

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 168

(By Mr. Moyers)



PASSED Feb: 23 1963

In Effect From Passage

168-891



Filed in Office of the Secretary of State  
of West Virginia MAR 4 1963  
JOE F. BURDETT  
SECRETARY OF STATE

**ENROLLED**  
**House Bill No. 168**

(By MR. MOYERS)

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[Passed February 23, 1963; in effect from passage.]

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AN ACT to amend and reenact section four, article twenty-one-a, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to state soil conservation committee.

*Be it enacted by the Legislature of West Virginia:*

That section four, article twenty-one-a, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**Article 21-a. Soil Conservation Districts.**

**Section 4. State Soil Conservation Committee.—(a)**

2 There is hereby established, to serve as an agency of the  
3 state and to perform the functions conferred upon it in  
4 this article, the state soil conservation committee. The

5 committee shall consist of seven members. The following  
6 shall serve, ex officio, as members of the committee: The  
7 director of the state agricultural extension service; the  
8 director of the state agricultural experiment station; the  
9 director of the department of natural resources; and the  
10 the state commissioner of agriculture, who shall be chair-  
11 man of the committee.

12 The governor shall appoint as additional members of  
13 the committee three representative citizens. The term of  
14 members thus appointed shall be four years, except that  
15 of the first members so appointed, one shall be appointed  
16 for a term of two years, one for a term of three years, and  
17 one for a term of four years. In the event of a vacancy,  
18 appointment shall be for the unexpired term.

19 The committee may invite the secretary of agriculture  
20 of the United States of America to appoint one person to  
21 serve with the committee as an advisory member.

22 The committee shall keep a record of its official actions,  
23 shall adopt a seal, which seal shall be judicially noticed,  
24 and may perform such acts, hold such public hearings,

25 and promulgate such rules and regulations as may be nec-  
26 essary for the execution of its functions under this article.

27 (b) The state soil conservation committee may employ  
28 an administrative officer and such technical experts and  
29 such other agents and employees, permanent and tem-  
30 porary, as it may require, and shall determine their quali-  
31 fications, duties, and compensation. The committee may  
32 call upon the attorney general of the state for such legal  
33 services as it may require. It shall have authority to  
34 delegate to its chairman, to one or more of its members,  
35 or to one or more agents or employees, such powers and  
36 duties as it may deem proper. The committee is empow-  
37 ered to secure necessary and suitable office accommoda-  
38 tions, and the necessary supplies and equipment. Upon  
39 request of the committee, for the purpose of carrying out  
40 any of its functions, the supervising officer of any state  
41 agency, or of any state institution of learning shall, inso-  
42 far as may be possible, under available appropriations,  
43 and having due regard to the needs of the agency to  
44 which the request is directed, assign or detail to the  
45 committee, members of the staff or personnel of such

46 agency or institution of learning, and make such special  
47 reports, surveys, or studies as the committee may request.

48 (c) A member of the committee shall hold office so  
49 long as he shall retain the office by virtue of which he  
50 shall be serving on the committee. A majority of the  
51 committee shall constitute a quorum, and the concurrence  
52 of a majority in any matter within their duties shall be  
53 required for its determination. The chairman and mem-  
54 bers of the committee shall receive no compensation for  
55 their services on the committee, but shall be entitled to  
56 expenses, including traveling expenses, necessarily in-  
57 curred on the discharge of their duties on the commit-  
58 tee. The committee shall provide for the execution of  
59 surety bonds for all employees and officers who shall be  
60 entrusted with funds or property; shall provide for the  
61 keeping of a full and accurate public record of all pro-  
62 ceedings and of all resolutions, regulations, and orders  
63 issued or adopted; and shall provide for an annual audit  
64 of the accounts of receipts and disbursements.

65 (d) In addition to the duties and powers hereinafter

66 conferred upon the state soil conservation committee, it  
67 shall have the following duties and powers:

68 (1) To offer such assistance as may be appropriate to  
69 the supervisors of soil conservation districts, organized  
70 as provided hereinafter, in the carrying out of any of  
71 their powers and programs;

72 (2) To keep the supervisors of each of the several  
73 districts, organized under the provisions of this article,  
74 informed of the activities and experience of all other dis-  
75 tricts organized hereunder, and to facilitate an inter-  
76 change of advice and experience between such districts  
77 and cooperation between them;

78 (3) To coordinate the programs of the several soil  
79 conservation districts organized hereunder so far as this  
80 may be done by advice and consultation;

81 (4) To secure the cooperation and assistance of the  
82 United States and any of its agencies, and of agencies of  
83 this state, in the work of such districts;

84 (5) To disseminate information throughout the state  
85 concerning the activities and programs of the soil con-  
86 servation districts organized hereunder, and to encourage

87 the formation of such districts in areas where their or-  
88 ganization is desirable;

89 (6) To accept and receive donations, gifts, contribu-  
90 tions, grants, and appropriations in money, services, ma-  
91 terials or otherwise, from the United States or any of its  
92 agencies, from the state of West Virginia, or from other  
93 sources, and to use or expend such money, services,  
94 materials, or other contributions in carrying out the  
95 policy and provisions of this article, including the right to  
96 allocate such money, services, or materials in part to the  
97 various soil conservation districts created by this article  
98 in order to assist them in carrying on their operations;

99 (7) To obtain options upon and to acquire by pur-  
100 chase, exchange, lease, gift, grant, bequest, devise, or  
101 otherwise, any property, real or personal, or rights or  
102 interests therein; to maintain, administer, operate and  
103 improve any properties acquired, to receive and retain  
104 income from such property and to expend such income  
105 as required for operation, maintenance, administration or  
106 improvement of such properties or in otherwise carrying  
107 out the purposes and provisions of this article; and to sell,

108 lease, or otherwise dispose of any of its property or inter-  
109 ests therein in furtherance of the purposes and the provi-  
110 sions of this article. Money received from the sale of  
111 land acquired in the small watershed program shall be  
112 deposited in the special account of the state soil con-  
113 servation committee and expended as herein provided.

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

*Roy Parker*  
Chairman Senate Committee

*Ethel L. Caudall*  
Chairman House Committee

Originated in the House.

Takes effect FROM passage.

*Howard Meyer*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Howard W. Carson*  
President of the Senate

*Julius W. Singleton*  
Speaker House of Delegates

The within approved this the 2nd day of March, 1963.

*W. W. Baum*  
Governor

Filed in Office of the Secretary of State  
of West Virginia **MAR 4 1963**  
**JOE F. BURDETT**  
SECRETARY OF STATE