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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



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COMMITTEE SUBSTITUTE
FOR
House Bill No. 4747

(By Mr. Speaker, Mr. Kiss, and
Delegates Martin and Border)



Passed March 11, 2000

In Effect Ninety Days from Passage

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FOR

H. B. 4747

(BY MR. SPEAKER, MR. KISS, AND
DELEGATES MARTIN AND BORDER)

[Passed March 11, 2000; in effect ninety days from passage.]

AN ACT to reform, alter and modify the county commission of Wirt
County under the provisions of section thirteen, article nine of the
constitution of West Virginia.

Be it enacted by the Legislature of West Virginia:

WIRT COUNTY COMMISSION.

§1. Legislative findings.

1 The Legislature hereby finds and declares that, by a petition
2 presented to the county commission of the county of Wirt, at
3 least ten percent of the registered voters of said county have
4 requested the reformation, alteration and modification of the
5 county commission of said county, so as to replace the county
6 commission with a new form of administration entitled the

7 county administrators. The Legislature further finds and
8 declares that, by a letter dated the eighteenth day of January,
9 two thousand, said county commission has verified that the
10 petition is proper and has requested the Legislature to so
11 reform, alter and modify said county commission, as required
12 by the provisions of section thirteen, article nine of the constitu-
13 tion of this state. The Legislature further finds and declares that
14 it fulfills the mandatory requirements of said petition and of
15 said section thirteen of the constitution by the provision of this
16 act.

**§2. Reformation, alteration and modification of the Wirt County
commission; composition; application of laws.**

1 That on and after the first day of January, two thousand
2 one, a tribunal of five persons called the county administrators
3 shall replace the previous and existing county commission in
4 the county of Wirt, and shall have the powers, duties and
5 responsibilities of a county commission as provided for in the
6 constitution and general laws of this state. Notwithstanding any
7 other provision to the contrary, any reference to a county
8 commission or to county commissioners in the constitution or
9 laws of this state shall be construed to include and to reference
10 the county administrators in the county of Wirt, unless the
11 reference conflicts with a specific provision of this act.

**§3. Election of county administrators; terms of office; meetings;
chief administrator; compensation; exception.**

1 At the general election to be held in the year two thousand,
2 there shall be elected on a nonpartisan ballot by the voters of
3 the county of Wirt, five county administrators, no more than
4 two to be elected from any one county district. If three or more
5 persons residing in the same district shall receive the greatest
6 number of votes cast at any election then only two of such
7 persons receiving the highest number shall be declared elected,

8 and the person living in another district, who shall receive the
9 next highest number of votes, shall be declared elected. The
10 county administrators shall hold office for a term of four years
11 and may serve no more than two consecutive terms, except that
12 at the first meeting of said county administrators elected in the
13 year two thousand, the administrators shall designate the person
14 receiving the highest number of votes in each of the county's
15 three districts and those three county administrators shall serve
16 initial four year terms. The elected county administrator who
17 received the next highest number of votes and the elected
18 county administrator with the least amount of votes shall each
19 serve an initial two year term and then may each stand for
20 reelection to four year terms.

21 The county administrators shall meet at least twenty-four
22 times annually and may call such special meetings as needed,
23 including meetings as the board of equalization. Each county
24 administrator shall receive one hundred dollars for each
25 meeting attended. At the first meeting of said county adminis-
26 trators elected in the year two thousand, the administrators shall
27 designate by lot, or otherwise in such manner as they may
28 determine, one of their number who shall serve as chief
29 administrator. The chief administrator shall serve as chairper-
30 son of the county administrators and the position shall be
31 rotated on an annual basis.

**§4. Submission to voters of question of reformation, alteration
and modification of the county commission; publications.**

1 At the primary election to be held in the year two thousand,
2 the question of the reformation, alteration and modification of
3 the county commission as provided in this act shall be submit-
4 ted to the voters of Wirt County voting at such election, on a
5 separate ballot furnished by the county commission, in the
6 following form:

7 “For reformation of the county commission. □

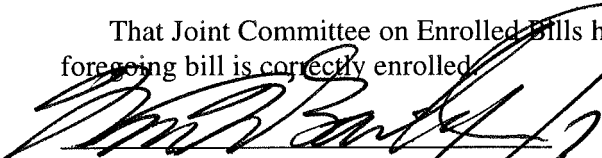
8 Against reformation of the county commission. □”

9 Notice of the election on the question shall be given by
10 publication of this act in each weekly or daily newspaper as a
11 Class II-O legal advertisement in compliance with the provi-
12 sions of article three, chapter fifty-nine of the code of West
13 Virginia, one thousand nine hundred thirty-one, as amended, in
14 the county at least once in each week for two successive weeks
15 immediately preceding the election.

**§5. Effect of result of vote on modification of the county commis-
sion.**

1 If a majority of the votes cast upon the question be for
2 reformation of the county commission, this act shall be and
3 remain in full force and effect; but, if a majority of said votes
4 be against reformation of said county commission, said act shall
5 be void and of no further force and effect.


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.

In effect ninety days from passage.

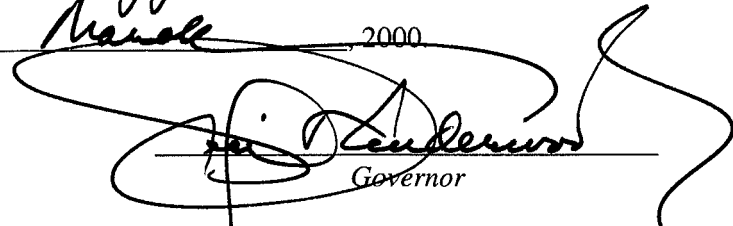

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 3/5
day of March, 2000


Governor

PRESENTED TO THE

GOVERNOR

Date 3/29/00

Time 3:20 pm