WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1996

ENROLLED

Com. Sub. for
HOUSE BILL No. 4119

(BY Delegate Kiss)

Passed March 9 1996

In Effect July 1, 1996
AN ACT to amend and reenact section seven, article twenty-one-a, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to soil conservation districts; providing for the appointment of supervisors; payment of expenses; increasing the per diem of supervisors; providing for surety bonds; and removal of supervisors.

Be it enacted by the Legislature of West Virginia:

That section seven, article twenty-one-a, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 21A. SOIL CONSERVATION DISTRICTS.

§19-21A-7. Supervisors to constitute governing body of district; qualifications and terms of supervisors; powers and duties.

1 The governing body of the district shall consist of the supervisors, appointed or elected, as provided in this article. The two supervisors appointed by the committee shall be persons who are by training and experience qualified to perform the specialized skilled services which will be required of them in the performance of their duties under this section and must be legal residents and
The supervisors shall designate a chairman and may, from time to time, change the designation. The term of office of each supervisor is three years. A supervisor shall hold office until his or her successor has been elected, or appointed. In case a new county or portion of a county is added to a district the committee may appoint a supervisor to represent it until such time as the next regular election of supervisors for the district takes place. In case a vacancy occurs among the elected supervisors of a district the committee shall appoint a successor from the same county to fill the unexpired term. The appointment shall be made from a name or list of names submitted by local farm organizations and agencies. When any county or portion of a county lying within the boundaries of a district has in effect eight hundred or more signed agreements of cooperation with occupiers of land located within the county, then at the next regular election of supervisors the land occupiers within the county or portion of the county are entitled to elect two supervisors to represent the county instead of one for the term and in the manner prescribed in this section. A majority of the supervisors constitutes a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination. A supervisor is entitled to expenses, and a per diem not to exceed twenty dollars when engaged in the performance of his or her duties.

The supervisors may, with the approval of the state committee, employ a secretary, technical experts, and any other officers, agents, and employees, permanent and temporary, as they may require, and shall determine their qualifications, duties and compensation. The supervisors may delegate to their chairman, to one or more supervisors or to one or more agents, or employees, those administrative powers and duties they consider proper. The supervisors shall furnish to the state soil conservation committee, upon request, copies of the ordinances, rules, regulations, orders, contracts, forms, and other documents they adopt or employ, and any other information concerning their activities as it may require in the performance of its duties under this article.
The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements. Any supervisor may be removed by the state soil conservation committee upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason.

The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of a district on all questions of program and policy which may affect the property, water supply or other interests of the municipality or county.
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 July 1, 1996.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 28th day of March, 1996.

Governor
PRESENTED TO THE GOVERNOR

Date 3/24/1940
Time 4:10 pm