

1 **H. B. 2389**

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3 (By Delegates Manypenny and Fleischauer)
4 [Introduced February 13, 2013; referred to the
5 Committee on Government Organization then the Judiciary.]
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10 A BILL to amend and reenact §8A-12-2 of the Code of West Virginia,
11 1931, as amended, relating to requiring county commissions to
12 adopt and implement county farmland protection programs.

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

14 That §8A-12-2 of the Code of West Virginia, 1931, as amended,
15 be amended and reenacted to read as follows:

16 **ARTICLE 12. VOLUNTARY FARMLAND PROTECTION PROGRAMS.**

17 **§8A-12-2. County farmland protection programs and farmland**
18 **protection boards authorized; authority of county**
19 **commission to approve purchase of farmland**
20 **easements; expense reimbursement of actual expenses**
21 **for the board members.**

22 (a) The county commission of each county ~~may~~ shall adopt and
23 implement a farmland protection program within the county. The

1 county commission of each county ~~which decides to adopt and~~
2 ~~implement a farmland protection program~~ shall appoint a farmland
3 protection board. The farmland protection board shall administer
4 on behalf of the county commission all matters concerning farmland
5 protection. The county commission has final approval authority for
6 any and all purchases of easements for the farmland protection
7 program by the board.

8 (b) The farmland protection board shall adopt bylaws
9 prescribing the board's officers, meeting dates, record-keeping
10 procedures, meeting attendance requirements and other internal
11 operational procedures. The member of the farmland protection
12 board who is a county commissioner shall serve as temporary
13 chairman of the board until the board's bylaws are adopted and
14 until the board's officers are selected as prescribed by those
15 bylaws. The farmland protection board shall prepare a document
16 proposing a farmland protection program which is consistent with
17 the Legislature's intent.

18 (c) Each member of the board shall receive expense
19 reimbursement for actual expenses incurred while engaged in the
20 discharge of official duties, the actual expenses not to exceed the
21 amount paid to members of the Legislature.

NOTE: The purpose of this bill is to require county
commissions to adopt and implement county farmland protection
programs.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.