

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1941



ENROLLED

HOUSE BILL No. 368

(By Mr. Speaker, Mr. Arnold and Mr. Rogers)



PASSED March 4, 1941

In Effect from Passage

368

ENROLLED

House Bill No. 368

(BY MR. SPEAKER, MR. ARNOLD, AND MR. ROGERS)

[Passed March 4, 1941; in effect from passage.]

AN ACT to amend article eleven, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto a new section, designated section fourteen, for the purpose of authorizing municipal corporations, organized and existing under the laws of an adjoining state, the corporate limits thereof being not more than ten miles distant from the boundaries of this state, to establish, maintain and operate airports or landing fields exclusively for a non-profit public use, to acquire real property therefor situate within this state at a distance not greater than ten miles from the corporate limits of such municipal corporations of an adjoining state, and to define the rights and privileges of such municipal corporations with respect to such airports or landing fields and the use thereof.

Be it enacted by the Legislature of West Virginia:

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

Article 11. Airports and Avigation.

Section 14. *Construction, Maintenance and Operation of Airports by Municipalities of an Adjoining State; Acquisition of Sites Therefor; Rights, Powers and Privileges Relating Thereto.*—Notwithstanding any other provision of law, a municipal corporation, organized and existing under the laws of an adjoining state, the corporate limits thereof being not more than ten miles distant from the boundaries of this state, may establish, lease, construct, equip, maintain and operate for such municipal corporation of an adjoining state an airport or landing field exclusively for a non-profit public use, and may acquire or lease for such purpose real property situate within this state at a distance not greater than ten miles from the corporate limits of such municipal corporation of an adjoining state; and such municipal corporation shall have

16 the right to acquire real property necessary for such air-
17 port or landing field by gift or by purchase, and other-
18 wise by condemnation, and the use of real property under
19 the provisions hereof shall be deemed to be a public use
20 for which private property may be taken or damaged,
21 for just compensation. All property, real and personal,
22 acquired, held and used in this state pursuant to the pro-
23 visions of this section shall be public property and there-
24 fore exempt from taxation in the manner provided by
25 section nine, article three, chapter eleven of this code.

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

C. N. McKinnon
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

A. Hale Watkins
Clerk of the Senate

Russell
Clerk of the House of Delegates

Byron G. Randolph
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within approved this the 14th
day of March, 1941.

Matthew M. Neely
Governor.

Filed in the office of the Secretary of State
of West Virginia. MAR 14 1941

Wm. S. O'BRIEN,
Secretary of State