WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994

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ENROLLED

HOUSE BILL No. 4405

(By Delegates Doyle & Manuel)

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Passed March 2, 1994

In Effect 90 Days From Passage
AN ACT to amend article twenty-three, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three, relating to the West Virginia boundary commission; establishing and providing for the marking of the boundary line between Jefferson County, West Virginia, and Loudoun County, Virginia; to provide for the effect of this bill as to certain rights and prosecutions; providing for the transmission of this bill to members of the Congress of the United States; to extend the commission studying the boundary; and effective date.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 23. WEST VIRGINIA BOUNDARY COMMISSION.

§29-23-3. Establishing and marking boundary line between Jefferson County, West Virginia, and Loudoun County, Virginia; effect of certain rights and prosecutions; transmission to members of Congress; extending the commission studying the boundary; effective date.

(a) The commissions appointed on behalf of the state of West Virginia and the commonwealth of Virginia to
study and make a report on the true and correct boundary between Jefferson County, West Virginia, and Loudoun County, Virginia, have completed their investigations and have agreed upon the boundary line.

(b) The boundary line between Jefferson County, West Virginia, and Loudoun County, Virginia, is hereby, on the part of this state, established and declared to be the watershed line of the top of the ridge of the Blue Ridge mountains.

(c) No vested right of any individual, partnership or corporation within the territory affected by this section shall in any wise be impaired, restricted or affected by this section. This section shall not be retrospective in its operation nor shall it in any way affect the rights of any individual, partnership or corporation in any suit now pending in any of the courts of this state or of the United States wherein the cause of action arose over, or is in any way based upon, the territory affected. This section shall in no wise preclude the state of West Virginia from prosecuting any individual, partnership or corporation for violation of any of the criminal laws of this state within the territory until this section goes into effect.

(d) The secretary of state shall furnish a certified copy of this section to the governor of the Commonwealth of Virginia and shall also furnish certified copies to the United States senators from the state of West Virginia and to the representative from the second congressional district of West Virginia in the House of Representatives, who are requested to have the section presented to the Congress of the United States for ratification by the Congress.

(e) The commission created by section two of this article is continued and is directed, in cooperation with the like commission created by the commonwealth of Virginia, or other agency designated by the commonwealth of Virginia for the purpose to survey and erect permanent markers designating the boundary line set forth in this section. The markers shall be of the nature and kind the commission deems appropriate.

(f) This section shall take effect upon the adoption by
the Congress of the United States of appropriate legislation ratifying the boundary line set forth herein.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker of the House of Delegates

The within bill [passed] this the 10th day of [Month], 1994.

[Signature]
Governor
PRESENTED TO THE
GOVERNOR
Date 31/10/94
Time 9:32am