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STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973



ENROLLED

HOUSE BILL No. 825

(By Mr. Mulvey and Mr. House)



PASSED April 13, 1973

In Effect Ninety days from Passage



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FILED IN THE OFFICE  
EDGAR F. HEISKELL 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.

H. Darrel Darby  
Chairman Senate Committee

Clayton C. Thurston Jr.  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Heward Mcarson  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

H. Boothby  
President of the Senate

Lewis F. M. Thomas  
Speaker House of Delegates

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

Archie A. Shaver Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 4/24/13

Time 2:34 p.m.