

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

ENROLLED

House Bill 4301

BY DELEGATE ROHRBACH

[Passed February 14, 2022; in effect from passage.]

FILED

2022 FEB 16 P 2:29

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SECRETARY OF STATE

HB 4301

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1 AN ACT to amend and reenact section two, chapter 26, Acts of the Legislature, regular session,
2 1925 (municipal charters), as last amended by chapter 187, Acts of the Legislature,
3 regular session 2011, relating to election of commissioners to Greater Huntington Park
4 and Recreation District Board; providing for nonpartisan elections; modifying composition
5 of board; modifying timing of elections; providing for number and composition of
6 commissioners to be elected at primary election in 2022; providing for number and
7 composition of commissioners to be elected at primary election in 2024; and providing for
8 number and composition of commissioners to be elected at primary election in 2026.

Be it enacted by the Legislature of West Virginia:

GREATER HUNTINGTON PARK AND RECREATON DISTRICT.

**§2. Greater Huntington Park and Recreation District; composition, terms of office;
nonpartisan political affiliation; no commissioner may hold another elected public
office; compensation; expanses; no commissioner may be personally interested in
contacts or property controlled by the board.**

1 (a) The purpose of the Greater Huntington Park and Recreation District Board is to
2 establish, own, develop and operate a park system for the benefit, health, safety, welfare,
3 pleasure, and relaxation of the inhabitants of the Greater Huntington Park and Recreation District.

4 (b) The Park Board shall consist of ten nonpartisan commissioners, nine of whom shall be
5 elected from Cabell County, but no more than three of whom shall be elected from any one
6 magisterial district, and one of whom shall be elected from Westmoreland magisterial district in
7 the county of Wayne. The commissioners shall be elected pursuant to subdivision (1) of this
8 subsection.

9 (1) Commissioners of the Park District shall be elected in the nonpartisan primary election
10 for state officers on the second Tuesday in May and in the manner prescribed by law for the
11 nomination and election of nonpartisan district officers, except as provided in this section.

12 (A) At the general election in the year 1984, there shall be elected six commissioners. One
13 commissioner shall be elected from the Westmoreland Magisterial District in the County of
14 Wayne. Five commissioners shall be elected from the County of Cabell. In Westmoreland District
15 of Wayne County, the person receiving the highest number of votes shall be elected for a term of
16 six years. In Cabell County, the three persons receiving the highest number of votes shall be
17 elected for a term of six years, the person receiving the next highest number of votes shall be
18 elected for a term of four years, and the remaining elected commissioner shall be elected for a
19 term of two years.

20 (B) Beginning at the general election in the year 1986 and every sixth year thereafter,
21 there shall be elected three commissioners who shall be elected for a term of six years.

22 (C) Beginning at the general election in the year 1988 and every sixth year thereafter,
23 there shall be elected three commissioners who shall be elected for a term of six years.

24 (D) Beginning at the general election in the year 1990 and every sixth year thereafter,
25 there shall be elected four commissioners who shall be elected for a term of six years.

26 (E) Beginning at the general election in the year, 2004, and every sixth year thereafter,
27 there shall be elected four commissioners from the county of Cabell who shall be elected for a
28 term of six years.

29 (F) Beginning at the general election in the year, 2006, and every sixth year thereafter,
30 there shall be elected three commissioners from the county of Cabell who shall be elected for a
31 term of six years.

32 (G) Beginning at the general election in the year, 2008, and every sixth year thereafter,
33 there shall be elected four commissioners who shall be elected for a term of six years. One
34 commissioner shall be elected from the Westmoreland magisterial district in the county of Wayne.
35 Three commissioners shall be elected from the county of Cabell.

36 (H) Beginning at the primary election in the year 2022 there shall be elected five
37 commissioners. Three commissioners shall be elected for a term of six years and elected every

38 sixth year thereafter. One commissioner shall be elected from Westmoreland magisterial district
39 in the county of Wayne. One commissioner shall be elected from magisterial district 2 in the county
40 of Cabell. One commissioner shall be elected from magisterial district 3 in the county of Cabell.

41 One commissioner shall be elected from magisterial district 2 in the county of Cabell for a
42 two-year unexpired term. One commissioner shall be elected from magisterial district 3 in the
43 county of Cabell for a four-year unexpired term.

44 (I) Beginning at the primary election in the year 2024 there shall be elected four
45 commissioners. Three commissioners shall be elected for a term of six years and elected every
46 sixth year thereafter. One commissioner shall be elected from magisterial district 1 in the county
47 of Cabell. One commissioner shall be elected from magisterial district 2 in the county of Cabell.
48 One commissioner shall be elected from magisterial district 3 in the county of Cabell. One
49 commissioner shall be elected from magisterial district 1 in the county of Cabell for a four-year
50 unexpired term.

51 (J) Beginning at the primary election in the year 2026 there shall be elected three
52 commissioners. Three commissioners shall be elected for a term of six years and elected every
53 sixth year thereafter. One commissioner shall be elected from magisterial district 1 in the county
54 of Cabell. One commissioner shall be elected from magisterial district 2 in the county of Cabell.
55 One commissioner shall be elected from magisterial district 3 in the county of Cabell.

56 (2) The commissioners in office upon the effective date of this act under the authority of
57 the acts hereby amended and reenacted, shall continue in office for the term for which they were
58 elected.

59 (c) No elected commissioners may hold any other elected or appointed public office.

60 (d) Commissioners may receive no compensation for their services as commissioners, but
61 they shall be entitled to reimbursement for all reasonable and necessary expenses actually
62 incurred in the performance of their duties as commissioners.

63 (e) Commissioners may not have any personal financial interest, directly or indirectly, in
64 any contract entered into by the Park District, or hold any remunerative position in connection with
65 the establishment, construction, improvement, extension, development, maintenance or
66 operation of any of the property under their control as commissioners.

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

Dean Jeffries
.....
Chairman, House Committee

Mark Warner
.....
Chairman, Senate Committee

Originating in the House.

In effect from passage.

Steve Harris
.....
Clerk of the House of Delegates

Joe Lamm
.....
Clerk of the Senate

Bob Donahoe
.....
Speaker of the House of Delegates

G. P. Bobb
.....
President of the Senate

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SECRETARY OF STATE

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FILED

The within *is approved* this the *11th*
day of *February*, 2022.

James O. Eastman
.....
Governor

PRESENTED TO THE GOVERNOR

FEB 15 2022

Time 1:48 pm