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STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973

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ENROLLED

HOUSE BILL No. 825

(By Mr. Mulheir and Mr. House)

—●—

PASSED April 13, 1973

In Effect Ninety days from Passage



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FILED IN THE OFFICE
EDGAR F. HENRICKS III
SECRETARY OF STATE
THIS DATE 5/2/73

825

ENROLLED

House Bill No. 825

(By MR. MULNEIX and MR. HAWSE)

[Passed April 13, 1973; in effect ninety days from passage.]

AN ACT to amend and reenact section seven, article twenty-one-a, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the qualifications and terms of supervisors of soil conservation districts; their powers and duties and per diem allowances.

Be it enacted by the Legislature of West Virginia:

That section seven, 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 21A. SOIL CONSERVATION DISTRICTS.

§19-21A-7. Supervisors to constitute governing body of district; qualifications and terms of supervisors; powers and duties.

1 The governing body of the district shall consist of the super-
2 visors, appointed or elected, as provided in preceding sections.
3 The two supervisors appointed by the committee shall be
4 persons who are by training and experience qualified to per-
5 form the specialized skilled services which will be required
6 of them in the performance of their duties hereunder, and
7 must be legal residents and landowners of the district.

8 The supervisors shall designate a chairman and may, from
9 time to time, change such designation. The term of office of
10 each supervisor shall be three years, except that the super-
11 visors who are first appointed shall be designated to serve

12 for terms of one and two years, respectively, from the date of
13 their appointment. A supervisor shall hold office until his
14 successor has been elected, or appointed. In case a new
15 county or portion thereof is added to a district the committee
16 may appoint a supervisor to represent it until such time as
17 the next regular election of supervisors for the district takes
18 place. In case a vacancy occurs among the elected super-
19 visors of a district the committee shall appoint a successor
20 from the same county to fill the unexpired term. Such
21 appointment shall be made from a name or list of names
22 submitted by local farm organizations and agencies. When
23 any county or portion thereof lying within the boundaries of
24 a district shall have in effect eight hundred or more signed
25 agreements of cooperation with occupiers of land located
26 within said county, then at the next regular election of
27 supervisors the land occupiers within said county or portion
28 thereof are entitled to elect two supervisors to represent the
29 county instead of one for the term and in the manner pre-
30 viously prescribed. A majority of the supervisors shall con-
31 stitute a quorum and the concurrence of a majority in any
32 matter within their duties shall be required for its determina-
33 tion. A supervisor shall be entitled to expenses, and a per
34 diem not to exceed twelve dollars when engaged in the
35 performance of his duties.

36 The supervisors may with the approval of the state com-
37 mittee employ a secretary, technical experts, and such other
38 officers, agents, and employees, permanent and temporary,
39 as they may require, and shall determine their qualifications,
40 duties and compensation. The supervisors may delegate to
41 their chairman, to one or more supervisors or to one or
42 more agents, or employees, such administrative powers and
43 duties as they may deem proper. The supervisors shall
44 furnish to the state soil conservation committee, upon request,
45 copies of such ordinances, rules, regulations, orders, contracts,
46 forms, and other documents as they shall adopt or employ,
47 and such other information concerning their activities as it
48 may require in the performance of its duties under this
49 article.

50 The supervisors shall provide for the execution of surety
51 bonds for all employees and officers who shall be entrusted
52 with funds or property; shall provide for the keeping of a

53 full and accurate record of all proceedings and of all
54 resolutions, regulations and orders issued or adopted; and
55 shall provide for an annual audit of the accounts of receipts
56 and disbursements. Any supervisor may be removed by the
57 state soil conservation committee upon notice and hearing,
58 for neglect of duty or malfeasance in office, but for no other
59 reason.

60 The supervisors may invite the legislative body of any
61 municipality or county located near the territory comprised
62 within the district to designate a representative to advise and
63 consult with the supervisors of a district on all questions of
64 program and policy which may affect the property, water
65 supply, or other interests of such municipality or county.

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

W. Darrel Darby
Chairman Senate Committee

Clarence C. Thurman Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Harward McCaaron
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

W. B. Boothman Jr.
President of the Senate

Lewis F. M. Tharpe
Speaker House of Delegates

The within approved this the 24th
April day of _____, 1973.

Arch A. Shaefer Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 4/24/13

Time 2:34 p.m.