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# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



# ENROLLED

## HOUSE BILL No. 4256

(By Delegates Douglas, Collins, Claypole,  
Prunty, Stalnaker and Capito)



Passed February 23, 1998

In Effect ninety days from Passage

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**H. B. 4256**

(BY DELEGATES DOUGLAS, COLLINS, CLAYPOLE,  
PRUNTY, STALNAKER AND CAPITO)

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[Passed February 23, 1998; in effect ninety days from passage.]

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AN ACT to amend and reenact section three, article thirteen-a, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the continuation of the board of examiners of land surveyors.

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

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

**ARTICLE 13A. LAND SURVEYORS.**

**§30-13A-3. Board of examiners of land surveyors created; appointment, terms, removal, etc., of members; officers; meetings; quorum; compensation and expenses.**

1 (a) There is hereby created the state board of  
2 examiners of land surveyors which shall be composed of  
3 three members appointed by the governor by and with the  
4 advice and consent of the Senate. Each member shall  
5 have been actively engaged in the practice of land  
6 surveying for at least ten years and shall be the holder of a  
7 license under the provisions of this article.

8 (b) The members of the board shall be appointed for

9 overlapping terms of three years each ending on the  
10 thirtieth day of June, and until their respective successors  
11 have been appointed and qualified. Members may be  
12 reappointed for any number of terms. Before entering  
13 upon the performance of his duties, each member shall  
14 take and subscribe to the oath required by section five,  
15 article IV of the constitution of this state. Vacancies shall  
16 be filled by appointment by the governor for the  
17 unexpired term of the member whose office shall be  
18 vacant and such appointment shall be made within sixty  
19 days of the occurrence of such vacancy. Any member  
20 may be removed by the governor in case of  
21 incompetency, neglect of duty, gross immorality or  
22 malfeasance in office.

23 (c) The board shall elect from its membership a  
24 chairman and secretary-treasurer. A majority of the  
25 members of the board shall constitute a quorum and  
26 meetings shall be held at the call of the chairman or upon  
27 the written request of two members at such time and place  
28 as designated in such call or request, and, in any event, the  
29 board shall meet at least once annually to conduct the  
30 examination hereinafter provided for and to transact such  
31 other business as may come before it.

32 (d) Members shall be paid such reasonable  
33 compensation as the board may from time to time  
34 determine, and in addition may be reimbursed for all  
35 reasonable and necessary expenses actually incurred in the  
36 performance of their duties, which compensation and  
37 expenses shall be paid in accordance with the provisions  
38 of subsection (b), section four of this article.

39 (e) After having conducted a performance audit  
40 through its joint committee on government operations,  
41 pursuant to section nine, article ten, chapter four of this  
42 code, the Legislature hereby finds and declares that the  
43 board of examiners of land surveyors should be continued  
44 and reestablished. Accordingly, notwithstanding the  
45 provisions of section four of said article, the board of  
46 examiners of land surveyors shall continue to exist until  
47 the first day of July, two thousand four.

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

*[Signature]*  
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Chairman Senate Committee

*[Signature]*  
\_\_\_\_\_

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*[Signature]*  
\_\_\_\_\_

Clerk of the Senate

*[Signature]*  
\_\_\_\_\_

Clerk of the House of Delegates

*[Signature]*  
\_\_\_\_\_

President of the Senate

*[Signature]*  
\_\_\_\_\_

Speaker of the House of Delegates

The within approved this the 6th  
day of March 1998.

*[Signature]*  
\_\_\_\_\_

Governor

PRESENTED TO THE

GOVERNOR

Date 3/4/98

Time 9:46 am