

**Senate Bill No. 506**

(By Senator Browning)

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[Introduced February 2, 2012; referred to the Committee on Agriculture; and then to the Committee on Government Organization.]

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A BILL to amend and reenact §8A-12-4 of the Code of West Virginia, 1931, as amended, relating to farmland protection boards; providing that the executive director of a regional development authority or designee is to serve on a farmland protection board; and providing an exception to the term of appointment to a farmland protection board for the executive director of a county or regional development authority.

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

That §8A-12-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 12. VOLUNTARY FARMLAND PROTECTION PROGRAMS.**

**§8A-12-4. Farmland protection boards — Appointment, composition, terms.**

(a) *Composition.* -- A farmland protection board shall be composed of seven members, each serving without compensation. Membership on the farmland protection board shall consist of the following: One county commissioner; the executive director of the county or regional development authority or, in the case of the executive director of a regional development authority, his or her designee; one farmer who is a county resident and a member of the county farm bureau; one farmer who is a county resident and a member of a conservation district; one farmer who is a county resident; and two county residents who are not members of any of the foregoing organizations. All members of the farmland protection board ~~shall be~~ are voting members, except the county commissioner who ~~shall serve~~ serves in an advisory capacity as a nonvoting member. The executive director of a regional development authority must serve on the farmland protection board of one of the counties represented by the regional development authority, and a designee may be appointed to serve on the farmland protection board of the other counties represented by the regional development authority.

(b) *Terms.* -- Each member of a farmland protection board shall be appointed for a term of office of four years except the initial appointment of two voting board members shall be for a term of two years:

(1) No member may serve for more than two consecutive full terms, except for the executive director of a county or regional development authority or a designee of an executive director of a regional development authority, who by right of his or her position serves in perpetuity; and

(2) An appointment to fill a vacancy ~~shall be~~ is for the remainder of the unexpired term.

NOTE: The purpose of this bill is to allow the executive director of a regional development authority, or their designee, to serve on a farmland protection board and to provide an exception to the length of terms of appointment to farmland protection boards for executive directors of county or regional development authorities.

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