WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988

ENROLLED

Com. Sub. for
HOUSE BILL NO. 4073

(By Mr. Delegates Flanagan and Basham)

Passed

March 12, 1988

In Effect

July 1, 1988
AN ACT to amend chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-four, relating to creating a tourist train and transportation board; legislative findings and intent; board created; appointment; terms in office; director; powers and duties; and termination of board.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twenty-four, to read as follows:

ARTICLE 24. TOURIST TRAIN AND TRANSPORTATION BOARD.

§29-24-1. Legislative findings and intent.

1 The Legislature finds and declares that the purpose of this article is to establish and implement a tourist train and transportation board to initiate preservation of railroad facilities, promote economic development and tourism of a specific nature in this state and in cooperation with other similar out-of-state entities.
§29-24-2. Tourist train and transportation board created; appointment; terms in office; and expenses.

The West Virginia tourist train and transportation board is hereby created to establish, supervise and coordinate the regional, statewide and interstate tourist train system. The board shall consist of seven members, five of whom shall be appointed by the governor, by and with the advice and consent of the Senate.

Four members of the board shall be from the private sector with one member from each of the congressional districts of the state as of the effective date of this article, with experience involving tourism, railroads or finance. At least two of the four members shall have knowledge of railroads. Such members shall generally represent the public interest. The governor shall appoint two members with terms to expire on the first day of July, one thousand nine hundred eighty-nine and two members with terms to expire on the first day of July, one thousand nine hundred and ninety. Any vacancy occurring shall be filled by the governor for the unexpired term. Successor terms shall be for a period of three years.

One member of the board shall be a representative of regional travel councils in the state of West Virginia. Such member shall have a three year term.

One member of the board shall be the state historic preservation director, ex officio.

One member of the board shall be the commissioner of the department of commerce, ex officio.

No more than four board members shall be of the same political party.

The board shall meet upon the call of its chairperson. A majority of its members shall constitute a quorum for the transaction of its business. Members of the board shall not be entitled to compensation for their services but may be reimbursed for actual expenses necessarily incurred in the performance of their duties. The governor shall appoint board members no later than the first day of July, one thousand nine hundred eighty-
§29-24-3. Director of board.

The board may employ a director, who may hire staff as deemed necessary by the board. Compensation of the director and staff shall be fixed by the board. The director shall have administrative control and supervision of the staff.


The tourist train and transportation board shall have the authority to:

(a) Designate on a yearly basis from the board members, a chairperson;

(b) Initiate preservation of railroad facilities, promote economic development and tourism of a specific nature in this state;

(c) Meet and cooperate with similar authorities or bodies of any of the several states contiguous with this state, whose purpose in their respective states is to establish an interstate tourist train and transportation board;

(d) Work specifically to establish a tourist train network in the area encompassed by U.S. Route 52 from Bluefield, West Virginia to Bramwell, West Virginia along West Virginia State Route 120 to Pocahontas, Virginia;

(e) Enter into agreement or other transactions with any federal, state, county, municipal agency or private entity;

(f) Accept any and all donations, grants, bequests and devises, conditional or otherwise, of money, property, service or other things of value which may be received from the United States or any agency thereof, any governmental agency or any institution, person, firm or corporation, public or private, to be held, used or applied for any or all of the purposes specified in this article, in accordance with the terms and conditions of any such moneys;
(g) Negotiate an operating agreement with the railroad to use existing tracks, rent railroad vehicles and obtain other necessary equipment or facilities;

(h) Direct the operations of the tourist train network and report annually to the Legislature by the first day of January on the status of projects, operations, financial condition and other necessary information relating to the tourist train and transportation board;

(i) Establish an office for the transaction of its business at such place or places, as in the opinion of the board, shall be advisable or necessary in carrying out the purposes of this article;

(j) Acquire rights-of-way and the property necessary for the construction of administration buildings, equipment, servicing facilities, terminal railways and structures, railway crossings, bridges and causeways; and

(k) To do any and all things necessary to carry out and accomplish the purposes of this article.

§29-24-5. Termination of board.

The tourist train and transportation board shall be terminated pursuant to the provisions of article ten, chapter four of this code, on the first day of July, one thousand nine hundred ninety-four, unless sooner terminated or unless continued or reestablished pursuant to this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]

Chairman Senate Committee

[Signature]

Chairman House Committee

Originating in the House.


[Signature]

Clerk of the Senate

[Signature]

Clerk of the House of Delegates

[Signature]

President of the Senate

[Signature]

Speaker of the House of Delegates

The within appears this the 29th day of [Month], 1988.

[Signature]

Governor