

HB # 4084

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

HOUSE BILL No. 4084

(By Delegates Martin, Michael & Border)



Passed Feb. 16, 1994

In Effect July 1, 1994 ~~Passage~~

ENROLLED
H. B. 4084

(By DELEGATES MARTIN, MICHAEL AND BORDER)

[Passed February 16, 1994; in effect July 1, 1994.]

AN ACT to amend and reenact sections two and six, article one-d, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to continuation of West Virginia's membership in the Ohio River valley water sanitation commission compact and changing ex officio membership to the director of the division of environmental protection.

Be it enacted by the Legislature of West Virginia:

That sections two and six, article one-d, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1D. OHIO RIVER VALLEY WATER SANITATION COMMISSION.

§29-1D-2. Appointment of members of commission; director of the division of environmental protection member ex officio.

1 In pursuance of article four of said compact, there
2 shall be three members of the "Ohio River valley water
3 sanitation commission" from the state of West Virginia.
4 The governor, by and with the advice and consent of the
5 Senate, shall appoint two persons as two of such
6 commissioners, each of whom shall be a resident and
7 citizen of this state. The terms of one of the said two
8 commissioners first appointed shall be three years and

9 of the other shall be six years; and their successors shall
10 be appointed by the governor, by and with the advice
11 and consent of the Senate, for terms of six years each.
12 Each commissioner shall hold office until his successor
13 shall be appointed and qualified. Vacancies occurring in
14 the office of any such commissioner from any reason or
15 cause shall be filled by appointment by the governor, by
16 and with the advice and consent of the Senate, for the
17 unexpired term. The third commissioner from this state
18 shall be the director of the division of environmental
19 protection ex officio, and the term of any such ex officio
20 commissioner shall terminate at the time he ceases to
21 hold the office of director of the division of environmen-
22 tal protection, and his successor as a commissioner shall
23 be his successor as the director of the division of
24 environmental protection. With the exception of the
25 issuance of any order under the provisions of article nine
26 of the compact, the ex officio commissioner may
27 delegate, from time to time, to any deputy or other
28 subordinate in his division or office, the power to be
29 present and participate, including voting, as his
30 representative or substitute at any meeting of or hearing
31 by or other proceeding of the commission. The terms of
32 each of the initial three members shall begin at the date
33 of the appointment of the two appointive commissioners,
34 provided the said compact shall then have gone into
35 effect in accordance with article eleven of the compact;
36 otherwise shall begin upon the date which said compact
37 shall become effective in accordance with said article
38 eleven.

39 Any commissioner may be removed from office by the
40 governor.

§29-1D-6. When article effective; findings; continuation.

1 This article shall take effect and become operative and
2 the compact be executed for and on behalf of this state
3 only from and after the approval, ratification and
4 adoption, and entering into thereof by the states of New
5 York, Pennsylvania, Ohio and Virginia.

6 After having conducted a preliminary performance
7 review through its joint committee on government

8 operations, pursuant to article ten, chapter four of this
9 code, the Legislature hereby finds and declares that
10 West Virginia should remain a member of the compact.
11 Accordingly, notwithstanding the provisions of article
12 ten, chapter four of this code, West Virginia shall
13 continue to be a member of this compact until the first
14 day of July, two thousand.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Handwritten signature]
.....
Chairman Senate Committee

Ernest C. Moore
.....
Chairman House Committee

Originating in the House.

Takes effect July 1, 1994.

Darrell E. Holmes
.....
Clerk of the Senate

Donald L. Kopp
.....
Clerk of the House of Delegates

Neil Burdette
.....
President of the Senate

Bill Egan
.....
Speaker of the House of Delegates

The within *is approved* this the *20th*
day of *February*, 1994.

Caston Capron
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 2/24/94

Time 3:31 pm