WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 2000

ENROLLED

Committee Substitute for

SENATE BILL NO. 205

(By Senator Kessler, et al)

PASSED February 11, 2000

In Effect from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 205

(SENATORS KESSLER, EDGELL, CRAIGO, JACKSON, DEEM, MINARD, DITTMAR AND ROSS, original sponsors)

[Passed February 11, 2000; in effect from passage.]

AN ACT to amend and reenact section two, chapter two hundred sixty-one, acts of the Legislature, regular session, one thousand nine hundred ninety-six, relating to authorizing participating municipalities and the Hughes River water board to enter into agreements extending more than one year without ratification by voters in participating jurisdictions.

Be it enacted by the Legislature of West Virginia:

That section two, chapter two hundred sixty-one, acts of the Legislature, regular session, one thousand nine hundred ninety-six, be amended and reenacted to read as follows:

HUGHES RIVER WATER BOARD.

§2. Board of directors; appointment; powers and duties.
(a) There shall be a board of directors, consisting of one member representing each of the participating municipalities. The municipalities shall make appointments to the board through their duly constituted government authorities as provided herein.

No later than the first day of July, one thousand nine hundred ninety-six, the municipality of Cairo shall appoint one member of the board of directors for the term of three years. The municipality of Harrisville shall appoint one member for the term of four years. The municipality of Pennsboro shall appoint one member for the term of five years. Although members shall serve from date of appointment, terms of office shall expire as if said terms had commenced on the first day of July, one thousand nine hundred ninety-six.

Each successor member of the board of directors shall be appointed by the respective municipality that appointed the predecessor member and each successor member shall be appointed for a term of three years, except that any person appointed to fill a vacancy occurring before the expiration of the term shall serve only for the unexpired portion thereof. Any member of the board shall be eligible for reappointment and the appointing municipality which appointed the member may remove that member at any time for any reason.

(b) There shall be an annual meeting of the board of directors on the second Monday in July of each year and a monthly meeting on the day in each month which the board may designate in its bylaws. A special meeting may be called by the president or any two members of the board and shall be held only after all of the directors are given notice thereof in writing. At all meetings two members shall constitute a quorum and at each annual meeting of the board of directors it shall elect, from its membership, a president, a vice president, a secretary and a treasurer: Provided, That a member may be elected both secretary and treasurer.

(c) The board of directors shall adopt those bylaws and rules which it deems necessary for its own guidance and for the administration, supervision and protection of the
The board of directors shall have all the powers necessary, convenient and advisable for the proper operation, equipment and management of the water board; and except as otherwise especially provided in this act, shall have the powers and be subject to the duties which are conferred and imposed upon the cooperating municipalities by article twenty-three, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended: Provided, That participating municipalities and the board may enter into agreements in furtherance of the Hughes River water project which extend for a period in excess of one fiscal year without voter approval as would otherwise be required pursuant to section eight of said article.

The qualifications of the directors shall be determined by each participating municipality.
The 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 from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within........................................... approved.........this the 18th Day of...........................................January................., 2000

Governor
PRESENTED TO THE

GOVERNOR

Date: 8/17/00

Time: 9:35 AM