

**H. B. 4324**

(By Delegates Folk, Kump, Hamrick, Romine,  
D. Evans, Staggars, Diserio, Faircloth,  
Householder, Shott and Ireland)

[Introduced January 24, 2014; referred to the  
Committee on Political Subdivisions then Government  
Organization.]

A BILL to amend and reenact §8-29-4 of the Code of West Virginia,  
1931, as amended, relating to regional airports; reducing the  
terms of members; altering membership; and calculating  
membership for each municipality.

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

That §8-29-4 of the Code of West Virginia, 1931, as amended,  
be amended and reenacted to read as follows:

**ARTICLE 29. INTERGOVERNMENTAL RELATIONS - REGIONAL AIRPORTS.**

**§8-29-4. Management of authority vested in members; appointment  
and terms of members; vote of members; ~~valuation of  
property contributed to an authority~~; participation by  
additional municipalities or counties without state.**

(a) The management and control of each authority, its  
property, operations, business and affairs shall be lodged in a  
board of not less than five nor more than twenty-one individuals  
who shall be known as members of the authority and who shall be

1 appointed for terms of three years each by the municipalities and  
2 county ~~courts~~ commissions contributing moneys or property to the  
3 authority. However, the first board shall be comprised of one  
4 member appointed by each participating municipality and one member  
5 appointed by each participating county ~~court~~ commission, and any  
6 such member shall serve a term of one year, beginning as of the  
7 date the authority is created. No more than three members shall  
8 serve from one county on the first board.

9 ~~(b) Each municipality or county shall have one vote for each~~  
10 ~~\$5,000 dollars it has contributed to the authority in the form of~~  
11 ~~moneys or property. When property is contributed, the contributing~~  
12 ~~municipality or county court and the authority shall agree in~~  
13 ~~writing at the time the contribution is made as to the fair market~~  
14 ~~value of such property, which valuation shall determine the number~~  
15 ~~of votes to be allocated to the municipality or county on the basis~~  
16 ~~thereof. For the fiscal year during which any authority is formed,~~  
17 ~~the number of votes to which any municipality or county shall be~~  
18 ~~entitled shall be determined as of the time of formation of the~~  
19 ~~authority and shall govern until the end of that fiscal year, even~~  
20 ~~though additional moneys or property are contributed during that~~  
21 ~~fiscal year. Thereafter, the number of votes shall be determined at~~  
22 ~~the end of each fiscal year and such determination shall govern for~~  
23 ~~the ensuing fiscal year, even though additional moneys or property~~  
24 ~~are contributed during that fiscal year. Subsequent to its~~

1 ~~formation, any authority may permit any municipality or county~~  
2 ~~without this state to participate in the affairs of the authority,~~  
3 ~~to appoint members of the authority in the same manner, and to have~~  
4 ~~such vote or votes beginning as of the next ensuing fiscal year, as~~  
5 ~~prescribed by law with respect to the original participating~~  
6 ~~municipalities or counties or any combination thereof. The county~~  
7 ~~seat of the county in which the airport is situated, or~~  
8 ~~alternatively, the municipality wherein the airport is situated~~  
9 ~~shall appoint two members to the authority and each county where~~  
10 ~~the airport and facilities are located shall appoint five members~~  
11 ~~to the authority. All other participating counties may appoint one~~  
12 ~~member to the authority; provided however, that if the authority~~  
13 ~~has a number of members which is an even number, the county where~~  
14 ~~the majority of the airport facilities are located shall appoint~~  
15 ~~one additional member to the authority to provide for an odd number~~  
16 ~~of members.~~

NOTE: The purpose of this bill is to clarify how members of regional airport authority boards are to be allocated.

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