

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4301

BY DELEGATE ROHRBACH

[Introduced January 20, 2022; Referred to the
Committee on Government Organization]

1 A BILL to amend and reenact section 2, chapter twenty-six, Acts of the Legislature, regular
2 session, 1924 (municipal charters), as last amended by chapter one hundred, Acts of the
3 Legislature, regular session 2003, relating to reforming membership requirements of the
4 Greater Huntington Park and Recreation District.

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

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

13 (A) At the general election in the year 1984, there shall be elected six commissioners. One
14 commissioner shall be elected from the Westmoreland Magisterial District in the County of
15 Wayne. Five commissioners shall be elected from the County of Cabell. In Westmoreland District
16 of Wayne County, the person receiving the highest number of votes shall be elected for a term of

17 six years. In Cabell County, the three persons receiving the highest number of votes shall be
18 elected for a term of six years, the person receiving the next highest number of votes shall be
19 elected for a term of four years, and the remaining elected commissioner shall be elected for a
20 term of two years.

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

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

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

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

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

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

37 (H) Beginning at the primary election in the year 2022 there shall be elected five
38 commissioners. Three commissioners shall be elected for a term of six years and elected every
39 sixth year thereafter. One commissioner shall be elected from Westmoreland magisterial district
40 1 in the county of Wayne. One commissioner shall be elected from magisterial district 2 in the
41 county of Cabell. One commissioner shall be elected from magisterial district 3 in the county of
42 Cabell.

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

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

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

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

61 (c) No elected commissioners ~~shall~~ may hold any other elected or appointed public office.

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

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

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NOTE: The purpose of this bill is to reform membership requirements of the Greater Huntington Park and Recreation District.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.