

H. B. 2740

(By Delegates Hamrick, McGeehan, J. Nelson and Romine)

[Introduced February 13, 2015; 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 appointed for terms of three years each

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

6 ~~(b) Each municipality or county shall have one vote for each \$5,000 dollars it has contributed~~
7 ~~to the authority in the form of moneys or property. When property is contributed, the contributing~~
8 ~~municipality or county court and the authority shall agree in writing at the time the contribution is~~
9 ~~made as to the fair market value of such property, which valuation shall determine the number of~~
10 ~~votes to be allocated to the municipality or county on the basis thereof. For the fiscal year during~~
11 ~~which any authority is formed, the number of votes to which any municipality or county shall be~~
12 ~~entitled shall be determined as of the time of formation of the authority and shall govern until the~~
13 ~~end of that fiscal year, even though additional moneys or property are contributed during that fiscal~~
14 ~~year. Thereafter, the number of votes shall be determined at the end of each fiscal year and such~~
15 ~~determination shall govern for the ensuing fiscal year, even though additional moneys or property~~
16 ~~are contributed during that fiscal year. Subsequent to its formation, any authority may permit any~~
17 ~~municipality or county without this state to participate in the affairs of the authority, to appoint~~
18 ~~members of the authority in the same manner, and to have such vote or votes beginning as of the next~~
19 ~~ensuing fiscal year, as prescribed by law with respect to the original participating municipalities or~~
20 ~~counties or any combination thereof. The county seat of the county in which the airport is situated,~~
21 ~~or alternatively, the municipality in which the airport is situated shall appoint two members to the~~
22 ~~authority and each county where the airport and facilities are located shall appoint five members to~~

1 the authority. All other participating counties may appoint one member to the authority. If the
2 authority has a number of members which is an even number, the county where the majority of the
3 airport facilities are located shall appoint one additional member to the authority to provide for an
4 odd number 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.