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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 2000



ENROLLED

COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 29

(By Senator Hunter)



PASSED MARCH 11, 2000
In Effect ninety days from Passage

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2000

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COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 29

(SENATOR HUNTER, *original sponsor*)

[Passed March 11, 2000; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article thirteen-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to providing that a public service district which sells water for resale to other water utilities in addition to servicing retail customers may adopt an alternative method of determining the salaries of its board members which is based on the annual revenues of the public service district.

Be it enacted by the Legislature of West Virginia:

That section four, article thirteen-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 13A. PUBLIC SERVICE DISTRICTS FOR WATER, SEWERAGE
AND GAS SERVICES.**

§16-13A-4. Board chairman; members' compensation; procedure; district name.

1 (a) The chairman shall preside at all meetings of the
2 board and may vote as any other member of the board. If
3 the chairman is absent from any meeting, the remaining
4 members may select a temporary chairman and if the
5 member selected as chairman resigns as such or ceases for
6 any reason to be a member of the board, the board shall
7 select one of its members as chairman to serve until the
8 next annual organization meeting.

9 (b) Salaries of the board members are:

10 (1) For districts with fewer than six hundred customers,
11 up to seventy-five dollars per attendance at regular
12 monthly meetings and fifty dollars per attendance at
13 additional special meetings, total salary not to exceed
14 fifteen hundred dollars per annum;

15 (2) For districts with six hundred customers or more but
16 fewer than two thousand customers, up to one hundred
17 dollars per attendance at regular monthly meetings and
18 seventy-five dollars per attendance at additional special
19 meetings, total salary not to exceed two thousand five
20 hundred fifty dollars per annum;

21 (3) For districts with two thousand customers or more,
22 up to one hundred twenty-five dollars per attendance at
23 regular monthly meetings and seventy-five dollars per
24 attendance at additional special meetings, total salary not
25 to exceed three thousand seven hundred fifty dollars per
26 annum; and

27 (4) For districts with four thousand or more customers,
28 up to one hundred fifty dollars per attendance at regular
29 monthly meetings and one hundred dollars per attendance

30 at additional special meetings, total salary not to exceed
31 five thousand four hundred dollars per annum.

32 The public service district shall certify the number of
33 customers served to the public service commission begin-
34 ning on the first day of July, one thousand nine hundred
35 eighty-six, and continue each fiscal year thereafter.

36 (c) Public service districts selling water to other water
37 utilities for resale may adopt the following salaries for its
38 board members:

39 (1) For districts with annual revenues of less than fifty
40 thousand dollars, up to seventy-five dollars per attendance
41 at regular monthly meetings and fifty dollars per atten-
42 dance at additional special meetings, total salary not to
43 exceed fifteen hundred dollars per annum;

44 (2) For districts with annual revenues of fifty thousand
45 dollars or more, but less than two hundred fifty thousand
46 dollars, up to one hundred dollars per attendance at
47 regular monthly meetings and seventy-five dollars per
48 attendance at special meetings, total salary not to exceed
49 two thousand five hundred fifty dollars per annum;

50 (3) For districts with annual revenues of two hundred
51 fifty thousand dollars or more, but less than five hundred
52 thousand dollars, up to one hundred twenty-five dollars
53 per attendance at regular monthly meetings and seventy-
54 five dollars per attendance at additional special meetings,
55 total salary not to exceed three thousand seven hundred
56 fifty dollars per annum; and

57 (4) For districts with annual revenues of five hundred
58 thousand dollars or more, up to one hundred fifty dollars
59 per attendance at regular monthly meetings and one
60 hundred dollars per attendance at additional special
61 meetings, total salary not to exceed five thousand four
62 hundred dollars per annum.

63 The public service district shall certify the number of
64 customers served and its annual revenue to the public
65 service commission beginning on the first day of July, two
66 thousand, and continue each fiscal year thereafter.

67 (d) Board members may be reimbursed for all reasonable
68 and necessary expenses actually incurred in the perfor-
69 mance of their duties as provided for by the rules of the
70 board.

71 (e) The board shall by resolution determine its own rules
72 of procedure, fix the time and place of its meetings and the
73 manner in which special meetings may be called. Public
74 notice of meetings shall be given in accordance with
75 section three, article nine-a, chapter six of this code.
76 Emergency meetings may be called as provided for by said
77 section. A majority of the members constituting the board
78 also constitute a quorum to do business.

79 (f) The members of the board are not personally liable or
80 responsible for any obligations of the district or the board,
81 but are answerable only for willful misconduct in the
82 performance of their duties. At any time prior to the
83 issuance of bonds as hereinafter provided, the board may
84 by resolution change the official or corporate name of the
85 public service district and the change is effective from the
86 filing of an authenticated copy of such resolution with the
87 clerk of the county commission of each county in which
88 the territory embraced within such district or any part
89 thereof is located and with the public service commission.
90 The official name of any district created under the provi-
91 sions of this article may contain the name or names of any
92 city, incorporated town or other municipal corporation
93 included therein or the name of any county or counties in
94 which it is located.

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

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within..... *approved* this the *22nd*
Day of..... *March* 2000.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/18/02

Time 12:17 pm