

HB 2719

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WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999

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ENROLLED

House Bill No. 2719

(By Delegates Givens, Yeager,
Thompson and Kelley)

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Passed March 12, 1999

In Effect Ninety Days from Passage

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H. B. 2719

(BY DELEGATES GIVENS, YEAGER,
THOMPSON AND KELLEY)

[Passed March 12, 1999; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article six, chapter fifteen 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 six-a, all relating to authorizing the governor to designate a person to serve on the state armory board in his or her place; and transferring certain functions of the board to the adjutant general.

Be it enacted by the Legislature of West Virginia:

That section four, article six, chapter fifteen 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 six-a, all to read as follows:

ARTICLE 6. STATE ARMORY BOARD.

§15-6-4. State armory board — Generally.

- 1 The state armory board is continued. The board may sue
- 2 and be sued, and plead and be impleaded. It is a body corporate
- 3 and is an agency of the state. The exercise by the board of the
- 4 powers conferred by this article in the acquisition, financing,

5 construction, operation and maintenance of armories and
6 armory projects is an essential governmental function. The
7 board consists of the governor or his or her designee, the
8 secretary of state and the auditor. The governor or his or her
9 designee, is chairman of the board and the secretary of state is
10 the secretary of the board. Two members of the board is a
11 quorum and the vote of two members is necessary for any
12 action taken by the board.

13 The members and officers of the board are not entitled to
14 compensation for their services, but each member shall be
15 reimbursed for expenses necessarily incurred in the perfor-
16 mance of his or her duties.


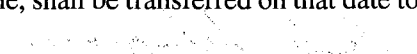
§15-6-6a. Transfer of powers and duties to the adjutant general.

1 (a) Notwithstanding the provisions of sections five and six
2 of this article, all powers and duties of the state armory board,
3 with respect to any armory or armory project upon which there
4 is no bonded indebtedness, and the income of which is not
5 dedicated to retire any bonded indebtedness, to maintain, repair,
6 operate, manage and control the armories; to fix, revise charge
7 and collect rentals; to establish bylaws and rules for their use
8 and operation; to enter into contracts and other agreements; and
9 to manage and control the financial operations of armory
10 facilities, are hereby transferred to the adjutant general.

11 (b) The adjutant general shall transfer any moneys appro-
12 priated to the adjutant general necessary for operation and
13 maintenance of those national guard armories secured by
14 bonded indebtedness to the state armory board, and these
15 moneys may not be commingled with other funds. With respect
16 to all other appropriated moneys, whether from state or federal
17 funds, the adjutant general has signature authority with respect
18 to the management of state armory facilities, is authorized to
19 issue requisitions upon the auditor for payment of money out of
20 the state treasury and has all the powers of the principle officer
21 of a state spending unit.


22 (c) The special revenue account of the state armory board
23 provided for in section ten of this article and designated the

24 "general armory fund," together with all unexpended balances
25 remaining in the account on the first day of July, one thousand
26 nine hundred ninety-nine, shall be transferred on that date to the
27 adjutant general.



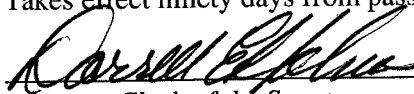
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

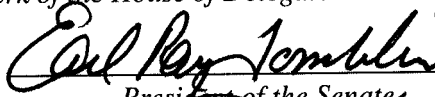

Chairman House Committee


Originating in the House.

Takes effect ninety days from passage.

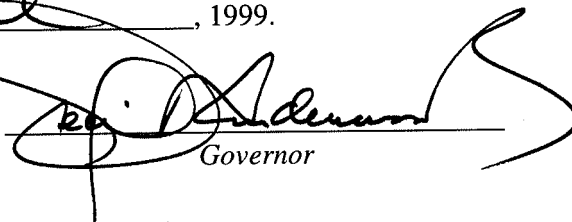

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 2nd
day of April, 1999.


Governor

PRESENTED TO THE

GOVERNOR

Date 4/1/99

Time 2:40 pm