WEST VIRGINIA CODE CHAPTER 5B ARTICLE 9

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§5B-9-1. Flatwater Trail Commission; members, appointment, and expenses.

(a) The Flatwater Trail Commission is hereby created as an independent body corporate. It shall be a commission advisory to the secretary and to the Department of Commerce.

(b) The Flatwater Trail Commission shall consist of five members, who shall be residents and citizens of the state. The commission members shall be appointed by the Governor, by and with the advice and consent of the Senate. Throughout the operation of the commission, at least two of the members shall have knowledge of and experience with nonmotorized watercraft recreation, and at least two members shall have knowledge of and experience with motorized watercraft recreation. Each member shall serve a term of five years. Of the members first appointed, two shall be appointed for a term ending December 31, 2021, and one each for terms ending one, two, and three years thereafter. Commission members may be reappointed to additional terms.

(c) The chair of the Flatwater Trail Commission shall be appointed by the Governor from members then serving on the commission and serves at the will and pleasure of the Governor.

(d) It is the duty of the commission:

(1) To unify and coordinate efforts to develop and establish successful flatwater trails in this state;

(2) To standardize procedures, programs, research, and support for the development and establishment of flatwater trails;

(3) To disseminate information for the purpose of educating the public as to the existence and functions of the commission and as to the availability of state, federal, and nongovernmental resources and support for the development and establishment of flatwater trails; and

(4) To advise, consult, and cooperate with other offices of the Department of Commerce and other agencies of state government, and to receive assistance therefrom in the development of activities and programs of beneficial interest to water recreation and flatwater trails.

(e) The Department of Commerce shall assist the commission in its functions and operations, including, but not limited to, providing administrative, clerical, and technical support, publishing materials developed by the commission, and preparation of proposed legislation to further the purposes of the commission.

(f) Members of the Flatwater Trail Commission are not entitled to compensation for services performed as members. Each member is entitled to reimbursement for reasonable expenses incurred in the discharge of their official duties. All expenses incurred by members shall be paid in a manner consistent with guidelines of the Travel Management Office of the Department of Administration and are payable solely from the funds of the Department of

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Commerce or from funds appropriated for that purpose by the Legislature. Liability or obligation is not incurred by the commission beyond the extent to which moneys are available from funds of the authority or from the appropriations.

(g) Members shall meet at least quarterly as designated and scheduled by the chair. The presence of three members, in person or by real-time electronic communication, constitutes a quorum to conduct business at a meeting.

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