

HB 4119

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SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

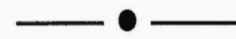
REGULAR SESSION, 1996



# ENROLLED

*Com. Sub. For*  
**HOUSE BILL No. 4119**

(By Delegate *Kiss* )



Passed *March 9* 1996

In Effect *July 1, 1996* Passage



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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

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COMMITTEE SUBSTITUTE

FOR

# H. B. 4119

(BY DELEGATE KISS)

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[Passed March 9, 1996; in effect July 1, 1996.]

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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  
2 supervisors, appointed or elected, as provided in this  
3 article. The two supervisors appointed by the committee  
4 shall be persons who are by training and experience  
5 qualified to perform the specialized skilled services which  
6 will be required of them in the performance of their duties  
7 under this section and must be legal residents and

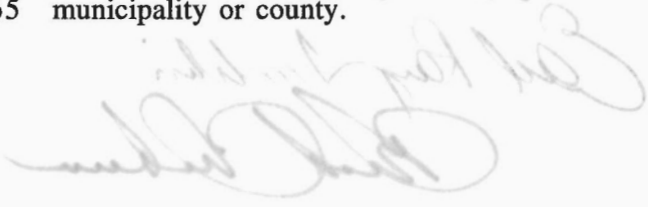
8 landowners of the district.

9 The supervisors shall designate a chairman and may,  
10 from time to time, change the designation. The term of  
11 office of each supervisor is three years. A supervisor shall  
12 hold office until his or her successor has been elected, or  
13 appointed. In case a new county or portion of a county is  
14 added to a district the committee may appoint a supervisor  
15 to represent it until such time as the next regular election  
16 of supervisors for the district takes place. In case a  
17 vacancy occurs among the elected supervisors of a district  
18 the committee shall appoint a successor from the same  
19 county to fill the unexpired term. The appointment shall  
20 be made from a name or list of names submitted by local  
21 farm organizations and agencies. When any county or  
22 portion of a county lying within the boundaries of a  
23 district has in effect eight hundred or more signed  
24 agreements of cooperation with occupiers of land located  
25 within the county, then at the next regular election of  
26 supervisors the land occupiers within the county or  
27 portion of the county are entitled to elect two supervisors  
28 to represent the county instead of one for the term and in  
29 the manner prescribed in this section. A majority of the  
30 supervisors constitutes a quorum and the concurrence of a  
31 majority in any matter within their duties shall be required  
32 for its determination. A supervisor is entitled to expenses,  
33 and a per diem not to exceed twenty dollars when engaged  
34 in the performance of his or her duties.

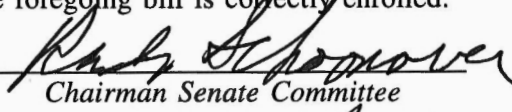
35 The supervisors may, with the approval of the state  
36 committee, employ a secretary, technical experts, and any  
37 other officers, agents, and employees, permanent and  
38 temporary, as they may require, and shall determine their  
39 qualifications, duties and compensation. The supervisors  
40 may delegate to their chairman, to one or more  
41 supervisors or to one or more agents, or employees, those  
42 administrative powers and duties they consider proper.  
43 The supervisors shall furnish to the state soil conservation  
44 committee, upon request, copies of the ordinances, rules,  
45 regulations, orders, contracts, forms, and other documents  
46 they adopt or employ, and any other information  
47 concerning their activities as it may require in the  
48 performance of its duties under this article.

49 The supervisors shall provide for the execution of  
50 surety bonds for all employees and officers who shall be  
51 entrusted with funds or property; shall provide for the  
52 keeping of a full and accurate record of all proceedings  
53 and of all resolutions, regulations and orders issued or  
54 adopted; and shall provide for an annual audit of the  
55 accounts of receipts and disbursements. Any supervisor  
56 may be removed by the state soil conservation committee  
57 upon notice and hearing, for neglect of duty or  
58 malfeasance in office, but for no other reason.

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



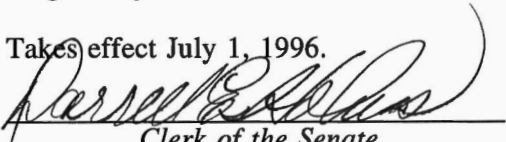
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

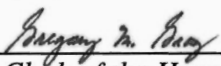
  
Chairman Senate Committee

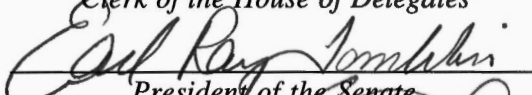
  
Chairman House Committee

Originating in the House.

Takes effect July 1, 1996.

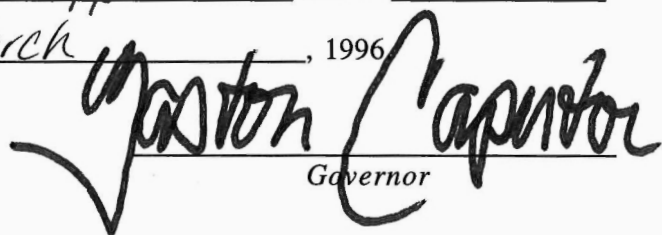
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 28<sup>th</sup>  
day of March, 1996

  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/26/96

Time 4:10 pm