

1 **Senate Bill No. 37**

2 (By Senator Jenkins)

3 _____

4 [Introduced January 12, 2011; referred to the Committee on

5 Transportation and Infrastructure; and then to the Committee on

6 Government Organization.]

7 _____

8

9

10

11 A BILL to amend and reenact sections 1, 2 and 3, chapter 232, Acts

12 of the Legislature, regular session, 1997, all relating to

13 expanding the counties covered by West Virginia Route 2 and

14 Interstate 68 Authority to include Cabell, Mason and Jackson

15 counties; and increasing the number of members.

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

17 That sections 1, 2 and 3, chapter 232, Acts of the

18 Legislature, regular session, 1997, be amended and reenacted, all

19 to read as follows:

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

21 **§1. West Virginia Route 2 and Interstate 68 Authority created;**

22 **purposes.**

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

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

14 (a) The authority consists of ~~twenty~~ twenty-six voting members
15 and three ex officio nonvoting members. All members shall be
16 appointed before July 1, 1997, except that the members from Cabell,
17 Mason and Jackson counties shall be appointed before July 1, 2011.

18 (b) Each of the county commissions of the counties of Cabell,
19 Mason, Jackson, Wood, Pleasants, Tyler, Wetzell, Marshall, Ohio,
20 Brooke, Hancock, Marion and Monongalia shall appoint two voting
21 members to the authority. The terms of the voting members
22 initially appointed by a county commission are as follows: One
23 member shall be appointed for a term of two years and one member

1 shall be appointed for a term of four years. All successive
2 appointments ~~shall be~~ are for a term of four years. Any voting
3 member may be removed for cause by the appointing county
4 commission.

5 (c) The three ex officio nonvoting members are the
6 Commissioner of Highways or designee, the Director of Natural
7 Resources or designee and the Executive Director of the West
8 Virginia Development Office or designee.

9 (d) Should a vacancy occur, the person appointed to fill the
10 vacancy ~~shall serve~~ serves only for the unexpired portion ~~thereof~~
11 of the term. All members are eligible for reappointment.

12 (e) The authority shall meet annually on the third Monday in
13 July and at ~~such~~ other times designated by the authority in its
14 bylaws. A special meeting may be called by the president, the
15 secretary or any two members of the authority and may be held only
16 after all members are given notice of the meeting in writing.

17 ~~Eleven~~ fourteen voting members constitute a quorum for all
18 meetings. At each annual meeting of the authority, it shall elect
19 a president, vice president, secretary and treasurer. The
20 authority shall adopt bylaws, rules ~~as may be~~ necessary for its
21 operation and management.

22 **§3. Powers.**

23 The authority has all but only those powers necessary,

1 incidental, convenient and advisable for the following purposes:

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

5 (2) Advocating actions consistent with that plan or its
6 provisions to or before any governmental entity or any private
7 person or entity; and

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

13 The authority may not own any of the real estate or real
14 property ~~herein~~ described in this act for development and ~~may not~~
15 ~~be~~ is not responsible for operating or maintaining the highways
16 described ~~herein~~ in this act.

NOTE: The purpose of this bill is to expand the counties covered by West Virginia Route 2 and Interstate 68 Authority to include Cabell, Mason and Jackson counties.

Strike-throughs indicate language that would be stricken from

the present law, and underscoring indicates new language that would be added.