of such member from office.

55 Each member of such board shall receive a sum set by
56 the county court or governing body but not exceeding ten
57 dollars as compensation for his services in attending each
58 meeting of the board as required by law and may be reimbursed
59 for actual and necessary travel and other expenses incurred
60 by him in the performance of his duties as a member of such
61 board.

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

H. Darrel Hardy
Chairman Senate Committee

Clarence C. Christen Jr.
Chairman House Committee

Originated in the House.

Takes effect July 1, 1974.

Harold W. Carson
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

H. P. Brotherton Jr.
President of the Senate

Levin F. McPherson
Speaker House of Delegates

The within Approved this the 18th
March
day of _____, 1974.

Arthur A. Phares Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/15/74

Time 2:50 P.M.