WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

SENATE BILL No. 151
Committee
(By Mr. Canticley from the Senate)

PASSED July 23, 1937
In Effect from Passage
ENROLLED

SENATE COMMITTEE SUBSTITUTE FOR

Senate Bill No. 157

(Originating in the Committee on Counties and Municipal Corporations.)

[Passed February 23, 1937; in effect from passage.]

AN ACT to amend and reenact sections one and nine, chapter twenty-six, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, as amended by chapter forty-nine, acts of the Legislature of West Virginia, second extraordinary session, one thousand nine hundred thirty-three, relating to water works systems of municipal corporations.
Be it enacted by the Legislature of West Virginia:

That sections one and nine, chapter twenty-six, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, as amended by chapter forty-nine, acts of the Legislature of West Virginia, second extraordinary session, one thousand nine hundred thirty-three, be amended and reenacted to read as follows:

Section. 1. Subject to and in accordance with the provisions of this act, any municipal corporation in the state of West Virginia may purchase, construct, extend and operate a water works system or construct and operate betterments and improvements to an existing water works system within the corporate limits of said municipality and within the area included in a three mile extension of the corporate limits of said municipality, notwithstanding any provision or limitation to the contrary in any other general law or municipal charter.

Sec. 9. For the purpose of acquiring any water works system under the provision of this act, or for the purpose of acquiring any property necessary therefor, the municipality shall have the right of eminent domain as is now
provided by chapter fifty-four, of the code of West Virginia, one thousand nine hundred thirty-one, as now or hereafter amended: Provided, however, That such right of eminent domain for the acquisition of a complete privately owned water works system shall not be exercised under the provision of this act without prior approval of the public service commission of West Virginia, and in no event shall any municipality establish, construct or extend beyond the corporate limits of said municipality a municipal water works system under the provisions of this act to supply service in competition with an existing privately or municipally owned water works system in such municipality or within the proposed extension of such system, unless a certificate of public convenience and necessity therefore shall have been issued by the public service commission of West Virginia.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the.

Takes effect...passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within...this the...day of...March....1937.

[Signature]
Governor

Filed in the office of the Secretary of State of West Virginia

MAR 5 1937
Wm. S. O'Brien,
Secretary of State