

No: 207

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987



ENROLLED

Committee Substitute for
SENATE BILL NO. 207

(By Senators *Phillips and Jordan*)



PASSED March 2, 1987

In Effect from Passage



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OFFICE OF THE
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 207

(SENATORS WHITLOW AND PARKER, *original sponsors*)

[Passed March 2, 1987; in effect 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, as last amended and reenacted by chapter one hundred seventy-six, acts of the Legislature, regular session, one thousand nine hundred eighty-six; and to amend and reenact section four, chapter one hundred seventy-six, acts of the Legislature, one thousand nine hundred eighty-five, all relating to the New River Parkway Authority; including Mercer County as a member of the authority with Raleigh and Summers Counties; powers and duties generally; officers; bylaws; rules and regulations; compensation; and support, maintenance and operation.

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, as last amended and reenacted by chapter one hundred seventy-six, acts of the Legislature, regular session, one thousand nine hundred eighty-six; and section four, chapter one hundred seventy-six, acts of the Legislature, regular session, one

thousand nine hundred eighty-five, be amended and reenacted, all 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 nine voting members and
2 four to six ex-officio nonvoting members.

3 (b) Three voting members shall be appointed by the
4 Mercer County Commission. Three voting members shall be
5 appointed by the Raleigh County Commission. Three voting
6 members shall be appointed by the Summers County
7 Commission. No more than two of the three voting members
8 appointed by a county commission may be members of the
9 same political party, which said members shall not be
10 elected to, appointed to or hold any other public office
11 during their tenure as members of said authority. The
12 regular term of a voting member shall be three years,
13 provided that the terms of the voting members initially
14 appointed by a county commission are as follows: One
15 member shall be appointed for a term of one year, one
16 member shall be appointed for a term of two years and one
17 member shall be appointed for a term of three years. Should
18 a vacancy occur, the person appointed to fill the vacancy
19 shall serve only for the unexpired portion thereof. All
20 voting members are eligible for reappointment. Any voting
21 member may be removed for cause by the appointing county
22 commission.

23 (c) The ex-officio nonvoting members are the
24 commissioner of highways or his designee, the director of
25 natural resources or his designee, the commissioner of
26 agriculture or his designee, the commissioner of commerce
27 or his designee, and, if they choose to serve, the district
28 engineer of the Huntington District of the United States
29 Army Corps of Engineers or his designee and the
30 superintendent of the New River Gorge National River or
31 his designee. Any designee serving as a nonvoting member
32 may be removed at the will and pleasure of the officer
33 designating the member.

34 (d) There shall be an annual meeting of the authority on
35 the second Monday in July in each year and a monthly
36 meeting on a day and at such time as the authority may

37 designate in its bylaws. A special meeting may be called by
38 the president, the secretary or any three voting members of
39 the authority and may be held only after all voting and
40 nonvoting members are given notice thereof in writing. Five
41 voting members constitute a quorum for all meetings. At
42 each annual meeting of the authority, it shall elect a
43 president, vice president, secretary and treasurer. The
44 authority shall adopt such bylaws, rules and regulations as
45 are necessary for its own operation and management. The
46 authority has all but only those powers necessary,
47 incidental, convenient and advisable for the following
48 purposes:

49 (1) The preparation of a plan or plans for the New River
50 Parkway;

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

54 (3) Otherwise acting in an advisory capacity with
55 regard to any aspect of the New River Parkway upon or
56 without request to any governmental entity or private
57 person or entity. The authority shall not own or hold any
58 real estate or real property and shall not operate or
59 maintain the parkway.

60 (e) Each voting member of the authority may be
61 compensated monthly by the county commission which
62 appointed such member in an amount to be fixed by such
63 county commission.

§4. Support, maintenance and operation.

1 The county commissions of Mercer, Raleigh and Summers
2 Counties may provide for the support, maintenance and
3 operation of the authority and other related activities under
4 jurisdiction of the authority.

Handwritten signatures and initials, including what appears to be 'Summers' and 'Mercer', along with other illegible marks.

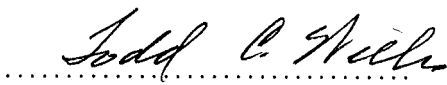
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

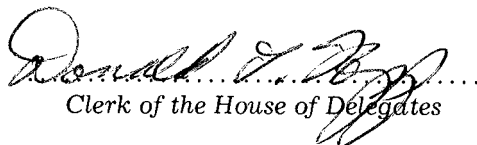

Chairman Senate Committee

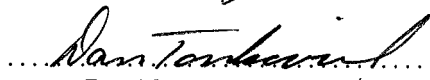

Chairman House Committee

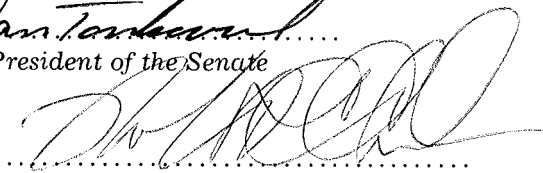
Originated in the Senate.

In effect from passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within  this the 
day of  1987.


Governor

PRESENTED TO THE

GOVERNOR

Date 3/4/87

Time 2:59 p.m.