

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 869

**FISCAL
NOTE**

By Senators Hamilton and Morris

[Introduced March 21, 2025; referred
to the Committee on Economic Development; and
then to the Committee on Finance]

1 A BILL to amend Chapter 231, Acts of the Legislature, Regular Session, 1997, by amending
2 section two, relating to members, appointment and officers of the Robert C. Byrd Corridor
3 H Highway Authority; adding three new sections designated three-a, three-b, and three-c,
4 creating the Corridor H Advanced Energy and Economic Corridor Authority; providing for
5 legislative findings; appointing authority members; providing for terms of membership;
6 providing for certain membership and meeting requirements; providing that members are
7 not compensated; providing for certain powers and duties; and requiring annual reporting
8 to the Joint Committee on Government and Finance.

Be it enacted by the Legislature of West Virginia:

ROBERT C. BYRD CORRIDOR H HIGHWAY AUTHORITY.

§2. Members; appointment; officers.

1 (a) The authority consists of 21 voting members and ~~three~~ five ex officio nonvoting
2 members.

3 All members shall be appointed before the first day of July, 1997.

4 (b) Each of the county commissions of the counties of Randolph, Tucker, Grant, Hardy,
5 Barbour, Upshur and Lewis shall appoint three voting members to the authority. The terms of
6 the voting members initially appointed by a county commission are as follows: One member
7 from each county shall be appointed for a term of one year, one member from each county shall
8 be appointed for a term of two years and the rest of the members shall be appointed for a term
9 of four years. All successive appointments shall be for a term of four years. Any voting member
10 may be removed for cause by the appointing county commission.

11 (c) The ~~three~~ five ex officio nonvoting members are the commissioner of highways or
12 designee, the director of natural resources or designee, ~~and the executive director of the West~~
13 Virginia development office or designee, the executive directors of the region 7 and region 8
14 planning development councils of designees.

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

(e) The authority shall meet annually. ~~on the third Monday in July and at such other times designated by the authority in its bylaws. A special meeting may be called by the president, the secretary or any two members of the authority and may be held only after all members are given notice of the meeting in writing. Eleven voting members constitute a quorum for all meetings. At each annual meeting of the authority, it shall elect a president, vice president, secretary and treasurer. The authority shall adopt bylaws and rules as may be necessary for its operation and management. Regular meeting shall be established by the authority.~~

Corridor H advanced energy and economic corridor authority.

§3a.

Legislative

Findings.

(1) The Legislature finds that the Advanced Energy and Economic Corridor, known as Corridor H, which runs through the counties of Lewis, Upshur, Barbour, Randolph, Tucker, Grant, and Hardy, has undergone significant challenges owing to widespread changes in the national and global economies. Therefore, every effort should be made to assist the transformation of the regional economies along Corridor H by providing guidance to local governments, business, and industries which may maximize the economic development and diversification of those economies. This will not only foster greater transportation efficiencies, but it will also provide vital connectivity to burgeoning markets, resulting in both job creation and economic expansion in northeastern West Virginia.

(2) The economic development agencies along this corridor are aligning efforts to embrace the expansion of the energy and economic development policies adopted by the West Virginia Legislature as a tool for economic development and are focused on efforts to transform and revitalize the region by fostering partnerships and initiatives which are complementary and supportive of existing successful industries in West Virginia.

(3) The Legislature, by enactment of this article, intends to facilitate implementation of critical and time-sensitive opportunities for economic development along the Advanced Energy and Economic Corridor by establishing an authority, known as the Corridor H Advanced Energy and Economic Corridor Authority (Corridor H Authority) to facilitate assistance to the local entities comprised of the economic development agencies of Lewis, Upshur, Barbour, Randolph, Tucker, Grant, and Hardy counties which shall act as an independent body corporate.

§3b. Corridor H Advanced Energy and Economic Corridor Authority created; membership; terms; meetings; quorum; recusal; compensation.

(1) The Corridor H Authority is hereby created as an independent body corporate. It shall consist of the following 16 members who are involved in economic, commercial, or industrial development in the geographic region of the Corridor H Authority:

(1) A representative of the economic development agency of Lewis, County;

(2) A representative of the economic development agency of Upshur County;

(3) A representative of the economic development agency of Barbour County;

(4) A representative of the economic development agency of Randolph County;

(5) A representative of the economic development agency of Tucker County;

(6) A representative of the economic development agency of Grant County;

(7) A representative of the economic development agency of Hardy County;

(8) A representative of the Region 7 Planning and Development Council;

(9) A representative of the Region 8 Planning and Development Council;

(10) The following seven members appointed by the Governor, or his or her designee:

(A) A representative from businesses and industries located in the state;

(B) An economic development representative from a utility company that provides service to the Corridor H region;

(C) Three private sector representatives from the technology, energy, and advanced manufacturing sectors in the Corridor H region; and

19 (D) Two at-large members from regions and counties along the corridor who have
20 knowledge and experience in local issues, economic development, and other areas of expertise.

