

1 **H. B. 2908**

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3 (By Delegates Folk, Hamrick and Kump)
4 [Introduced March 12, 2013; referred to the
5 Committee on Government Organization then Finance.]
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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; reducing the
12 terms of members; altering membership; and calculating
13 membership for each municipality.

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 (a) The management and control of each authority, its
23 property, operations, business and affairs shall be lodged in a

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

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

1 end of each fiscal year and such determination shall govern for the
2 ensuing fiscal year, even though additional moneys or property are
3 contributed during that fiscal year. When calculating the number of
4 members to which any municipality or county is entitled, any
5 matching grant moneys tied to any Airport Improvement Project, or
6 any grants received from the Federal Aviation Administration or any
7 successor agency, shall be excluded from the amount of moneys or
8 properties contributed. Subsequent to its formation, any authority
9 may permit any municipality or county without this state to
10 participate in the affairs of the authority, to appoint members of
11 the authority in the same manner, and to have such vote or votes
12 beginning as of the next ensuing fiscal year, as prescribed by law
13 with respect to the original participating municipalities or
14 counties or any combination thereof.

NOTE: The purpose of this bill is to change the length of terms of regional airport authority board members, and to clarify how such members 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.