

HB 2539

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997

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HOUSE BILL No. 2539

(By Delegate \_\_\_\_\_  
Varner, Hutchins, Ennis, Givens,  
Tucker, Pettit and Davis )

Passed \_\_\_\_\_ April 12, \_\_\_\_\_ 1997

In Effect \_\_\_\_\_ From \_\_\_\_\_ Passage



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WEST VIRGINIA LEGISLATURE

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 2539**

(BY DELEGATES VARNER, HUTCHINS, ENNIS, GIVENS, TUCKER,  
PETTIT AND DAVIS)

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[Passed April 12, 1997; in effect from passage.]

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AN ACT to establish the West Virginia Route 2 and Interstate 68 authority; functions; members; appointment; powers and duties; officers; bylaws; rules; compensation and expenses; authority as corporate body; and severability.

*Be it enacted by the Legislature of West Virginia:*

**WEST VIRGINIA ROUTE 2 AND INTERSTATE 68 AUTHORITY.**

**§1. West Virginia Route 2 and Interstate 68 authority created; purposes.**

1       There is hereby created a West Virginia Route 2 and  
2 Interstate 68 authority, to promote and advance the  
3 construction of a modern highway through Wood,  
4 Pleasants, Tyler, Wetzel, Marshall, Ohio, Brooke, Hancock,  
5 Marion and Monongalia counties and to coordinate with  
6 counties, municipalities, state and federal agencies, public  
7 nonprofit corporations, private corporations, associations,  
8 partnerships and individuals for the purpose of planning,  
9 assisting and establishing recreational, tourism, industrial,  
10 economic and community development of West Virginia  
11 Route 2, between Parkersburg and Chester, and Interstate  
12 68, between Moundsville and Morgantown for the benefit  
13 of West Virginians.

**§2. Members; appointment; officers.**

1 (a) The authority consists of twenty voting members  
2 and three ex officio nonvoting members. All members  
3 shall be appointed before the first day of July, one  
4 thousand nine hundred ninety-seven.

5 (b) Each of the county commissions of the counties of  
6 Wood, Pleasants, Tyler, Wetzel, Marshall, Ohio, Brooke,  
7 Hancock, Marion and Monongalia shall appoint two  
8 voting members to the authority. The terms of the voting  
9 members initially appointed by a county commission are  
10 as follows: One member shall be appointed for a term of  
11 two years and one member shall be appointed for a term  
12 of four years. All successive appointments shall be for a  
13 term of four years. Any voting member may be removed  
14 for cause by the appointing county commission.

15 (c) The three ex officio nonvoting members are the  
16 commissioner of highways or designee, the director of  
17 natural resources or designee and the executive director of  
18 the West Virginia development office or designee.

19 (d) Should a vacancy occur, the person appointed to  
20 fill the vacancy shall serve only for the unexpired portion  
21 thereof. All members are eligible for reappointment.

22 (e) The authority shall meet annually on the third  
23 Monday in July and at such other times designated by the  
24 authority in its bylaws. A special meeting may be called  
25 by the president, the secretary or any two members of the  
26 authority and may be held only after all members are  
27 given notice of the meeting in writing. Eleven voting  
28 members constitute a quorum for all meetings. At each  
29 annual meeting of the authority, it shall elect a president,  
30 vice president, secretary and treasurer. The authority shall  
31 adopt bylaws, rules as may be necessary for its operation  
32 and management.

**§3. Powers.**

1 The authority has all, but only those powers necessary,  
2 incidental, convenient and advisable for the following  
3 purposes:

4 (1) The promotion of economic development and  
5 tourism along West Virginia Route 2, between Parkersburg  
6 and Chester, and Interstate 68, between Moundsville and  
7 Morgantown;

8 (2) Advocating actions consistent with that plan or its  
9 provisions to or before any governmental entity or any  
10 private person or entity; and

11 (3) Otherwise acting in an advisory capacity with  
12 regard to any aspects of West Virginia Route 2, between  
13 Parkersburg and Chester, and Interstate 68, between  
14 Moundsville and Morgantown, at the request of or without  
15 the request of any governmental entity or private person  
16 or entity.

17 The authority may not own any of the real estate or  
18 real property herein described for development and may  
19 not be responsible for operating or maintaining the  
20 highways described herein.

**§4. Compensation.**

1 Each voting member of the authority shall receive  
2 compensation and expense reimbursement from the  
3 governing body which appointed the member in an  
4 amount to be fixed by the governing body, not to exceed  
5 the same compensation and expense reimbursement as is  
6 paid to members of the Legislature for their interim duties  
7 as recommended by the citizens legislative compensation  
8 commission and authorized by law, for each day or  
9 substantial portion thereof engaged in the performance of  
10 official duties.

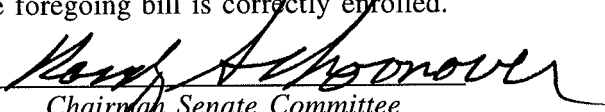
**§5. Body corporate.**

1 The authority hereby created is a public corporation  
2 and as such it may contract and be contracted with, sue  
3 and be sued, plead and be impleaded and may have and  
4 use a corporate seal.

**§6. Severability.**

1 If any provision hereof is held invalid, the invalidity  
2 may not affect other provisions hereof which can be given  
3 effect without the invalid provision, and to this end the  
4 provisions of this Act are severable.

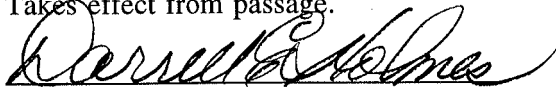
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

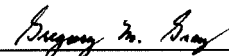
  
Chairman Senate Committee

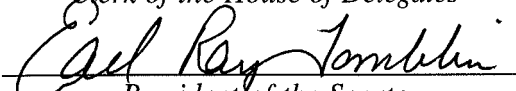
  
Chairman House Committee

Originating in the House.

Takes effect from passage.

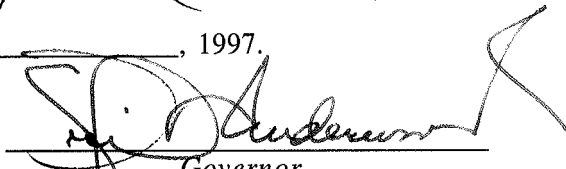
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 2nd  
day of May, 1997.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/29/97

Time 2:55 pm