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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1992

— ● —

ENROLLED

Com. Sub. For
HOUSE BILL No. *4021*

(By Delegate *Berk*)

— ● —

Passed *March 6,* 1992

In Effect *Ninety Days From* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 4021
(By DELEGATE BURK)

[Passed March 6, 1992; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article twenty-nine-a, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the qualifications of members of county airport authorities; and providing certain exceptions.

Be it enacted by the Legislature of West Virginia:

That section two, article twenty-nine-a, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 29A. COUNTY AIRPORT AUTHORITIES.

§8-29A-2. Appointment of members; powers and duties; compensation; terms; removal or replacement.

1 (a) The management and control of the county airport
2 authority, its property, operations, business and affairs,
3 shall be lodged in a board of five persons who shall be
4 known as "Members of the Authority". The board shall
5 constitute and be a public corporation under the name
6 of "_____ County Airport Authority" and
7 as such shall have perpetual succession, may contract
8 and be contracted with, sue and be sued, plead and be
9 impleaded, and have and use a common seal.

10 (b) All members shall be appointed by the county
11 commission: *Provided*, That one member of the author-
12 ity shall be a member of the county commission:
13 *Provided, however*, That of the remaining four members
14 of the authority no more than two shall be members of
15 the same political party. Members shall be residents of
16 the county and be appointed for a term of five years,
17 except that as to the first four appointed to the first
18 board appointed, the term of one member shall expire
19 on the first day of July next ensuing and the term of
20 the next member shall expire on the first day of July
21 two years thereafter, the term of another member shall
22 expire on the first day of July three years thereafter and
23 the term of the remaining member shall expire on the
24 first day of July four years thereafter: *Provided further*,
25 That the county commissioner appointed to serve as a
26 member of the authority shall not serve for a term as
27 member of the authority which is longer than the term
28 of office as a member of the county commission.

29 (c) The members of said board shall receive no
30 compensation for their services, but they shall be
31 entitled to reimbursement for all reasonable and
32 necessary expenses actually incurred in the perform-
33 ance of their duties as members of said board. They
34 shall not be personally interested, directly or indirectly,
35 in any contract entered into by said board, or hold any
36 remunerative position in connection with the establish-
37 ment, construction, improvement, extension, develop-
38 ment, maintenance or operation of any of the property
39 under their control as members of said board: *Provided*,
40 That nothing herein shall be construed to prevent or
41 make unlawful under this chapter or any other chapter
42 of the code of West Virginia the appointment to the
43 board of any person whose only interest in any property
44 under the control of the board is that the person in a
45 noncommercial manner leases hangar space, purchases
46 fuel or contracts for any other goods or service provided
47 by said airport authority subject to the control and
48 management of the board.

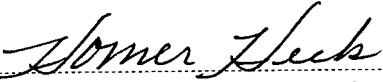
49 (d) The county commission shall have the power to
50 remove any member of the authority for consistent

51 violations of any provisions of this article, for reasonable
52 cause which shall include, but not be limited to, a
53 continued failure to attend meetings of the authority,
54 failure to diligently pursue the objectives for which the
55 authority was created or failure to perform any other
56 duty prescribed by law, or for any misconduct in office:
57 *Provided*, That if the county commission desires to
58 remove a member of the authority it shall notify said
59 member in writing, stating the reasons for the county
60 commission desiring said removal. Within ten days of
61 the receipt of the written notice of removal by the
62 member of the authority, the member may request a
63 hearing before the county commission, and any such
64 hearing shall be held within ten days of the member's
65 request for said hearing.

66 If any member of the authority shall die, resign or be
67 removed, or for any other reason cease to be a member
68 of the authority, the county commission shall within
69 thirty days appoint another person to fill the unexpired
70 portion of the term of such member.

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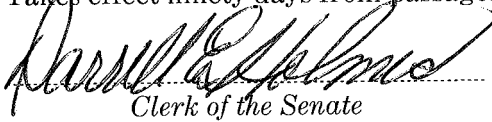
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

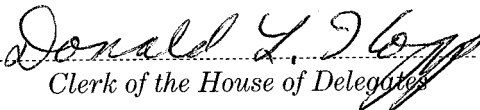

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Chairman Senate Committee

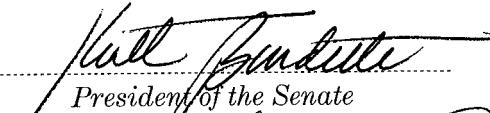

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Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

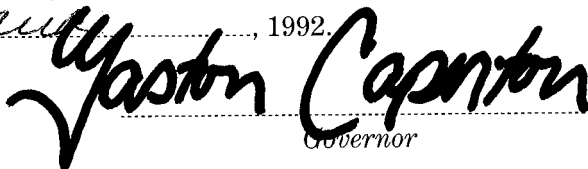

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

The within is approved..... this the 27th
day of March....., 1992.


.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/19/92

Time 2:45 pm