

SB 259

FILED

2009 APR 20 PM 4: 06

WEST VIRGINIA LEGISLATURE

SEVENTY-NINTH LEGISLATURE

REGULAR SESSION, 2009

—●—
ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 259

(SENATORS KESSLER AND CHAFIN, *original sponsors*)

[Passed April 6, 2009; in effect from passage.]

FILED

2009 APR 20 PM 4:06

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 259

(SENATORS KESSLER AND CHAFIN, *original sponsors*)

[Passed April 6, 2009; in effect from passage.]

AN ACT to amend and reenact §29-26-1 of the Code of West Virginia, 1931, as amended, relating to updating language within the West Virginia Courthouse Facilities Improvement Authority.

Be it enacted by the Legislature of West Virginia:

That §29-26-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 26. WEST VIRGINIA COURTHOUSE FACILITIES IMPROVEMENT
AUTHORITY.**

**§29-26-1. West Virginia Courthouse Facilities Improvement
Authority created; membership.**

1 (a) The West Virginia Courthouse Facilities Improve-
2 ment Authority is hereby created.

3 (b) The authority is to consist of twelve voting members,
4 including:

5 (1) The president of the West Virginia Sheriffs' Associa-
6 tion or another member of the association designated to
7 attend in lieu of the president;

8 (2) One sheriff to be appointed by the president of the
9 West Virginia Sheriffs' Association: *Provided*, That the
10 sheriff who is appointed may not be from the same
11 congressional district as the president;

12 (3) The president of the West Virginia Prosecuting
13 Attorneys' Association or another member of the associa-
14 tion designated to attend in lieu of the president;

15 (4) One prosecuting attorney to be appointed by the
16 president of the West Virginia Prosecuting Attorneys'
17 Association: *Provided*, That the prosecuting attorney who
18 is appointed may not be from the same congressional
19 district as the president;

20 (5) The president of the West Virginia County Clerks'
21 Association or another member of the association desig-
22 nated to attend in lieu of the president;

23 (6) The president of the West Virginia Association of
24 Circuit Clerks or another member of the association
25 designated to attend in lieu of the president;

26 (7) One county clerk to be appointed by the president of
27 the West Virginia County Clerks' Association: *Provided*,
28 That the county clerk who is appointed may not be from
29 the same congressional district as the president;

30 (8) One circuit clerk to be appointed by the president of
31 the West Virginia Association of Circuit Clerks: *Provided*,
32 That the circuit clerk who is appointed may not be from
33 the same congressional district as the president;

34 (9) The president of the West Virginia County Commis-
35 sioners' Association or another member of the association
36 designated to attend in lieu of the president;

37 (10) One county commissioner to be appointed by the
38 president of the West Virginia County Commissioners'
39 Association: *Provided*, That the county commissioner who
40 is appointed may not be from the same congressional
41 district as the president;

42 (11) The president of the West Virginia Assessors'
43 Association or another member of the association desig-
44 nated to attend in lieu of the president; and

45 (12) One assessor to be appointed by the president of the
46 West Virginia Assessors' Association: *Provided*, That the
47 assessor who is appointed may not be from the same
48 congressional district as the president.

49 (c) The authority is to consist of eight advisory members,
50 including:

51 (1) The president of the West Virginia Judicial Associa-
52 tion or another member of the association designated to
53 attend in lieu of the president;

54 (2) One circuit judge to be appointed by the West
55 Virginia Judicial Association: *Provided*, That the circuit
56 judge who is appointed may not be from the same congres-
57 sional district as the president;

58 (3) The president of the West Virginia Magistrates'
59 Association or another member of the association desig-
60 nated to attend in lieu of the president;

61 (4) One magistrate to be appointed by the West Virginia
62 Magistrates' Association: *Provided*, That the magistrate
63 who is appointed may not be from the same congressional
64 district as the president;

65 (5) The president of the West Virginia Family Judicial
66 Association or another member of the association desig-
67 nated to attend in lieu of the president;

68 (6) One family court judge to be appointed by the West
69 Virginia Family Judicial Association: *Provided*, That the
70 family court judge who is appointed may not be from the
71 same congressional district as the president;

72 (7) One member of the West Virginia Senate to be
73 appointed by the President of the Senate; and

74 (8) One member of the West Virginia House of Delegates
75 to be appointed by the Speaker of the House of Delegates.

76 (d) The advisory members of the authority are nonvot-
77 ing, *ex officio* members.

78 (e) The appointments are to be made as soon as possible
79 after the effective date of this article. The terms of
80 appointments are for four-year terms.

81 (f) The authority shall annually elect one of its members
82 as chair and shall appoint a secretary, who need not be a
83 member of the authority and who shall keep records of its
84 proceedings.

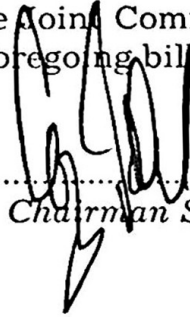
85 (g) The authority shall meet at least once every ninety
86 days to review applications requesting funding assistance
87 and otherwise to conduct its business and may meet more
88 frequently if necessary.

89 (h) Seven members of the authority constitute a quorum
90 and the affirmative vote of at least a majority of those
91 members present is necessary for any action taken by vote
92 of the authority. No vacancy in the membership of the
93 authority impairs the rights of a quorum by such vote to
94 exercise all the rights and perform all the duties of the
95 authority.

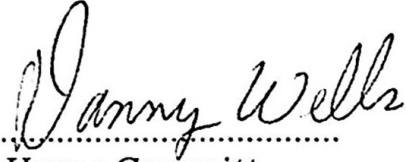
96 (i) Members of the authority shall be reimbursed for
97 reasonable and necessary expenses actually incurred in the
98 performance of their official duties from funds appropri-
99 ated or otherwise made available to the authority for the
100 purpose of reimbursement upon submission of an itemized
101 statement.

Enr. Com. Sub. for S. B. No. 259] 6

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



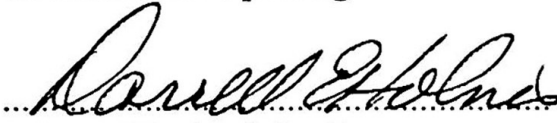
.....
Chairman Senate Committee



.....
Chairman House Committee

Originated 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 *is appended* this the *20th*
Day of *April*, 2009.



.....
Governor

PRESENTED TO THE
GOVERNOR

APR 16 2009

Time 10:10 am