WEST VIRGINIA CODE: §17-16A-3

§17-16A-3. West Virginia Parkways Authority.

(a) The West Virginia Parkways, Economic Development, and Tourism Authority is continued as an agency of the state, and commencing July 1, 2010, it shall be known as the West Virginia Parkways Authority. Any reference to the West Virginia Parkways, Economic Development, and Tourism Authority within this code shall mean the West Virginia Parkways Authority.

(b) The authority shall consist of the following seven members:

(1) The Governor or a designee;

(2) The Secretary of the Department of Transportation or a designee;

(3) Two public members representing the first congressional district;

(4) Two public members representing the second congressional district;

and

(5) One at-large public member.

(c) The term for the public members shall be five years. All public members' appointments shall be made by the Governor, by and with the advice and consent of the Senate.

(d) A public member may not serve more than two consecutive full five-year terms. A public member may continue to serve until a successor has been appointed and has qualified.

(e) Each public member shall be a resident of this state during the appointment term and shall have been a qualified elector for a period of at least one year next preceding the appointment.

(f) A vacancy on the authority shall be filled by appointment by the Governor for the unexpired term of the public member whose office is vacant and the appointment shall be made within 60 days of the vacancy.

(g) The Governor may remove any public member from the authority for neglect of duty, incompetency, or official misconduct.

(h) A public member immediately and automatically forfeits membership to the authority if he or she is convicted of a felony under the laws of any jurisdiction, or becomes a nonresident of this state.

WV Legislature

(i) The Governor or designee shall serve as chair of the authority. The authority shall annually elect one of the public members as vice chair, and shall also elect a secretary and treasurer who need not be members of the authority.

(j) The Governor shall appoint an executive director of the authority, by and with the advice and consent of the Senate. The executive director serves at the will and pleasure of the Governor. The executive director is responsible for managing and administering the daily functions of the authority and performing all other functions necessary to the effective operation of the authority. The compensation of the executive director is annually set by the Governor.

(k) The public members of the authority are not entitled to compensation for their services, but shall be reimbursed for all reasonable and necessary expenses actually incurred in the performance of their duties in a manner consistent with guidelines of the Travel Management Office of the Department of Administration.

(l) Four members of the authority constitutes a quorum and the vote of a majority of members present shall be necessary for any action taken by the authority. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority.

(m) The authority shall meet at least monthly. The chair or any four members of the authority may call a special meeting: *Provided*, That notice shall be given to all members of the authority not less than 10 days prior to any special meeting.

(n) Prior to commencing his or her duties as a member of the authority, each public member shall take and subscribe to the oath required by section five, article IV of the Constitution of this state.

(o) Before the issuance of any revenue bonds or revenue refunding bonds under the provisions of this article, each public member of the authority shall execute a surety bond in the penal sum of $25,000. The secretary and treasurer of the authority shall execute a surety bond in the penal sum of $50,000. Each surety bond shall be conditioned upon the faithful performance of the duties of his or her office, shall be executed by a surety company authorized to transact business in West Virginia as a surety, shall be approved by the Governor and filed in the Office of the Secretary of State.

(p) All expenses incurred in carrying out the provisions of this article shall be paid solely from funds provided under this article and no liability or obligation shall be incurred by the authority beyond the extent to which moneys shall have been provided under this article.

WV Legislature