WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1997

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ENROLLED

HOUSE BILL No. __2397__

Michael, Doyle, Martin, Mezzatesta,
(By Delegate _________________)
Proudfoot, Collins and Williams

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Passed April 12, 1997

In Effect From Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 2397
(BY DELEGATES MICHAEL, DOYLE, MARTIN, MEZZATESTA, PROUDFOOT, COLLINS AND WILLIAMS)

[Passed April 12, 1997; in effect from passage.]

AN ACT to establish the Robert C. Byrd Corridor H Highway Authority; functions; members; appointment; powers and duties; officers; bylaws and rules; compensation and expenses; authority as corporate body; and severability.

Be it enacted by the Legislature of West Virginia:

ROBERT C. BYRD CORRIDOR H HIGHWAY AUTHORITY.

§1. Highway authority created; purpose.

1 There is hereby created the Robert C. Byrd Corridor H Highway Authority, to promote and advance the construction of a modern highway, to be known as the Robert C. Byrd Corridor H Highway, through Randolph, Tucker, Grant, Hardy, Barbour, Upshur and Lewis counties and to coordinate with counties, municipalities, state and federal agencies, public nonprofit corporations, private corporations, associations, partnerships and individuals for the purpose of planning, assisting and establishing recreational, tourism, industrial, economic and community development of the Robert C. Byrd Corridor H Highway for the benefit of West Virginians.
§2. Members; appointment; officers.

(a) The authority consists of twenty-one voting members and three ex officio nonvoting members. All members shall be appointed before the first day of July, one thousand nine hundred ninety-seven.

(b) Each of the county commissions of the counties of Randolph, Tucker, Grant, Hardy, Barbour, Upshur and Lewis shall appoint three voting members to the authority. The terms of the voting members initially appointed by a county commission are as follows: One member from each county shall be appointed for a term of one year, one member from each county shall be appointed for a term of two years and the rest of the members shall be appointed for a term of four years. All successive appointments shall be for a term of four years. Any voting member may be removed for cause by the appointing county commission.

(c) The three ex officio nonvoting members are the commissioner of highways or designee, the director of natural resources or designee and the executive director of the West Virginia development office or designee.

(d) Should a vacancy occur, the person appointed to fill the vacancy shall serve only for the unexpired portion thereof. All members are eligible for reappointment.

(e) The authority shall meet annually on the third Monday in July and at such other times designated by the authority in its bylaws. A special meeting may be called by the president, the secretary or any two members of the authority and may be held only after all members are given notice of the meeting in writing. Eleven 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 bylaws and rules as may be necessary for its operation and management.

§3. Powers.
The authority has all, but only those powers necessary, incidental, convenient and advisable for the following purposes:

1. The promotion of economic development and tourism along Robert C. Byrd Corridor H Highway;
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 aspects of the Robert C. Byrd Corridor H Highway at the request of or without the request of any governmental entity or private person or entity.

The authority may not own any of the real estate or real property herein described for development and may not be responsible for operating or maintaining the highway.


Each voting member of the authority shall receive compensation and expense reimbursement from the governing body which appointed the member in an amount to be fixed by the governing body, not to exceed the same compensation and expense reimbursement as is paid to members of the Legislature for their interim duties as recommended by the citizens legislative compensation commission and authorized by law, for each day or substantial portion thereof engaged in the performance of official duties.


The authority hereby created is a public corporation and as such it may contract and be contracted with, sue and be sued, plead and be impleaded and may have and use a corporate seal.


If any provision hereof is held invalid, the invalidity may not affect other provisions hereof which can be given effect without the invalid provision, and to this end the provisions of this act are severable.
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.

Takes effect from passage.

[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 is approved this the ___ day of May, 1997.

[Signature]
Governor
PRESENTED TO THE
GOVERNOR
Date 4/29/97
Time 2:50 pm