WEST VIRGINIA LEGISLATURE
SECOND REGULAR THIRTY-DAY SESSION, 1958

ENROLLED

SENATE BILL NO. 2

(By Mr. Mastin)

PASSED February 1, 1958

In Effect from Passage

Filed in Office of the Secretary of State of West Virginia

HELEN HOLT
SECRETARY OF STATE
ENROLLED

Senate Bill No. 2
(By MR. MARTIN)

[Passed February 1, 1958; in effect from passage.]

AN ACT to amend article thirteen-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto three new sections, to be designated sections twenty-two, twenty-three and twenty-four, relating to public service districts for water and sewerage services; providing for the validation, ratification, approval and confirmation of certain proceedings heretofore taken by county courts of this state relative to the creation and continuance of public service districts pursuant to the provisions of said chapter sixteen of said code and the subsequent inclusion of additional territory to existing public service districts by such county courts and
the appointment of members of public service boards; au-
thorizing the appointment of successors to members of
certain public service boards; and the validation, ratifica-
tion, approval and confirmation of certain acts and proceed-
ings of public service boards prior to the date this act takes
effect, and authorizing the acceptance by any public serv-
ice district of loans or temporary advances from, and con-
tracts and agreements with, federal agencies or private
parties.

Be it enacted by the Legislature of West Virginia:

That article thirteen-a, chapter sixteen of the code of West
Virginia, one thousand nine hundred thirty-one, as amended,
be amended by adding thereto three new sections, to be design-
nated sections twenty-two, twenty-three and twenty-four, to
read as follows:

Section 22. Validation of Prior Proceedings by County

2 Courts for Creation of Districts, Inclusion of Additional

3 Territory and Appointment of Members of District Boards.

4 —All acts and proceedings taken by any county court of

5 this state purporting to have been carried out under the

6 provisions of this article which have been taken, prior to
the date this act takes effect, for the purpose of creating public service districts or for the purpose of subsequent inclusion of additional territory to existing public service districts, after notice published by any such county court having territorial jurisdiction thereof of its intention to include such additional territory after hearing thereof, are hereby validated, ratified, approved and confirmed notwithstanding any other lack of power (other than constitutional) of any such county court to create such public service districts or to include additional territory to existing public service districts or irregularities (other than constitutional) in such proceedings, relating to the appointment and qualification of more than three members to the board of any such public service district or the subsequent appointment of successors of any or all of such members, notwithstanding that no city, incorporated town or other municipal corporation having a population in excess of three thousand is included within the district, and the appointment and qualification of such members, and further including any irregularities in the petition for the creation of any public
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28 service district, irregularities in the description of the area
29 embraced by such district, and irregularities in the notice
30 and publication of notice for the hearing creating such
31 district, prior to the date this act takes effect is hereby
32 validated, ratified, approved and confirmed; and, further,
33 in such cases where more than three members of the
34 board of such districts have been so appointed prior to the
35 date this act takes effect then such county court shall ap-
36 point, and they are hereby authorized and empowered to
37 appoint, successors to such members in the manner as
38 otherwise provided by this article.

Sec. 23. Validation of Acts and Proceedings of Public
2 Service Boards.—All acts and proceedings taken by any
3 public service board the members of which were ap-
4 pointed, prior to the date this act takes effect, by any
5 county court of this state having territorial jurisdiction
6 thereof, are hereby validated, ratified, approved and con-
7 firmed, as to defects and irregularities which may other-
8 wise exist on account of their appointment and qualifi-
9 cation.
Sec. 24. Acceptance of Loans or Temporary Advances from, and Contracts and Agreements with, Federal Agencies or Private Parties.—Any public service district created pursuant to the provisions of this article is authorized and empowered to accept loans or grants or temporary advances for the purpose of paying part or all of the cost of construction or acquisition of water or sewerage systems, or both, and the other purposes herein authorized, from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual, which temporary advances may be repaid out of the proceeds of the bonds authorized to be issued under the provisions of this article and to enter into the necessary contracts and agreements to carry out the purposes hereof with the United States of America or any federal or public agency or department of the United States, or with any private agency, corporation or individual.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within this the day of , 1958.

Governor

Filed in Office of the Secretary of State of West Virginia

HELEN Colt
SECRETARY OF STATE
neither approval nor disapproval. Letter 2/8/58.
February 8, 1958

The Honorable
   The Secretary of State
   Capitol Building
   Charleston 5, West Virginia

Dear Mrs. Holt:

Pursuant to the provisions of law in such cases, I am here-with filing in your office Enrolled Senate Bill Number Two (2) relating to public service districts for water and sewerage services, and providing for the validation, ratification, approval and confirmation of certain proceedings heretofore taken by county courts of this state relative to the creation and continuance of public service districts.

You will note that I have neither approved nor disapproved this Bill and you will please engross thereon the proper certificate to that effect.

Very sincerely,

Cecil H. Underwood
Governor