

No: 1187

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986

— ● —

ENROLLED

Com. Sub. for
HOUSE BILL No. 1187

(By Mr. Del. Roop + Del. Ryan)

— ● —

Passed February 18, 1986

In Effect Ninety Days From Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1187
(By DELEGATE ROOP and DELEGATE RYAN)

[Passed February 18, 1986; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen, article three, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article by adding thereto a new section, designated section fifteen-a, all relating to county property; board of trustees for hospital, clinic or long-term care facility; appointment of treasurer for county hospitals and when appointed; transfer of moneys; bonding of treasurer; approval of bank accounts; authority to invest; providing that county hospitals need not use the sheriff as treasurer.

Be it enacted by the Legislature of West Virginia:

That section fifteen, article three, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article be further amended by adding thereto a new section, designated section fifteen-a, all to read as follows:

ARTICLE 3. COUNTY PROPERTY.

§7-3-15. Board of trustees for hospital, clinic or long-term care facility.

1 The administration and management of any county

2 public hospital, clinic, long-term care facility or other
3 related facility acquired, equipped, furnished, improved
4 or extended under section fourteen of this article shall
5 be vested in a board of trustees, consisting of not less
6 than five members appointed by the county commission.
7 Prior to the issuance of any bonds under the provisions
8 of section fourteen of this article, the county commission
9 shall appoint two of such trustees for a term of two
10 years, two trustees for a term of four years, and one
11 trustee for a term of six years from the first day of the
12 month during which appointed. Upon the expiration of
13 such initial appointments, the term of each new
14 appointee shall be six years, except that any person
15 appointed to fill a vacancy occurring prior to the
16 expiration of the term for which his predecessor was
17 appointed shall be appointed only for the remainder of
18 such term. Any trustee shall be eligible for reappoint-
19 ment upon the expiration of his term. The trustees shall
20 receive no compensation for their services, but shall be
21 reimbursed for any expenses incurred in the perfor-
22 mance of their duties. Any trustee may be removed by
23 the county commission for incompetency, neglect of duty
24 or malfeasance in office after an opportunity to be heard
25 at a public hearing before the county commission. At the
26 first meeting of the board of trustees, and annually
27 thereafter, it shall organize by designating one of its
28 members as chairman and by appointing a secretary
29 and a treasurer who may, but need not be, trustees:
30 *Provided*, That the board of trustees shall designate a
31 treasurer at its first regular meeting subsequent to the
32 effective date of this section.

33 Such board of trustees shall provide for the employ-
34 ment of and shall fix the compensation for and remove
35 at pleasure all professional, technical and other em-
36 ployees, skilled or unskilled, as it may deem necessary
37 for the operation and maintenance of the hospital, clinic,
38 long-term care facility or other related facility; and
39 disbursement of funds in such operation and mainte-
40 nance shall be made only upon order and approval of
41 such board. The board of trustees shall make all rules
42 and regulations governing its meetings and the opera-
43 tion of the hospital, clinic, long-term care facility or

44 other related facility.

§7-3-15a. Transfer of moneys; treasurer for county hospitals; bonding of treasurer; approval of bank accounts; authority to invest.

1 The sheriff of each county shall remit to the board of
 2 trustees of any county hospital all moneys in his
 3 possession held on behalf of such county hospital,
 4 whether or not deposited in a bank or depository unless
 5 the sheriff has been designated treasurer of the county
 6 hospital as provided in this section. Such transfer of
 7 funds shall be made as of the balances on hand on the
 8 thirtieth day of June of the year in which the board of
 9 trustees of such county hospital appoints a treasurer
 10 other than the sheriff, and shall be completed no later
 11 than the first day of August of that year. Such transfer
 12 shall be adjudged complete and final upon the approval
 13 of the sheriff's official settlement for the fiscal year
 14 ending on the thirtieth day of June of the year in which
 15 the board of trustees of such county hospital appoints a
 16 treasurer other than the sheriff, and, any minor
 17 adjustment made necessary by the actually known
 18 figures shall also be made at that time. All balances in
 19 all county hospital funds at the end of each month after
 20 the thirtieth day of June of the year in which the board
 21 of trustees of county hospitals appoints a treasurer other
 22 than the sheriff, shall be transferred by the sheriff to
 23 the board of trustees of such county hospital not later
 24 than the tenth day of the following month.

25 The treasurer for the board shall be the fiscal officer
 26 of the board, or an employee commonly designated as
 27 the person in charge of the financial affairs of the
 28 hospital board or the county sheriff. Upon appointment
 29 this person shall be titled and referred to as treasurer
 30 of the county hospital. For the faithful performance of
 31 this duty, he shall execute a bond, to be approved by the
 32 board of trustees of such county hospital, in the penalty
 33 to be fixed by such board, not to exceed the amount of
 34 funds which it is estimated he will handle within any
 35 period of two months. The premium on such bond shall
 36 be paid by the county hospital.

37 The board of trustees of such county hospital may
38 open a bank account, or accounts, as required to
39 adequately and properly transact the business of the
40 district in a depository, or banks, within the county.
41 Such depositories, or banks, shall provide bond to cover
42 the maximum amount to be deposited at any one time.
43 On and after the first day of July, one thousand nine
44 hundred eighty-six, all levies and any other moneys
45 received by the sheriff and paid to the treasurer of such
46 county hospital shall be deposited in these accounts and
47 all proper payments from such funds shall be made by
48 the designated depository or bank upon order or draft
49 presented for payment and signed by the duly autho-
50 rized signatories of the board of trustees: *Provided*, That
51 in determining the depository for county hospital funds
52 a board member who has a pecuniary interest in a bank
53 within the county shall not participate in the determi-
54 nation of the depository for such funds.

55 If it be deemed that sufficient funds are on hand in
56 any account at any one time which may be more than
57 are normally required for the payment of incurred
58 expenses, such funds in the amount so deemed available
59 may be invested by the treasurer of the county board
60 with the state sinking fund commission, or in guaran-
61 teed certificates of deposit issued by the depository or
62 bank, or other guaranteed investments such as treasury
63 bills, treasury notes or certificates of deposit issued by
64 either the United States government or a banking
65 institution in which federal or state guarantees are
66 applicable. Interest earned in such investments is to be
67 credited to the fund from which the moneys were
68 originally available.

69 For the purposes of this section "county hospital"
70 means any county public hospital, clinic, long-term care
71 facility or other related facility acquired, equipped,
72 furnished, improved or extended under section fourteen
73 of this article.


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

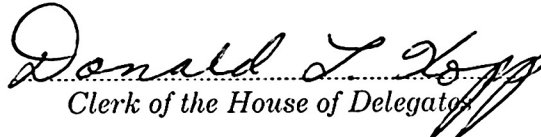

Chairman Senate Committee



Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within  this the 3rd
day of March, 1986.


Governor

PRESENTED TO THE

GOVERNOR

Date 9/25/86

Time 2:48 p.m.

PROPERTY

1935 MAR -7 AM 11:21

of the
State

FILE IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/7/86