WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

Committee Substitute for
HOUSE BILL No. 718

(By Mr. Baransky)

PASSED March 12, 1965

In Effect ninety days from Passage

Filed in the Office of
Joe F. Bordett
SECRETARY OF STATE
THIS DATE 3-19-65
AN ACT to amend and reenact sections one and three, article nine, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to amend said article by adding thereto a new section, designated section two-a, all relating to the department of commerce.

Be it enacted by the Legislature of West Virginia:

That sections one and three, article nine, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article be further amended by adding thereto a new section, designated section two-a, all to read as follows:
Article 9. Department of Commerce.

Section 1. Department Created; Appointment, Term and Compensation of Commissioner; Divisions of Department; Powers and Duties of Commissioner and Division Directors.—There is hereby created in the state government a department of commerce and the office of commissioner of commerce. The commissioner shall be the chief executive officer of the department and shall be appointed by the governor by and with the advice and consent of the senate for a term of four years, which term shall run concurrently with the term of the governor or until said commissioner's successor is appointed and qualified. The annual compensation of the commissioner shall be fixed by the governor, but not in excess of fourteen thousand dollars. There shall be in the department of commerce a planning and research division, an industrial development division, and a travel development division. Each division shall be headed by a director, who shall be appointed by the commissioner of commerce, to serve at the will and pleasure of the commissioner of commerce. Each division director shall be
21 qualified in his respective field by special training and 
22 experience. The director of the planning and research 
23 division shall be trained and have experience in the 
24 field of state, local or national economic planning. The 
25 director of the industrial development division shall be 
26 trained and have experience in the field of industrial 
27 development. The director of the travel development 
28 division shall be trained and have experience in the field 
29 of travel development.

30 The commissioner of commerce shall have control and 
31 supervision of the department of commerce and shall be 
32 legally responsible for the work of each of its divisions. 
33 Under his control, each division director shall be ac-
34 countable to the commissioner for the work of his division. 
35 The commissioner of commerce shall have the authority 
36 to employ such assistants as may be necessary for the 
37 efficient operation of the department.

Sec. 2-a. Approval of Agreements and Contracts.—

2 All agreements and/or contracts of the department of 
3 commerce by and with any federal, state, county or mu-
4 nicipal departments or agencies and any other groups
which are in harmony with the purposes of this article, which said agreements and/or contracts necessitate the expenditure by the department of commerce of funds shall prior to the execution thereof by the department of commerce be submitted to the purchasing division for the approval by the director of said purchasing division of the department of finance and administration as to substance.

Sec. 3. General Powers and Duties of Department.—The department of commerce shall have the authority and, within the limits of available funds, it shall be its duty to:

(1) Investigate, study and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interests and welfare of West Virginia business, industry and commerce, within and outside the state.

(2) Serve as a clearing house for industrial problems of the state.

(3) Promote and encourage the expansion and development of markets for West Virginia products.
(4) Promote and encourage the location and development of new business in the state and the maintenance and expansion of existing business.

(5) Investigate and study conditions affecting West Virginia business, industry and commerce; collect and disseminate information, and engage in technical studies, scientific investigations, statistical research and education activities necessary or useful for the proper execution of the powers and duties of the department.

(6) Plan and develop an effective business information service that will directly assist West Virginia industry and also encourage industries outside the state to use business facilities within the state.

(7) Compile, collect and periodically make available scientific indices and other information relating to current business conditions.

