

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1959

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**ENROLLED**

SENATE BILL NO. 340

(By Mr. Bean, Mr. President  
and Mr. Canigan)

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PASSED March 14 1959

In Effect From Passage



Filed in Office of the Secretary of State  
of West Virginia MAR 20 1959  
JOE F. BURDETT  
SECRETARY OF STATE

340

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**Senate Bill No. 340**

(By MR. BEAN, MR. PRESIDENT, AND MR. CARRIGAN)

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[Passed March 14, 1959; in effect from passage.]

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AN ACT to amend chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article designated article thirteen, relating to the establishing of an "Economic Development Agency" for the purpose of accelerating a return to and maintenance of a stable economy in West Virginia; providing a facility for the utilization of funds from the government of the United States and other sources for the accomplishment of such objectives; and abolishing the "State Planning Board" and transferring the powers and duties thereof to the "Economic Development Agency".

*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, as amended, be amended by adding thereto a new article designated article thirteen to read as follows:

**Article 13. Economic Development Agency.**

Section 1. *Economic Development Agency; Number of Members; How Appointed.*—There is hereby created the “Economic Development Agency”, hereinafter referred to as the “Agency”, to consist of nine members, not more than five of whom shall be of the same political party, who shall be appointed by the governor, by and with the advice and consent of the Senate.

Sec. 2. *Terms of Members.*—The terms of the members shall be for four years, and until their successors are appointed and qualified. The first three members appointed shall serve for a period of one year; the second two, for a period of two years; the next two for a period of three years; and the remaining two, for a period of four years. Thereafter, all such appointments shall be made for a

8 term of four years, except that in case of a vacancy the  
9 appointment shall be made to fill the unexpired term.

Sec. 3. *Honorarium and Traveling Expenses.*—Each  
2 member of the agency shall receive an honorarium of  
3 twenty-five dollars for each day actually served in at-  
4 tendance at meetings of the agency, and actual expenses  
5 incurred in the performance of his duties under the provi-  
6 sions of this article.

Sec. 4. *Chairman of the Agency.*—The governor shall  
2 annually designate a member as chairman of the agency.

Sec. 5. *Offices of Agency; Meetings of Agency; Quorum.*  
2 —The agency shall be supplied with necessary office space  
3 in the state capitol or in some other state office building.  
4 It shall meet upon the call of the chairman and upon such  
5 other call and at such other times and places as it may de-  
6 termine. A majority of the members shall constitute a  
7 quorum for the transaction of business.

Sec. 6. *Rules of Agency; Records; Employees.*—The  
2 agency shall provide rules for the conduct of its proceed-  
3 ings. It shall keep permanent and complete public records  
4 of its meetings, hearings, orders, and decisions. In order to

5 carry out the purposes of this article, the agency shall ap-  
6 point an executive director, who shall be qualified by  
7 special training and experience in the field of state, local,  
8 or national economic planning and community develop-  
9 ment, employ such other technical and clerical assistance  
10 as may be required. It may fix their compensation, and  
11 may within the limits of the funds available, incur any  
12 other expenses necessary to the effective discharge of its  
13 powers and duties. The agency may request the assistance  
14 and advice of other state departments and agencies in  
15 making its studies and in formulating its plans.

Sec. 7. *Duties of the Agency.*—The agency shall prepare  
2 and maintain a master plan for the physical, social, and  
3 economic development of the state, and shall prepare and  
4 keep current a proposed long-range program of major  
5 state improvements relating to the comprehensive devel-  
6 opment of natural and artificial resources of this state.  
7 The agency shall cooperate with existing federal and state  
8 departments and other agencies or groups in perfecting  
9 and promoting said master plan. The agency also may and,  
10 at the request of the governor, shall:

11 (1) Advise with the various federal, state and local au-  
12 thorities and any other agency or group whose interests  
13 are in harmony with the purposes of this act, and particu-  
14 larly with out-of-state and intrastate planning authorities  
15 as to ways and means of coordinating all plans for the  
16 physical and economic development of the state.

17 (2) Publish information as an aid to planning on both  
18 community and state levels.

19 (3) Provide professional services to communities plan-  
20 ning or engaged in economic improvement.

21 (4) Make studies, collect and utilize information per-  
22 taining to the physical, social, and economic development  
23 of the state, and make such recommendations to the gov-  
24 ernor and to the Legislature as it may deem advisable.

25 (5) Organize voluntary county or regional councils or  
26 groups in order to help effectuate the purposes of this  
27 article on the local level.

Sec. 8. *Agency May Enter into Agreements.*—The agency  
2 may enter into agreements with federal and state depart-  
3 ments or agencies, including those of other states, and any  
4 other groups whose interests are in harmony with the

5 purposes of this act, as well as with counties or munic-  
6 palities of this state; for the promotion of and for the  
7 rendering of consultative service with respect to the plan-  
8 ning of the county or municipality. The agreement may  
9 provide that the county or municipality shall pay part or  
10 all of the expense of such services.

Sec. 9. *Agency May Expend Funds, and Participate in*  
2 *Federal Planning Assistance Programs.*—The agency is  
3 authorized to spend funds made available for the purposes  
4 of this article, and to accept and use funds provided for  
5 the purposes of this article by the government of the  
6 United States and any other agency or group whose in-  
7 terests are in harmony with the purposes of this act, in  
8 accordance with federal requirements and under such con-  
9 ditions as the laws of this state may provide. In this con-  
10 nection, the agency is hereby expressly authorized to par-  
11 ticipate in the federal planning assistance programs as set  
12 forth in the “Federal Housing Act of 1954”, as amended,  
13 and any subsequent acts, to give planning assistance to  
14 municipalities, whatever their size, and metropolitan and  
15 regional areas, and any other areas now or hereafter en-

16 gaged in such activity; and to accept, on behalf of said  
17 municipalities, metropolitan and regional areas, funds pro-  
18 vided by the government of the United States in accord-  
19 ance with the aforesaid "Federal Housing Act of 1954",  
20 as amended.

Sec. 10. *Report of Agency.*—The agency shall submit a  
2 report of progress to the governor and to the Legislature  
3 in January of each year, in addition to such other recom-  
4 mendations, studies, and plans as it may submit from time  
5 to time.

Sec. 11. *Additional Powers and Duties; State Planning  
2 Board Abolished.*—The agency shall have and is hereby  
3 granted all of the powers and authority and shall perform  
4 all of the functions and services vested in and performed  
5 by the "State Planning Board", which is hereby abolished.  
6 Whenever in this chapter or elsewhere in law reference  
7 is made to the "State Planning Board", such reference  
8 shall henceforth be construed and understood to mean  
9 the "Economic Development Agency".

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*W. J. Cooper*  
Chairman Senate Committee

*Eudora Andrews*  
Chairman House Committee

Originated in the Senate.

Takes effect From passage.

*J. Howard Thayer*  
Clerk of the Senate

*C. Blankenship*  
Clerk of the House of Delegates

*Ralph J. Bean*  
President of the Senate

*F. R. Pauley*  
Speaker House of Delegates

The within approved this the 20<sup>th</sup>  
day of March, 1959.

*Wm. H. Underwood*  
Governor

