ENROLLED

HOUSE BILL No. 2010

(By Del. Hutchinson & Del. Ryan)

Passed March 8, 1986

In Effect Ninety Days From Passage
AN ACT to amend and reenact section two, chapter one hundred seventy-six, acts of the Legislature, regular session, one thousand nine hundred eighty-five, relating to the New River Parkway Authority; members of authority; powers and duties generally; officers; bylaws; rules and regulations; and composition.

Be it enacted by the Legislature of West Virginia:

That section two, chapter one hundred seventy-six, acts of the Legislature, regular session, one thousand nine hundred eighty-five, be amended and reenacted to read as follows:

NEW RIVER PARKWAY AUTHORITY.

§2. Members; appointment; powers and duties generally; officers; bylaws; rules and regulations; compensation.

(a) The authority consists of six voting members and six ex officio nonvoting members. All members shall be appointed before the first day of July, one thousand nine hundred eighty-five.

(b) Three voting members shall be appointed by the Raleigh County commission. Three voting members shall be appointed by the Summers County commission. No more than two of the three voting members appointed by a county commission may be members of the same political party. The terms of the voting members
initially appointed by a county commission are as follows: One member shall be appointed for a term of one year, one member shall be appointed for a term of two years and one member shall be appointed for a term of three years. All successive appointments shall be for a term of four years. Any voting member may be removed for cause by the appointing county commission.

(c) The six ex officio nonvoting members are the commissioner of highways or his designee, the director of natural resources or his designee, the commissioner of agriculture or his designee, the commissioner of commerce or his designee, and, if they choose to serve after being invited to do so by the county commissions of Raleigh and Summers Counties, the district engineer of the United States Army Corps of Engineers or his designee and the supervisor of the New River gorge national river office or his designee. If either or both of the latter two decline to serve, then the county commissions of Raleigh and Summers Counties shall each appoint one nonvoting member. All terms of ex officio nonvoting members are for four years.

(d) Should a vacancy occur, the person appointed to fill the vacancy shall serve only for the unexpired portion thereof. All members are eligible for reappointment.

(e) There shall be an annual meeting of the authority on the second Monday in July in each year and a monthly meeting on a day and at such time as the authority may designate in its bylaws. A special meeting may be called by the president, the secretary or any two members of the authority and may be held only after all members are given notice thereof in writing. Three members constitute a quorum for all meetings. At each annual meeting of the authority, it shall elect a president, vice president, secretary and treasurer. The authority shall adopt such bylaws, rules and regulations as are necessary for its own operation and management. The authority has all but only those powers necessary, incidental, convenient and advisable for the following purposes:
(1) The preparation of a plan or plans for the New River parkway;

(2) Advocating actions consistent with that plan or its provisions to or before any governmental entity or any private person or entity; and

(3) Otherwise acting in an advisory capacity with regard to any aspects of the New River parkway upon or without request to any governmental entity or private person or entity. The authority may not own any of the real estate or real property herein described for development and may not be responsible for operating or maintaining the parkway.

Each voting member of the authority shall be compensated monthly by the governing bodies which appointed such members in an amount to be fixed by such governing body.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within approved this the 25th day of October, 1986.

Governor