WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999

ENROLLED

SENATE BILL NO. 188

(By Senator

PASSED
February 25, 1999
In Effect ninety days from Passage

et al.)
AN ACT to amend and reenact section six, article twenty-five, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the inclusion of members of the banking industry as regional council members; and providing for conflicts of interest.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 25. INTERGOVERNMENTAL RELATIONS — REGIONAL PLANNING AND DEVELOPMENT.

§8-25-6. Membership, organization, etc., of regional council; executive committee; officers and personnel.

1    (a) All municipalities and all counties within the region
2 shall be represented on the regional council. The county
representative shall be the president of the county commission or a member of the county commission designated by him or her. The municipal representative shall be the mayor or a member of the governing body designated by him or her. The number of members of the regional council by virtue of this subsection shall comprise not less than fifty-one percent of the total number of members.

(b) Regional council members serving by virtue of subsection (a) of this section shall select additional members to serve on the council to represent principal community or regional interests, including, but not limited to, commerce, banking, industry, labor, agriculture, education, health and any such interests as may be required by federal law or regulations. The selection of such members shall also provide for reasonable representation of geographic, economic and ethnic groups without exclusion of significant minority groups. Subsequent changes in the designation of representatives shall be determined by the regional council. The number of members serving by virtue of this subsection shall not exceed forty-nine percent of the total number of members.

(c) Each regional council shall select from its membership a chairman, who shall preside at each council meeting, and an executive committee which shall be comprised of one representative from each county commission and one representative from the largest municipality within each county in the region and such other members as the aforesaid representatives may select, but such other members so selected shall not constitute more than forty-nine percent of the total membership of the executive committee. The executive committee shall perform such administrative duties as are prescribed by the regional council in its bylaws and shall exercise the review function provided for in section nine of this article. Each regional council may further provide for such other officers as it shall deem necessary and may establish other committees which may include citizens who are not regional council members.

(d) Each regional council shall establish personnel rules and shall appoint a director who shall be qualified by
reason of training and experience. The director shall be
e empowerd to appoint and remove other employees in
accordance with the regional council's personnel rules. He
or she may, with the approval of the executive committee,
enter into agreements with governmental agencies within
the region for the use of personnel, equipment and facili-
ties.

(e) Whenever a person associated with a public utility or
bank has a conflict of interest between the council and
that public utility or bank, or any other member of the
council has a direct pecuniary interest in a question before
the council, then he or she must recuse himself or herself
from any vote, discussion or other activity associated with
the council or its members that creates the conflict of
interest.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the Senate.
In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within... the
Day of... 1999

Governor