

SB 516 S

FILED

2004 APR -2 P 4: 02

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 2004

ENROLLED

Committee Substitute for
SENATE BILL NO. 516

(By Senator Unger, et al)

PASSED March 13, 2004

In Effect 90 days from Passage

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 516

(SENATORS UNGER, SNYDER AND ROWE, *original sponsors*)

[Passed March 13, 2004; in effect ninety days from passage.]

AN ACT to establish the West Virginia eastern panhandle transportation authority to include representatives from Berkeley, Jefferson and Morgan counties; appointment of officers; and powers of authority.

Be it enacted by the Legislature of West Virginia:

WEST VIRGINIA EASTERN PANHANDLE TRANSPORTATION AUTHORITY.

§1. West Virginia eastern panhandle transportation authority created; purposes.

1 There is hereby created a West Virginia eastern panhan-
2 dle transportation authority to promote and advance the
3 construction of a modern highway through Berkeley,
4 Jefferson and Morgan counties and to coordinate with
5 counties, municipalities, state and federal agencies, public
6 nonprofit corporations, private corporations, associations,

7 partnerships and individuals for the purpose of planning,
8 assisting and establishing recreational, tourism, industrial,
9 economic and community development of West Virginia
10 Route 9 and the new Route 9 proposals and construction
11 from the Virginia line to Berkeley Springs, Interstate 81,
12 Route 11, Route 522, Route 340 and also any existing and
13 proposed by-passes around any municipalities, as well as
14 any other highways in those counties for the benefit of
15 West Virginians.

§2. Members; appointment; officers.

1 (a) The authority consists of nine voting members and
2 three ex officio nonvoting members. All members shall be
3 appointed before the first day of July, two thousand four.

4 (b) Each of the county commissions of the counties of
5 Berkeley, Jefferson, and Morgan shall appoint three voting
6 members to the authority. The terms of the voting mem-
7 bers initially appointed by a county commission are as
8 follows: One member shall be appointed for a term of two
9 years and two members shall be appointed for terms of
10 four years. All successive appointments shall be for four-
11 year terms. Any voting member may be removed for cause
12 by the appointing county commission.

13 (c) The three ex officio nonvoting members are the
14 commissioner of highways or his or her designee, the
15 director of the parkways, economic development and
16 tourism authority or his or her designee and the executive
17 director of the West Virginia development office or his or
18 her designee.

19 (d) Should a vacancy occur, the person appointed to fill
20 the vacancy shall serve only for the unexpired portion
21 thereof. All members are eligible for reappointment.

22 (e) The authority shall meet annually on the third
23 Monday in July and at such other times designated by the
24 authority in its bylaws. A special meeting may be called
25 by the president, the secretary or any two members of the

26 authority and may be held only after all members are
27 given notice of the meeting in writing. Five voting mem-
28 bers constitute a quorum for all meetings. At each annual
29 meeting of the authority, it shall elect a president, vice
30 president, secretary and treasurer. The authority shall
31 adopt bylaws and rules as may be necessary for its opera-
32 tion and management.

§3. Powers.

1 (a) The authority has all but only those powers necessary,
2 incidental, convenient and advisable for the following
3 purposes:

4 (1) Promoting economic development and tourism along
5 West Virginia Route 9 and the new Route 9 proposals and
6 construction from the Virginia line to Berkeley Springs,
7 Interstate 81, Route 11, Route 522, Route 340 and also any
8 existing and proposed by-passes around any municipali-
9 ties, as well as any other highways in Berkeley, Jefferson
10 and Morgan counties;

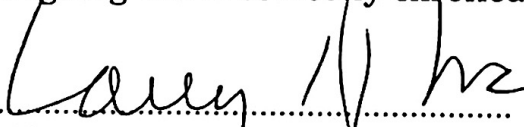
11 (2) Advocating actions consistent with that plan or its
12 provisions to or before any governmental entity or any
13 private person or entity; and

14 (3) Otherwise acting in an advisory capacity with regard
15 to any aspects of West Virginia Route 9 and new Route 9
16 construction and design and other highways in those
17 counties at the request of or without the request of any
18 governmental entity or private person or entity.

19 (b) The authority may not own any of the real estate or
20 real property herein described for development and may
21 not be responsible for operating or maintaining the
22 highways described herein.

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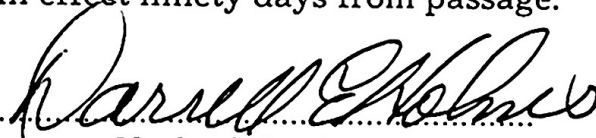
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Chairman Senate Committee



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Chairman House Committee

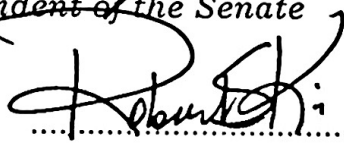
Originated in the Senate.

In effect ninety days from passage.

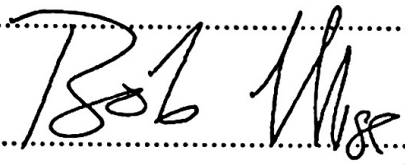

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within is approved this the 2nd
Day of April, 2004.


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Governor

PRESENTED TO THE
GOVERNOR

Date 4.1.04

Time 10.02 AM