

SB 188

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999



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OFFICE OF THE CLERK  
STATE OF WEST VIRGINIA

ENROLLED

SENATE BILL NO. 188

(By Senator Selmon, et al)



PASSED February 25, 1999

In Effect ninety days from Passage

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OFFICE OF THE CLERK  
SENATE OF WEST VIRGINIA

**ENROLLED**

**Senate Bill No. 188**

(BY SENATORS HELMICK, PLYMALE, KESSLER, ROSS, BOWMAN,  
CHAFIN, FANNING, SHARPE, UNGER AND MINEAR)

[Passed February 25, 1999; in effect ninety days from passage.]

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

3 representative shall be the president of the county com-  
4 mission or a member of the county commission designated  
5 by him or her. The municipal representative shall be the  
6 mayor or a member of the governing body designated by  
7 him or her. The number of members of the regional  
8 council by virtue of this subsection shall comprise not less  
9 than fifty-one percent of the total number of members.


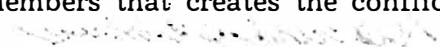
10 (b) Regional council members serving by virtue of  
11 subsection (a) of this section shall select additional mem-  
12 bers to serve on the council to represent principal commu-  
13 nity or regional interests, including, but not limited to,  
14 commerce, banking, industry, labor, agriculture, educa-  
15 tion, health and any such interests as may be required by  
16 federal law or regulations. The selection of such members  
17 shall also provide for reasonable representation of geo-  
18 graphic, economic and ethnic groups without exclusion of  
19 significant minority groups. Subsequent changes in the  
20 designation of representatives shall be determined by the  
21 regional council. The number of members serving by  
22 virtue of this subsection shall not exceed forty-nine  
23 percent of the total number of members.

24 (c) Each regional council shall select from its member-  
25 ship a chairman, who shall preside at each council meet-  
26 ing, and an executive committee which shall be comprised  
27 of one representative from each county commission and  
28 one representative from the largest municipality within  
29 each county in the region and such other members as the  
30 aforesaid representatives may select, but such other  
31 members so selected shall not constitute more than forty-  
32 nine percent of the total membership of the executive  
33 committee. The executive committee shall perform such  
34 administrative duties as are prescribed by the regional  
35 council in its bylaws and shall exercise the review function  
36 provided for in section nine of this article. Each regional  
37 council may further provide for such other officers as it  
38 shall deem necessary and may establish other committees  
39 which may include citizens who are not regional council  
40 members.

41 (d) Each regional council shall establish personnel rules  
42 and shall appoint a director who shall be qualified by

43 reason of training and experience. The director shall be  
44 empowered to appoint and remove other employees in  
45 accordance with the regional council's personnel rules. He  
46 or she may, with the approval of the executive committee,  
47 enter into agreements with governmental agencies within  
48 the region for the use of personnel, equipment and facili-  
49 ties.

50 (e) Whenever a person associated with a public utility or  
51 bank has a conflict of interest between the council and  
52 that public utility or bank, or any other member of the  
53 council has a direct pecuniary interest in a question before  
54 the council, then he or she must recuse himself or herself  
55 from any vote, discussion or other activity associated with  
56 the council or its members that creates the conflict of  
57 interest.



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

*Ray Schoonover*

Chairman Senate Committee

*Joe F. Smith*

Chairman House Committee

Originating in the Senate.

In effect ninety days from passage.

*Russell E. Albee*

Clerk of the Senate

*Bayron L. Gray*  
Clerk of the House of Delegates

*Carl Ray Imbler*  
President of the Senate

*[Signature]*  
Speaker House of Delegates

The within *affirmed* this the *3rd*  
Day of *March*, 1999

*[Signature]*  
Governor

PRESENTED TO THE

GOVERNOR

Date

2/2/99

Time

3:40 pm