

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967

ENROLLED

HOUSE BILL No. 1088

(By Mr. Speaker, Mr. White, and
Mr. Fontana)

PASSED March 9, 1967

In Effect from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY, A
SECRETARY OF STATE
THIS DATE 3-21-67

#1088

ENROLLED

House Bill No. 1088

(By MR. SPEAKER, MR. WHITE, and MR. FANTASIA)

[Passed March 9, 1967; in effect from passage.]

AN ACT to amend and reenact sections three and four, chapter thirty-one, acts of the Legislature, regular session, one thousand nine hundred sixty, authorizing the county court of Harrison county and the county court of Marion county to create an airport authority, and providing for membership in the authority and for the appointment and removal of members.

Be it enacted by the Legislature of West Virginia:

That sections three and four, chapter thirty-one, acts of the Legislature, regular session, one thousand nine hundred sixty, be amended and reenacted to read as follows:

§3. Members of authority.

1 The management and control of the "Benedum Air-
2 port Authority," its property, operations, business and
3 affairs, shall be lodged in a board of ten persons who
4 shall be known as the members of the authority and who
5 shall be appointed for a term of three years each, five
6 members by the county court of Harrison county, and
7 five members by the county court of Marion county, ex-
8 cept that, as to the first board appointed, the term of one
9 member appointed by each county court shall expire on
10 the first day of March next ensuing, the term of another
11 member appointed by each county court shall expire
12 on the first day of the following March, and the term
13 of the third original member appointed by each county
14 court shall expire on the first day of the next following
15 March. All members of the board except the members
16 of the first board shall be appointed for full three-year
17 terms. As a member's term expires, the county court
18 which appointed such member shall appoint a member
19 for a full term of three years. A member may be re-
20 appointed for such additional term or terms as the county

21 court appointing him may deem proper. If a member
22 resigns, is removed or for any reason his membership
23 terminates during his term of office, a successor member
24 to fill out the remainder of his term shall be appointed
25 by the county court which appointed him. Members in
26 office at the expiration of their respective terms shall
27 continue to serve until their successors have been ap-
28 pointed and have qualified. The county court of the
29 county appointing a member may at any time for good
30 cause, and upon at least five days' notice in writing to
31 such member, remove such member of the board of the
32 authority by an order duly entered of record in the
33 record book of such court and may appoint a successor
34 member for any member so removed. If any member
35 objects to being so removed, he may, in writing, demand
36 a hearing, and the county court proposing to remove him
37 shall promptly thereafter, in its own county, hold a public
38 hearing thereon. After such public hearing, the county
39 court holding the hearing shall determine whether the
40 member shall be removed or shall be permitted to con-
41 tinue in office.

§4. Qualification of members of the authority.

1 All members of the board of the authority shall be
2 citizens of West Virginia, over thirty years of age, and
3 residents of either Harrison county or Marion county. No
4 member of the board shall be engaged in the aviation
5 business as a major part of his activities. Not more than
6 three members of the authority from the same county
7 shall belong to the same political party. Two members
8 of the board of the authority from each county may also
9 be members of the county court of his county: *Provided,*
10 That service by a member of the county court as a mem-
11 ber of the authority shall not permit the members of the
12 county court to additional compensation for services other
13 than services in court under section five, article one, chap-
14 ter seven of this code.

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

William Tompa
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Meyers
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard E. Carson
President of the Senate

H. Levan White
Speaker House of Delegates

The within approved this the 17
day of March, 1967.

Huette C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date 3/17/67

Time 3:07 P.m.