21 (b) Each member shall serve a term of five years. Members may be reappointed to
22 additional terms and, upon expiration of their respective terms, shall continue to serve until their
23 successor has been appointed. The chair, vice-chair, and officers shall be selected annually by a
24 majority vote of the members. The chair shall schedule meetings and set the agenda for each
25 meeting.

26 (c) A majority of members, in person or by real-time electronic communication, constitutes
27 a quorum to conduct business at a meeting.

28 (d) If a member of the authority must recuse himself or herself because of a perceived or
29 actual conflict of interest, a majority of the remaining members of the authority without a conflict
30 shall be sufficient for the conduct of authority business.

31 (e) Members are not entitled to compensation for their services.

§3c. Powers and duties.

1 (a) The Corridor H Authority may:

2 (1) Set specific tactical goals and demonstrable objectives via input from member counties
3 and communities;

4 (2) Maintain an inclusive, rather than constraining, geographic focus on economic
5 development;

6 (3) Seek out private-public partnerships to achieve its vision;

7 (4) Foster partnerships with groups in other states to help build broad support for the
8 economic development and infrastructure projects undertaken in the geographic region of the
9 Corridor H Authority;

10 (5) Propose legislation for bonding and tax credits to facilitate economic development
11 along Corridor H;

12 (6) Seek governmental engagement for guidance on local, state, regional, or national

initiatives to achieve economic development objectives;

(7) Utilize cutting-edge technologies and innovation platforms where their applications will be most beneficial;

(8) Propose legislation to allow regulatory flexibility along corridor expanded boundaries;

(9) Develop a memorandum of understanding with the Appalachian Regional Commission in areas of economic development, transportation, tourism, infrastructure, technology, and other areas beneficial to the member counties and communities, and the state;

(10) Develop economic and tourism asset portfolios for inclusion of the authority's vision; and

(11) Apply for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

(b) The authority may also exercise all powers necessary or appropriate to carry out the purposes of this article including, but not limited to, the following:

(1) Acquire, own, hold, and dispose of property, real and personal, tangible and intangible;

(2) Lease property, whether as lessee or lessor, and to acquire or grant through easement, license, or other appropriate legal form, the right to develop and use property and open it to the use of the public;

(3) Mortgage or otherwise grant security interests on its property;

(4) Procure insurance against any losses in connection with its property, license or easements, contracts, including hold-harmless agreements, operations, or assets in such amounts and from such insurers as the authority considers desirable;

(5) Maintain such sinking funds and reserves as the authority determines appropriate for the purposes of meeting future monetary obligations and needs of the authority;

(6) Contract for the provision of legal services by private counsel and, notwithstanding any other provision of the code to the contrary, the counsel may, in addition to the provisions of other legal services, represent the authority in court, negotiate contracts and other agreements on behalf of the authority, render advice to the authority on any matter relating to the authority,

39 prepare contracts and other agreements, and provide such other legal services as may be
40 requested by the authority;

41 (7) Appoint officers, agents, and employees, and to contract for and engage the services of
42 consultants;

43 (8) Make contracts of every kind and nature, and to execute all instruments necessary or
44 convenient for carrying on its business, including contracts with any other governmental agency of
45 this state or of the federal government, or with any person, individual, partnership, or corporation
46 to effect any or all of the purposes of this article;

47 (9) Without, in any way, limiting any other provision of this section, accept grants and loans
48 from, and enter into contracts and other transactions with, any federal agency; and

49 (10) Accept gifts or grants of property, funds, security interests, money, materials, labor,
50 supplies, or services from the federal government or from any governmental unit or any person,
51 firm, or corporation and to carry out the terms or provisions of, or make agreements with respect
52 to, or pledge any gifts or grants and to do any and all things necessary, useful, desirable, or
53 convenient in connection with the procuring, acceptance, or disposition of gifts or grants.

54 (c) No liability or obligation is incurred by the authority beyond the extent to which money is
55 awarded for grant acquisition facilitation.

§3d. Report to the Legislature.

1 On or before December 1, 2026, and annually thereafter, the authority shall prepare and
2 submit to the Joint Committee on Government and Finance a written report, which may be
3 transmitted electronically, detailing its undertakings for the past year, including, but not limited to,
4 all projects and any private-public partnerships entered into, as well as any recommended
5 legislation or policy actions needed to facilitate greater economic development along the corridor.

NOTE: The purpose of this bill is to amend Chapter 231, Acts of the Legislature relating to members, appointment and officers of the Robert C. Byrd Corridor H Highway Authority; adding three new sections creating the Corridor H Advanced Energy and Economic

Corridor Authority; requiring annual reporting to the Joint Committee on Government and Finance.

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