

**Senate Bill No. 321**

(By Senators Kessler (Mr. President) and M. Hall,

By Request of the Executive)

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[Introduced January 10, 2014; referred to the Committee on  
Government Organization; and then to the Committee on the  
Judiciary.]  
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11 A BILL to amend and reenact §5-4-1 and §5-4-2 of the Code of West  
12 Virginia, 1931, as amended, all relating to the Board of  
13 Public Works; providing for board members to be represented by  
14 designees; and permitting board members to vote by proxy.

15 *Be it enacted by the Legislature of West Virginia:*

16 That §5-4-1 and §5-4-2 of the Code of West Virginia, 1931, as  
17 amended, be amended and reenacted, all to read as follows:

18 **ARTICLE 4. BOARD OF PUBLIC WORKS.**

19 **§5-4-1. How constituted; powers and duties.**

20 The Governor, Secretary of State, Auditor, Superintendent of  
21 Free Schools, Treasurer, Attorney General, and Commissioner of  
22 Agriculture, or their designees, shall be and constitute a  
23 corporation under the style of "The Board of Public Works." The

1 said board shall have the powers and perform the duties prescribed  
2 for it by law. Board members shall vote in person or by proxy.

3 **§5-4-2. Secretary; records.**

4 The Secretary of State, or his or her designee, shall act as  
5 secretary of the board, and shall keep a record of the official  
6 acts thereof, and shall discharge such other duties as may be by  
7 the board prescribed. The proceedings of each day shall be signed  
8 by the officer presiding on that day and shall at all times be open  
9 to inspection.

NOTE: The purpose of this bill is to allow members of the Board of Public Works to be represented by designees and to vote by proxy.

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