

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **Senate Bill 266**

BY SENATOR BLAIR

[Introduced January 13, 2016;

Referred to the Committee on Government Organization.]

1 A BILL to amend and reenact §11-1C-3 of the Code of West Virginia, 1931, as amended, relating  
2 to Property Valuation Training and Procedures Commission; and limiting terms of  
3 appointed members.

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

1 That §11-1C-3 of the Code of West Virginia, 1931, as amended, be amended and  
2 reenacted to read as follows:

**ARTICLE 1C. FAIR AND EQUITABLE PROPERTY VALUATION.**

**§11-1C-3. Property valuation training and procedures commission generally;  
appointment; term of office; meetings; compensation.**

1 (a) There is hereby created, under the Department of Tax and Revenue, a property  
2 valuation training and procedures commission which consists of the State Tax Commissioner, or  
3 a designee, who shall serve as chairperson of the commission, three county assessors, five  
4 citizens of the state, one of which shall be a certified appraiser, and two county commissioners.  
5 The assessors, five citizen members and two county commissioners shall be appointed by the  
6 Governor with the advice and consent of the Senate. For each assessor to be appointed, the  
7 West Virginia assessors association shall nominate three assessors, no more than two of whom  
8 shall belong to the same political party, and shall submit such list of nominees to the Governor.  
9 For each of the two county commissioners to be appointed, the county commissioner's  
10 association of West Virginia shall nominate three commissioners, no more than two of whom shall  
11 belong to the same political party, and shall submit such list of nominees to the Governor. Except  
12 for the Tax Commissioner, there may not be more than one member from any one county. No  
13 more than seven members of the commission shall belong to the same political party: *Provided,*  
14 That any member of the commission who is a direct party to any dispute before the board shall  
15 excuse himself or herself from any consideration or vote regarding the dispute. By November 1,  
16 1990, the Governor shall appoint the fifth citizen member, who shall serve a two-year term.

17 (b) All members, except the Tax Commissioner, shall serve for four-year terms: *Provided,*

18 That of the members initially appointed, two assessors, one county commission member and two  
19 citizens shall serve two-year terms, and one assessor, one county commissioner member and  
20 three citizen members shall serve four-year terms. Any assessor member and county  
21 commissioner member ceases to be a member immediately upon leaving the office of assessor  
22 or county commissioner. Members shall ~~remain members of the commission until their successors~~  
23 ~~have been appointed~~ not serve beyond the expiration of their terms and members may not be  
24 appointed to consecutive terms. In case of a vacancy occurring prior to the end of the term of a  
25 member, a replacement shall be appointed within thirty days in the same manner as the member  
26 was appointed and shall serve until the end of the term of the member so replaced.

27 (c) The Tax Commissioner shall call the first meeting of the commission within thirty days  
28 of the appointment of the assessor, county commissioner and citizen members. Subsequently,  
29 meetings shall be at the call of the chairperson or at the written request of any four members,  
30 except that the commission shall meet at least twice annually. Assessor members, county  
31 commissioner members and the Tax Commissioner shall serve without compensation, and citizen  
32 members shall receive \$50 per day for each day of actual service rendered. All members shall be  
33 reimbursed for all reasonable and necessary expenses actually incurred in the performance of  
34 their duties as members of the commission.

35 (d) The commission shall be funded by an appropriation by the Legislature through a  
36 separate line item appropriated to the State Tax Commissioner.

NOTE: The purpose of this bill is to prohibit members of the Property Valuation Training and Procedures Commission from serving beyond the expiration of their appointed term and from being appointed to consecutive terms.

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