

Mo. 2010

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986

— ● —

ENROLLED

HOUSE BILL No. 2010

(By ~~Mr.~~ Del. Hutchinson + Del. Ryan)

— ● —

Passed March 8, 1986

In Effect Ninety Days From Passage

ENROLLED
H. B. 2010

(By DELEGATE HUTCHINSON AND DELEGATE 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.

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

5 (b) Three voting members shall be appointed by the
6 Raleigh County commission. Three voting members
7 shall be appointed by the Summers County commission.
8 No more than two of the three voting members ap-
9 pointed by a county commission may be members of the
10 same political party. The terms of the voting members

11 initially appointed by a county commission are as
12 follows: One member shall be appointed for a term of
13 one year, one member shall be appointed for a term of
14 two years and one member shall be appointed for a term
15 of three years. All successive appointments shall be for
16 a term of four years. Any voting member may be
17 removed for cause by the appointing county commission.

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

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

36 (e) There shall be an annual meeting of the authority
37 on the second Monday in July in each year and a
38 monthly meeting on a day and at such time as the
39 authority may designate in its bylaws. A special meeting
40 may be called by the president, the secretary or any two
41 members of the authority and may be held only after
42 all members are given notice thereof in writing. Three
43 members constitute a quorum for all meetings. At each
44 annual meeting of the authority, it shall elect a
45 president, vice president, secretary and treasurer. The
46 authority shall adopt such bylaws, rules and regulations
47 as are necessary for its own operation and management.
48 The authority has all but only those powers necessary,
49 incidental, convenient and advisable for the following
50 purposes:

51 (1) The preparation of a plan or plans for the New
52 River parkway;

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

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

63 Each voting member of the authority shall be compen-
64 sated monthly by the governing bodies which appointed
65 such members in an amount to be fixed by such
66 governing body.

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

Bruce A. Whitcomb
Chairman Senate Committee

Floyd Fulk
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Leif C. Hill
Clerk of the Senate

Donald J. Kipp
Clerk of the House of Delegates

Don Tomkomil
President of the Senate

Joseph P. Allright
Speaker of the House of Delegates

The within *approved* this the *25th*
March day of _____, 1986.

Archa Shaefer
Governor

PRESENTED TO THE

GOVERNOR

Date 3/21/86

Time 5:05 p.m.

RECEIVED

1986 MAR 26 PM 4:25

SECRETARY OF STATE

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/26/86