(8) Encourage and develop commerce with other states and devise methods of removing trade barriers that hamper the free flow of commerce between this and other states, and for these purposes cooperate with interstate commissions engaged in formulating and promoting the
35 adoption of interstate compacts and agreements helpful
36 to business, industry and commerce.
37 (9) Conduct or encourage research designed to further
38 new and more extensive uses of the natural and other
39 resources of the state, with a view to the development of
40 new products and industrial processes.
41 (10) Compile periodically a census of business and
42 industry in the state, in cooperation with other agencies,
43 and analyze and publish the information in such form
44 as to be most valuable to business and industry.
45 (11) Compile periodically a census of the crafts,
46 trades, skills and occupations of all adult persons in the
47 state, in cooperation with other agencies, and analyze
48 and publish the information in such form as to be most
49 valuable to business and industry.
50 (12) Study long-range trends and developments in
51 the industries of the state, and analyze the reasons un-
52 derlying such trends; study costs and other factors affect-
53 ing successful operation of businesses within the state.
54 (13) Advertise and publicize the material, economic
55 and other advantages of the state which render it a de-
56 sirable place for business and residence.
(14) Collect, compile and distribute information and literature concerning the advantages and attractions of the state, its historic and scenic points of interest, and the highway, transportation and other facilities of the state.

(15) Plan and carry out a program of information and publicity designed to attract to West Virginia tourists, visitors and other interested persons from outside the state.

(16) Encourage and cooperate with other public and private organizations or groups in their efforts to publicize the attractions and industrial advantages of the state.

(17) Accept and extend, without the necessity of appropriation by the Legislature, any gift or grant of money made to the department for any or all of the purposes specified in this section.

(18) Publish information as an aid to planning on both community and state levels, and provide planning assistance and do planning work, including surveys, land use, studies, urban renewal plans, technical services
and other elements of comprehensive planning programs, in and for any counties, cities, towns and regions; and, for this purpose, to accept and utilize any funds, personnel or other assistance made available by the federal government or any of its agencies, or made available from any other source, public or private; and, notwithstanding the provisions of any other law and for the purposes of receiving and using federal planning grants for providing urban planning assistance, to serve as the official state planning agency of the state and, to these ends, to enter into agreements or contracts regarding the acceptance or utilization of such funds or assistance for any of the purposes authorized by this article.

(19) Enter into agreements with federal and state departments or agencies, including those of other states, and any other groups which are in harmony with the purposes of this article, as well as with counties or municipalities of this state, for the promotion of and for the rendering of consultive service with respect to the planning of the county or municipality, and the agreement may provide that the county or municipality shall
pay part or all of the expense of such service. In this connection, the department of commerce is hereby expressly authorized to participate in the federal planning assistance programs as set forth in the "Federal Housing Act of 1954," as amended, and any subsequent acts, to give planning assistance to municipalities, whatever their size, and metropolitan and regional areas, and any other areas now or hereafter engaged in such activity; and to accept, on behalf of said municipalities, metropolitan and regional areas, funds provided by the government of the United States in accordance with the aforesaid "Federal Housing Act of 1954," as amended. Also, the department of commerce shall be the official state government department to administer and supervise any provisions of a federal area redevelopment act, and is expressly authorized to participate in any federal area redevelopment act within the limits of the funds that are or may be made available for such purposes.

(20) Initiate, promote and conduct, or cause to be conducted, research designed to further new and more extensive uses and consumption of natural and other resources
and their by-products; and for such purposes, to enter into contracts and agreements with research laboratories maintained by educational or endowed institutions in this state, and to expend appropriations to the department for such purposes.

(21) Prepare and maintain a comprehensive plan for the physical, social, and economic development of the state; and the department shall prepare and keep current a proposed long-range program of major state improvements relating to the comprehensive development of natural and artificial resources of this state, and shall cooperate with existing federal and state departments and other agencies or groups in perfecting and promoting the aforesaid comprehensive plan.

(22) Assist voluntary county or regional councils or groups in order to help effectuate the purposes of this article on a local level.

(23) Make recommendations to the governor and the Legislature of any legislation deemed necessary to facilitate the carrying out of any of the foregoing powers and duties, and to exercise any other power that may be
necessary or proper for the orderly conduct of the business of the department and the effective discharge of the duties of the department.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]

Chairman Senate Committee

[Signature]

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

[Signature]

Clerk of the Senate

[Signature]

Clerk of the House of Delegates

[Signature]

President of the Senate

[Signature]

Speaker House of Delegates

The within approved this the 19 day of March, 1965.

[Signature]

Governor