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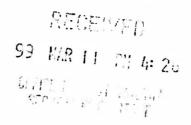
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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999

ENROLLED

SENATE BILL NO	186	
(By Senator Scily,	et al	_)



ENROLLED

Senate Bill No. 186

(By Senators Bailey, Bowman, Ball, Jackson, Kessler, McCabe, Minard, Redd, Schoonover, Snyder, Walker, Wooton and Boley)

[Passed March 2, 1999; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article twentyone-a, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to continuing the state soil conservation committee.

Be it enacted by the Legislature of West Virginia:

That section four, 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-4. State soil conservation committee; continuation.

- 1 (a) The state soil conservation committee is continued.
- 2 It is to serve as an agency of the state and to perform the
- 3 functions conferred upon it in this article. The committee
- 4 shall consist of seven members. The following shall serve,

5 ex officio, as members of the committee: The director of

the state cooperative extension service; the director of the

7 state agricultural experiment station; the director of the

8 division of environmental protection; and the state com-

9 missioner of agriculture, who shall be chairman of the

10 committee.

The governor shall appoint as additional members of the committee three representative citizens. The term of members thus appointed shall be four years, except that of the first members so appointed, one shall be appointed for a term of two years, one for a term of three years and one for a term of four years. In the event of a vacancy, appointment shall be for the unexpired term.

The committee may invite the secretary of agriculture of the United States of America to appoint one person to serve with the committee as an advisory member.

The committee shall keep a record of its official actions, shall adopt a seal, which seal shall be judicially noticed, and may perform such acts, hold such public hearings and promulgate such rules as may be necessary for the execution of its functions under this article.

26 (b) The state soil conservation committee may employ an 27 administrative officer and such technical experts and such 28 other agents and employees, permanent and temporary, as 29 it may require, and shall determine their qualifications, 30 duties and compensation. The committee may call upon 31 the attorney general of the state for such legal services as 32 it may require. It shall have authority to delegate to its 33 chairman, to one or more of its members, or to one or more 34 agents or employees, such powers and duties as it may deem proper. The committee is empowered to secure 36 necessary and suitable office accommodations and the 37 necessary supplies and equipment. Upon request of the 38 committee, for the purpose of carrying out any of its 39 functions, the supervising officer of any state agency or of 40 any state institution of learning shall, insofar as may be 41 possible, under available appropriations and having due 42 regard to the needs of the agency to which the request is 43 directed, assign or detail to the committee, members of the 44 staff or personnel of such agency or institution of learning and make such special reports, surveys or studies as the committee may request.

- 47 (c) A member of the committee shall hold office so long as he or she shall retain the office by virtue of which he 48 shall be serving on the committee. A majority of the 49 50 committee shall constitute a quorum and the concurrence 51 of a majority in any matter within their duties shall be required for its determination. The chairman and mem-52 bers of the committee shall receive no compensation for 53 54 their services on the committee but shall be entitled to 55 expenses, including traveling expenses necessarily in-56 curred in the discharge of their duties on the committee. 57 The committee shall provide for the execution of surety bonds for all employees and officers who shall be en-58 59 trusted with funds or property; shall provide for the keeping of a full and accurate public record of all proceed-60 61 ings and of all resolutions, rules and orders issued or 62 adopted; and shall provide for an annual audit of the 63 accounts of receipts and disbursements.
 - (d) In addition to the duties and powers hereinafter conferred upon the state soil conservation committee, it shall have the following duties and powers:

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- 67 (1) To offer such assistance as may be appropriate to the 68 supervisors of soil conservation districts, organized as 69 provided hereinafter, in the carrying out of any of their 70 powers and programs;
- 71 (2) To keep the supervisors of each of the several dis-72 tricts, organized under the provisions of this article, 73 informed of the activities and experience of all other 74 districts organized hereunder, and to facilitate an inter-75 change of advice and experience between such districts 76 and cooperation between them;
- 77 (3) To coordinate the programs of the several soil 78 conservation districts organized hereunder so far as this 79 may be done by advice and consultation;
- 80 (4) To secure the cooperation and assistance of the 81 United States and any of its agencies and of agencies of 82 this state, in the work of such districts;

- 83 (5) To disseminate information throughout the state 84 concerning the activities and programs of the soil conser-85 vation districts organized hereunder, and to encourage the 86 formation of such districts in areas where their organiza-87 tion is desirable;
- 88 (6) To accept and receive donations, gifts, contributions. 89 grants and appropriations in money, services, materials or 90 otherwise, from the United States or any of its agencies, 91 from the state of West Virginia or from other sources, and 92 to use or expend such money, services, materials or other 93 contributions in carrying out the policy and provisions of 94 this article, including the right to allocate such money, 95 services or materials in part to the various soil conserva-96 tion districts created by this article in order to assist them 97 in carrying on their operations; and
- 98 (7) To obtain options upon and to acquire by purchase, 99 exchange, lease, gift, grant, bequest, devise or otherwise, 100 any property, real or personal, or rights or interests 101 therein; to maintain, administer, operate and improve any 102 properties acquired, to receive and retain income from 103 such property and to expend such income as required for 104 operation, maintenance, administration or improvement of 105 such properties or in otherwise carrying out the purposes 106 and provisions of this article; and to sell, lease or other-107 wise dispose of any of its property or interests therein in 108 furtherance of the purposes and the provisions of this 109 article. Money received from the sale of land acquired in the small watershed program shall be deposited in the 110 111 special account of the state soil conservation committee 112 and expended as herein provided.
- 113 After having conducted a performance audit through its 114 joint committee on government operations, pursuant to 115 article ten, chapter four of this code, the Legislature 116 hereby finds and declares that the state soil conservation 117 committee should be continued and reestablished. Ac-118 cordingly, pursuant to the provisions of section five of said 119 article, the state soil conservation committee shall con-120 tinue to exist until the first day of July, two thousand.

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

Chairman Senate Committee Charman House Committee

Originating in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

Presiden of the Senate

Speaker House of Delegates

..... this the The within..... Day of, 1992 Governor @ GCIU 326-C

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