

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 514

BY SENATORS SMITH, TAKUBO, HAMILTON, WOELFEL, AND

JEFFRIES

[Passed April 5, 2021; in effect 90 days from passage

(July 4, 2021)]

1 AN ACT to amend and reenact §20-1-16 of the Code of West Virginia, 1931, as amended, relating
2 to the Natural Resources Commission; providing for the composition and membership of
3 the commission; providing criteria and qualifications for the appointment of
4 commissioners; and providing for reimbursement of expenses for commissioners.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. ORGANIZATION AND ADMINISTRATION.

§20-1-16. Natural Resources Commission - generally.

1 (a) The Natural Resources Commission, created and established by §20-1-3 of this code,
2 shall be a public benefit corporation and as such may sue and be sued, plead and be impleaded,
3 contract and be contracted with, and have and use a common seal. It shall be a commission
4 advisory to the director and to the Division of Natural Resources. The commission shall be
5 composed of seven members, known as commissioners, one from each division of natural
6 resources district and the remainder from the state at large, and shall be appointed to provide the
7 broadest geographic distribution possible so that each commissioner shall attend the division
8 sectional meetings established in §20-1-7(6) of this code within his or her respective district.

9 (b) The Governor, with the advice and consent of the Senate, shall appoint the seven
10 members for the following terms beginning July 1, 2021:

11 (1) Three for a term of four years;

12 (2) Two for a term of three years; and

13 (3) Two for a term of two years.

14 (4) Successors to appointed members whose terms expire shall be appointed for terms of
15 four years. Any commissioner whose term has expired shall serve until his or her successor has
16 been appointed. An appointed commissioner may not serve more than two consecutive terms.
17 Vacancies shall be filled for any unexpired term. Appointment to fill a vacancy shall not be
18 considered as one of two full terms. Any commissioner who has served two or more consecutive

19 terms immediately preceding the effective date of this section shall not be excluded from
20 consideration for initial appointment under this section.

21 (c) The members of the commission shall be citizens and residents of the state, and shall
22 be selected with special emphasis on his or her interest in the conservation of the natural
23 resources of the state. No member of the commission shall be a candidate for or hold any public
24 office other than that of member of the commission; nor shall he or she be a member of any
25 committee of a political party. In case a member becomes a candidate for or accepts appointment
26 to any public office or political party committee, his or her position as member of the commission
27 shall be immediately vacated. The Director of the Division of Natural Resources may submit
28 recommendations to the Governor for the appointment of the commissioners.

29 (d) Commissioners are not entitled to compensation for services performed for the
30 commission, but may be reimbursed by the Division of Natural Resources for actual and
31 necessary expenses incurred for each day in which he or she is engaged in the discharge of
32 official duties, the actual expenses not to exceed the amount paid similar reimbursement to
33 members of the Legislature.

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 90 days from passage.

.....
Clerk of the Senate

.....
Clerk of the House of Delegates

.....
President of the Senate

.....
Speaker of the House of Delegates

The within this the.....
Day of, 2021.

.....
Governor