WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

SENATE BILL No. 152

(By Mr. Randolph, Mr. President)

PASSED March 7, 1941

In Effect 90 days from Passage
AN ACT to amend chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto a new article ten, creating a state planning board and prescribing its powers and duties.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, be amended by adding thereto a new article ten, to read as follows:

Article 10. State Planning Board.

Section 1. State Planning Board; Number of Members;

2 How Appointed. There is hereby created a “State Planning
Board," hereinafter referred to as the board, to consist of

twelve members, five of whom shall be appointed by the
Governor, by and with the advice and consent of the
Senate.

Sec. 2. Ex Officio Members; Five Who Hold No Public
Office. Seven members of the board shall be members,
ex officio, namely: the commissioner of agriculture, the
director of conservation, the state geologist, the state road
commissioner, the state commissioner of health, the state
superintendent of schools, and the chairman of the public
service commission.

Five members of the board shall be chosen from citizens
of the state who hold no public office of profit within the
state, other than membership in the Legislature or upon
the faculty of any state institution of higher learning.

Sec. 3. Terms of Members. The members ex officio of
the board shall hold office during their tenure as state
officers by virtue of which they are members of the
board.

The terms of the remaining five members shall be for
four years, and until their successors are appointed and
qualified. The first of the five members appointed shall serve for a period of one year; the second, for a period of two years; the third, for a period of three years; the fourth and fifth, for a period of four years. Thereafter, all such appointments shall be made for a term of four years, except that in case of a vacancy the appointment shall be made to fill the unexpired term.

Sec. 4. Compensation of Members. The Governor shall designate an appointed member as chairman of the board. All members shall serve without compensation, but shall be allowed such reasonable expenses as may be incurred in the immediate discharge of their duties as members of the board. Such expenses shall be met out of any funds available for the purpose, and shall be paid upon certification of the chairman of the board, in such manner as the expenses of other state officials are paid.

Sec. 5. Offices of Board. The board shall be supplied with necessary office space in the state capitol or in some other state office building. It shall meet upon the call of the chairman and upon such other call and at such other times as it may determine. A majority of the
members shall constitute a quorum for the transaction of business.

Sec. 6. Rules of Board. The board shall provide rules for the conduct of its proceedings. It shall keep permanent and complete public records of its meetings, hearings, orders and decisions. It may employ an executive secretary or secretary-engineer who shall be qualified by special training and experience in the field of state, local or national planning, and may employ such other technical and clerical assistants as may be required. It may fix their compensation, subject to the personnel classification and salary schedules provided by law, and may within the limits of the funds available, incur any other expenses necessary to the effective discharge of its powers and duties.

The board may request the assistance and advice of other state departments and agencies in making its studies and in formulating its plans.

Sec. 7. Duties of Board. The board shall prepare and from time to time perfect a state master plan for the
physical, social and economic development of the state, and shall prepare and keep current a proposed long-term program of major state improvements relating to the comprehensive development of the natural and artificial resources of the state. The board also may, and at the request of the Governor shall:

(1) Advise with the various federal, state and local authorities, and particularly with out-of-state and intra-state planning authorities, as to ways and means of coordinating all plans for the physical development of the state, including plans for highways, airways and air terminals, parkways, parks, water supply developments, flood control, land use, recreation area and forest reservations, and any other plans, projects or programs that may be related to the purposes of this act.

(2) Make studies of rural land utilization with a view to determining areas suitable for field crops, reforestation, watershed protection, reclamation, recreation, summer residence and industrial and urban expansion.
(3) Collect and publish information and prepare and publish maps pertaining to soil conditions, land use and classification, population distribution, schools, parks, playgrounds, ports, waterways, parkways, highways, roads, traffic, transportation, water supply, drainage, flood control, water power resources, sewage, building and housing conditions, and other matters relating to the comprehensive physical development of the state, and make such recommendations to the Governor and to the Legislature as it may deem advisable.

(4) Collect and publish information pertaining to the development and utilization of the mineral and other natural resources of the state, and foster research therein.

(5) Make studies, collect and publish information pertaining to the industrial and commercial development of the state.

Sec. 8. Public Hearings on Plans. Before submitting any plan, or partial plan, to the Governor and the Legislature, the board may hold public hearings thereon. The state master plan, or any part thereof, when approved by
the Governor and endorsed by concurrent resolution of the Legislature, shall become the "Official State Plan," or a part thereof.

Sec. 9. **Board May Enter into Agreements.** The board may enter into agreements with counties or municipalities of the state for the promotion of, and for the rendering of consultative services with respect to, the planning of the county or municipality. The agreement may provide that the county or municipality shall pay part or all of the expense of such services.

Sec. 10. **Board May Expend Funds.** The board is authorized to spend any funds made available for the purposes of this act, and to accept and use funds provided for the purposes of this act by the government of the United States in accordance with federal requirements and under such conditions as the laws of this state may provide.

Sec. 11. **Report of Board.** The board shall submit a report of progress to the Governor and to the Legislature in January of each year, in addition to such other recommendations, studies and plans as it may submit from time to time.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

C. H. KOW
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the Senate

Takes effect 20 days from passage

O. Lee Watters
Clerk of the Senate

J. Sculliff
Clerk of the House of Delegates

Byron B. Randolph
President of the Senate

Malcolm P. Arnold
Speaker House of Delegates

The within approved this the 14th day of March, 1941.

Matthew Mummery
Governor.

Filed in the office of the Secretary of State of West Virginia.

Wm. S. O'Brien,
Secretary of State