

HB 4405
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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994

— ● —

ENROLLED

HOUSE BILL No. 4405

(By Delegates Doyle + Manuel)

— ● —

Passed March 2, 1994

In Effect 90 Days From Passage

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H. B. 4405

(By DELEGATES DOYLE AND MANUEL)

[Passed March 2, 1994; in effect ninety days from passage.]

AN ACT to amend article twenty-three, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three, relating to the West Virginia boundary commission; establishing and providing for the marking of the boundary line between Jefferson County, West Virginia, and Loudoun County, Virginia; to provide for the effect of this bill as to certain rights and prosecutions; providing for the transmission of this bill to members of the Congress of the United States; to extend the commission studying the boundary; and effective date.

Be it enacted by the Legislature of West Virginia:

That article twenty-three, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section three, to read as follows:

ARTICLE 23. WEST VIRGINIA BOUNDARY COMMISSION.

§29-23-3. Establishing and marking boundary line between Jefferson County, West Virginia, and Loudoun County, Virginia; effect of certain rights and prosecutions; transmission to members of Congress; extending the commission studying the boundary; effective date.

- 1 (a) The commissions appointed on behalf of the state
- 2 of West Virginia and the commonwealth of Virginia to

3 study and make a report on the true and correct
4 boundary between Jefferson County, West Virginia, and
5 Loudoun County, Virginia, have completed their inves-
6 tigation and have agreed upon the boundary line.

7 (b) The boundary line between Jefferson County, West
8 Virginia, and Loudoun County, Virginia, is hereby, on
9 the part of this state, established and declared to be the
10 watershed line of the top of the ridge of the Blue Ridge
11 mountains.

12 (c) No vested right of any individual, partnership or
13 corporation within the territory affected by this section
14 shall in any wise be impaired, restricted or affected by
15 this section. This section shall not be retrospective in its
16 operation nor shall it in any way affect the rights of any
17 individual, partnership or corporation in any suit now
18 pending in any of the courts of this state or of the United
19 States wherein the cause of action arose over, or is in
20 any way based upon, the territory affected. This section
21 shall in no wise preclude the state of West Virginia from
22 prosecuting any individual, partnership or corporation
23 for violation of any of the criminal laws of this state
24 within the territory until this section goes into effect.

25 (d) The secretary of state shall furnish a certified copy
26 of this section to the governor of the Commonwealth of
27 Virginia and shall also furnish certified copies to the
28 United States senators from the state of West Virginia
29 and to the representative from the second congressional
30 district of West Virginia in the House of Representa-
31 tives, who are requested to have the section presented
32 to the Congress of the United States for ratification by
33 the Congress.

34 (e) The commission created by section two of this
35 article is continued and is directed, in cooperation with
36 the like commission created by the commonwealth of
37 Virginia, or other agency designated by the common-
38 wealth of Virginia for the purpose to survey and erect
39 permanent markers designating the boundary line set
40 forth in this section. The markers shall be of the nature
41 and kind the commission deems appropriate.

42 (f) This section shall take effect upon the adoption by

43 the Congress of the United States of appropriate
44 legislation ratifying the boundary line set forth herein.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Handwritten Signature]
Chairman Senate Committee

[Handwritten Signature]
Ernest C. Moore
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Handwritten Signature]
Clerk of the Senate

[Handwritten Signature]
Clerk of the House of Delegates

[Handwritten Signature]
President of the Senate

[Handwritten Signature]
Speaker of the House of Delegates

The within is approved this the 16th day of March, 1994.

[Handwritten Signature]
Governor

PRESENTED TO THE

GOVERNOR

Date 3/10/94

Time 9:32 am