WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

ENROLLED
Committee Substitute for
SENATE BILL NO. 207

(By Senators [Signatures]

PASSED March 2, 1987
In Effect [Signature] Passage
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.**

(a) The authority consists of nine voting members and four to six ex-officio nonvoting members.

(b) Three voting members shall be appointed by the Mercer County Commission. 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, which said members shall not be elected to, appointed to or hold any other public office during their tenure as members of said authority. The regular term of a voting member shall be three years, provided that 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. Should a vacancy occur, the person appointed to fill the vacancy shall serve only for the unexpired portion thereof. All voting members are eligible for reappointment. Any voting member may be removed for cause by the appointing county commission.

(c) The 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, the district engineer of the Huntington District of the United States Army Corps of Engineers or his designee and the superintendent of the New River Gorge National River or his designee. Any designee serving as a nonvoting member may be removed at the will and pleasure of the officer designating the member.

(d) 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 three voting members of
the authority and may be held only after all voting and
nonvoting members are given notice thereof in writing. Five
voting 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 aspect of the New River Parkway upon or
without request to any governmental entity or private
person or entity. The authority shall not own or hold any
real estate or real property and shall not operate or
maintain the parkway.
(e) Each voting member of the authority may be
compensated monthly by the county commission which
appointed such member in an amount to be fixed by such
county commission.
§4. Support, maintenance and operation.
The county commissions of Mercer, Raleigh and Summers
Counties may provide for the support, maintenance and
operation of the authority and other related activities under
jurisdiction of the authority.
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 .......... 9th ........

day of .....................March .......................... 1987.