

1 **H. B. 4562**

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3 (By Delegates Folk, Householder, Faircloth,
4 Kump, Hamrick, Eldridge and Hartman)
5 [Introduced February 17, 2014; referred to the
6 Committee on Political Subdivisions then the Judiciary.]

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10 A BILL to amend and reenact §8-29-4 of the Code of West Virginia,
11 1931, as amended, relating to regional airports; and changing
12 the manner members are appointed to the Eastern West Virginia
13 Regional Airport Authority.

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

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

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

18 **§8-29-4. Management of authority vested in members; appointment**
19 **and terms of members; vote of members; valuation of**
20 **property contributed to an authority; participation by**
21 **additional municipalities or counties without state;**
22 **appointment of members of the Eastern West Virginia**
23 **Regional Airport Authority.**

24 (a) The management and control of each authority, its

1 property, operations, business and affairs shall be lodged in a
2 board of not less than five nor more than twenty-one individuals
3 who shall be known as members of the authority and who shall be
4 appointed for terms of three years each by the municipalities and
5 county ~~courts~~ commissions contributing moneys or property to the
6 authority. However, the first board shall be comprised of one
7 member appointed by each participating municipality and one member
8 appointed by each participating county ~~courts~~ commission, and any
9 such member shall serve a term of one year, beginning as of the
10 date the authority is created. No more than three members ~~shall~~
11 may serve from one county on the first board.

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

1 votes shall be determined at the end of each fiscal year and ~~such~~
2 the determination shall govern for the ensuing fiscal year, even
3 though additional moneys or property are contributed during that
4 fiscal year. Subsequent to its formation, any authority may permit
5 any municipality or county without this state to participate in the
6 affairs of the authority, to appoint members of the authority in
7 the same manner, and to have such vote or votes beginning as of the
8 next ensuing fiscal year, as prescribed by law with respect to the
9 original participating municipalities or counties or any
10 combination thereof.

11 (c) Notwithstanding subsection (b) of this section, in the
12 case of the Eastern West Virginia Regional Airport Authority the
13 county seat of the county in which the airport is situated, shall
14 appoint two members to the authority and each county where the
15 airport and facilities are located shall appoint five members to
16 the authority. All other participating counties may appoint one
17 member to the authority. If the authority has a number of members
18 which is an even number, the county where the majority of the
19 airport facilities are located shall appoint one additional member
20 to the authority to provide for an odd number of members.

NOTE: The purpose of this bill is to change the manner members are appointed to the Eastern West Virginia Regional Airport

Authority.

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