

## WEST VIRGINIA CODE: §29-27-3

### **§29-27-3. Creation; appointment of board; terms; expenses; executive director.**

(a) There is hereby created the "national coal heritage area authority" which is a public corporation and a government instrumentality existing for the purposes of providing direction to and assistance with state and federal historic preservation, economic development, and tourism projects in the national coal heritage area and aiding in the development and implementation of integrated cultural, historical, and land resource management policies and programs in order to retain, enhance, and interpret the significant values of the lands, waters and structures in the national coal heritage area.

(b) The authority board shall be comprised of twenty members. The following six persons shall be nonvoting members and shall serve by virtue of their offices and may be represented at meetings of the board by designees: The secretary of the Department of Education and the arts, the commissioner of the bureau of the environment, the commissioner of the Division of Tourism, the commissioner of the Division of Culture and History, the director of the Division of Natural Resources and the executive director of the West Virginia Development Office. The remaining fourteen members shall be appointed for terms of four years by the Governor with the advice and consent of the Senate. The county commission of each of the county within the National Coal Heritage Area may submit to the Governor a list of three candidates to be considered for Board appointment. Of the fourteen members appointed by the Governor, one member must reside or work in Boone County; one member must reside or work in Cabell County; one member must reside or work in Fayette County; one member must reside or work in Lincoln County; one member must reside or work in Logan County; one member must reside or work in Kanawha county; one member must reside or work in Marion county: Provided, That this member shall be an ex-officio non-voting member; one member must reside or work in McDowell County; one member must reside or work in Mercer County; one member must reside or work in Mingo County; one member must reside or work in Raleigh County; one member must reside or work in Summers County; one member must reside or work in Wayne County; one member must reside or work in Wyoming County; and the appointees must be representative of the tourism industry, the coal industry, the united mine workers of America, economic development activity, historic preservation activity or higher education.

(c) The terms of office shall be four years and shall expire on June 30. No appointed member may serve more than two consecutive full terms. A member shall continue to serve until his or her successor has been appointed and qualified.

(d) If an appointed member is unable to complete a term, the Governor shall appoint a person to complete the unexpired term. Each vacancy occurring on the board must be filled within sixty days after the vacancy is created.

(e) Any appointed member of the board shall immediately and automatically forfeit his or her

membership on the board if he or she becomes a nonresident of the county, or ceases to be employed in that county, from which he or she was appointed.

(f) Each member of the board shall serve without compensation, but shall receive expense reimbursement for all reasonable and necessary expenses actually incurred in the performance of the duties of the office, in the same amount paid to members of the Legislature for their interim duties as recommended by the citizens legislative compensation commission and authorized by law: Provided, That no member may be reimbursed for expenses paid by a third party.

(g) The board shall appoint an executive director to act as its chief executive officer, to serve at the will and pleasure of the board. The board, acting through its executive director, may employ any other personnel considered necessary and may appoint staff for the authority and retain such temporary consultants or technicians as may be required for any special study or survey consistent with the provisions of this article. The executive director shall carry out plans to implement the provisions of this article and to exercise those powers. The executive director shall prepare annually a budget to be submitted to the board for its review and approval.