

# WEST VIRGINIA CODE: §22C-12-2

## **§22C-12-2. Appointment of members of commission; director of Division of Environmental Protection member ex officio.**

In pursuance of article four of said compact, there shall be three members of the "Ohio River valley water sanitation commission" from the State of West Virginia. The Governor, by and with the advice and consent of the Senate, shall appoint two persons as two of such commissioners, each of whom shall be a resident and citizen of this state. The terms of one of the said two commissioners first appointed shall be three years and of the other shall be six years; and their successors shall be appointed by the Governor, by and with the advice and consent of the Senate for terms of six years each. Each commissioner shall hold office until his successor shall be appointed and qualified. Vacancies occurring in the office of any such commissioner from any reason or cause shall be filled by appointment by the Governor, by and with the advice and consent of the Senate, for the unexpired term. The third commissioner from this state is the director of the Division of Environmental Protection, ex officio, and the term of the ex officio commissioner terminates at the time he ceases to hold the office of director of the Division of Environmental Protection, and his successor as a commissioner shall be his successor as the director of the Division of Environmental Protection. With the exception of the issuance of any order under the provisions of article nine of the compact, the ex officio commissioner may delegate, from time to time, to any deputy or other subordinate in his division or office, the power to be present and participate, including voting, as his representative or substitute at any meeting of or hearing by or other proceeding of the commission. The terms of each of the initial three members shall begin at the date of the appointment of the two appointive commissioners, provided the said compact shall then have gone into effect in accordance with article eleven of the compact; otherwise shall begin upon the date which said compact shall become effective in accordance with said article eleven.

Any commissioner may be removed from office by the Governor.