

H. B. 3014

(By Delegate Folk)

[Introduced February 24, 2015; referred to the
Committee on Political Subdivisions then the Judiciary.]

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

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; appointment of members of the Eastern West Virginia Regional Airport Authority.

(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

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

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

1 (c) Notwithstanding subsection (b) of this section, in the case of the Eastern West Virginia
2 Regional Airport Authority the county seat of the county in which the airport is situated, shall
3 appoint two members to the authority and each county where the airport and facilities are located
4 shall appoint five members to the authority. All other participating counties may appoint one
5 member to the authority. If the authority has a number of members which is an even number, the
6 county where the majority of the airport facilities are located shall appoint one additional member
7 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.