

E N G R O S S E D  
COMMITTEE SUBSTITUTE  
FOR

**Senate Bill No. 365**

(By Senators Miller, Snyder and Williams)

---

[Originating in the Committee on Government Organization;  
reported January 22, 2014.]

---

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §6B-2-5c; and to amend said code by adding thereto a new section, designated §61-10-15a, all relating to elected conservation district supervisors; exempting elected conservation district supervisors who participate in West Virginia Conservation Agency programs from certain provisions of the West Virginia Ethics Act and pecuniary interest requirements.

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §6B-2-5c; that said code be amended by adding thereto a new section, designated §19-21A-4a; and that said code be amended by adding thereto a new section, designated §61-10-15a, all to read as follows:

**CHAPTER 6B. PUBLIC OFFICERS AND EMPLOYEES;  
ETHICS; CONFLICTS OF INTEREST; FINANCIAL  
DISCLOSURE.**

**ARTICLE 2. WEST VIRGINIA ETHICS COMMISSION;  
POWERS AND DUTIES; DISCLOSURE  
OF FINANCIAL INTEREST BY PUBLIC  
OFFICIALS AND EMPLOYEES;  
APPEARANCES BEFORE PUBLIC  
AGENCIES; CODE OF CONDUCT FOR  
ADMINISTRATIVE LAW JUDGES.**

**§6B-2-5c. Exception.**

1 The provisions of section five of this article do not apply  
2 to elected conservation district supervisors and their  
3 immediate family when the elected conservation district

4 supervisor qualifies, under the legislative rules established by  
5 the State Conservation Committee pursuant to section four-a,  
6 article twenty-one-a, chapter nineteen of this code, to  
7 participate in West Virginia Conservation Agency programs:  
8 *Provided*, That the elected conservation district supervisor  
9 does not participate in the ranking process for applicants and  
10 does not consider, act or vote on matters that affect the  
11 elected conservation district supervisor or his or her  
12 immediate family.

## **CHAPTER 19. AGRICULTURE.**

### **ARTICLE 21A. CONSERVATION DISTRICTS.**

#### **§19-21A-4a. Rulemaking.**

1 (a) The State Conservation Committee shall propose rules  
2 for legislative approval, pursuant to article three, chapter  
3 twenty-nine-a of this code, to establish:

4 (1) The criteria, ranking and standards required for an  
5 applicant, including an elected conservation district  
6 supervisor and his or her immediate family, to qualify to  
7 participate in West Virginia Conservation Agency programs;

8 (2) A process to disclose the recipients of the award,  
9 including the elected conservation district supervisor; and

10 (3) The process for an unsuccessful qualified applicant to  
11 appeal an award given to a conservation district supervisor.

12 (b) The State Conservation Committee may propose  
13 emergency rules for legislative approval, pursuant to article  
14 three, chapter twenty-nine-a of this code, to establish the  
15 criteria, ranking and standards required for an applicant,  
16 including an elected conservation district supervisor and his  
17 or her immediate family, to qualify to participate in West  
18 Virginia Conservation Agency programs.

## **CHAPTER 61. CRIMES AND THEIR PUNISHMENT.**

### **ARTICLE 10. CRIMES AGAINST PUBLIC POLICY.**

#### **§61-10-15a. Exception.**

1 The provisions of section fifteen of this article do not  
2 apply to elected conservation district supervisors and their  
3 immediate family when the elected conservation district  
4 supervisor qualifies, under the legislative rules established by  
5 the State Conservation Committee pursuant to section four-a,

5

[Eng. Com. Sub. for S. B. No. 365

6 article twenty-one-a, chapter nineteen of this code, to

7 participate in West Virginia Conservation Agency programs:

8 *Provided*, That the elected conservation district supervisor

9 does not participate in the ranking process for applicants and

10 does not consider, act or vote on matters that affect the

11 elected conservation district supervisor or his or her

12 immediate family.