

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1993



ENROLLED

SENATE BILL NO. 559

(By Senator Wooten)



PASSED April 10, 1993

In Effect 90 days from Passage

E N R O L L E D

Senate Bill No. 559

(BY SENATOR WOOTON)

[Passed April 10, 1993; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article twenty-two, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the composition of the state lottery commission; relating to compensation of commission members; and providing that two members of the lottery commission be appointed as vacancies from each of the new congressional districts.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 22. STATE LOTTERY ACT.

§29-22-4. State lottery commission created; composition; qualifications; appointment; terms of office; chairman's removal; vacancies; compensation and expenses; quorum; oath and bond.

1 (a) There is hereby created a state lottery commis-
2 sion which shall consist of seven members, all resi-
3 dents and citizens of the state, one who shall be a
4 lawyer, one who shall be a certified public accountant,

5 one who shall be a computer expert, one who shall
6 have not less than five years experience in law
7 enforcement and one who shall be qualified by experi-
8 ence and training in the field of marketing. The two
9 remaining members shall be representative of the
10 public at large. The commission shall carry on a
11 continuous study and investigation of the lottery
12 throughout the state and advise and assist the director
13 of the state lottery. The commission members shall be
14 appointed by the governor, by and with the advice and
15 consent of the Senate, no later than the first day of
16 July, one thousand nine hundred eighty-five. The
17 terms of members first appointed expire as designated
18 by the governor at the time of appointment: One at
19 the end of one year; two at the end of two years; one
20 at the end of three years; two at the end of four years;
21 and one at the end of five years. Upon the effective
22 date of this section, as vacancies occur, appointments
23 to fill vacancies shall be made so that at least two
24 members are appointed from each congressional
25 district existing as of the first day of January, one
26 thousand nine hundred ninety-three. No more than
27 four members of such commission shall belong to the
28 same political party. Members serve overlapping terms
29 of five years and are eligible for successive appoint-
30 ments to the commission. On the first day of July of
31 each year, the commission shall select a chairman
32 from its membership. The governor may remove any
33 commission member for cause, notwithstanding the
34 provisions of section four, article six, chapter six of
35 this code. Vacancies shall be filled in the same manner
36 as the original appointment but only for the remain-
37 der of the term. No person convicted of a felony or
38 crime involving moral turpitude shall be eligible for
39 appointment nor appointed as a commissioner.


40 (b) The board shall pay each member the same
41 compensation as is paid to members of the Legislature
42 for their interim duties as recommended by the
43 citizens legislative compensation commission and
44 authorized by law for each day or portion thereof
45 engaged in the discharge of official duties and shall
46 reimburse each member for actual and necessary

47 expenses incurred in the discharge of official duties:
48 *Provided*, That the per mile rate to be reimbursed
49 shall be the same rate as authorized for members of
50 the Legislature. All such payments shall be made from
51 the state lottery fund.

52 (c) At least one meeting per month shall be held by
53 the commission. Additional meetings may be held at
54 the call of the chairman, director or majority of the
55 commission members.

56 (d) A majority of the members constitutes a quorum
57 for the transaction of business, and all actions require
58 a majority vote of the members present.

59 (e) Before entering upon the discharge of the duties
60 as commissioner, each commissioner shall take and
61 subscribe to the oath of office prescribed in section
62 five, article IV of the constitution of West Virginia and
63 shall enter into a bond in the penal sum of one
64 hundred thousand dollars with a corporate surety
65 authorized to engage in business in this state, condi-
66 oned upon the faithful discharge and performance of
67 the duties of the office. The executed oath and bond
68 shall be filed in the office of the secretary of state.



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

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
..... Ernest C. Moore
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within *is approved* this the *23rd*
day of *April*, 1993.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/19/93

Time 9:55am