WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 52

(By Mr. [Signature])

PASSED ........... March 7, 1963

In Effect ........ Passage

Filed in Office of the Secretary of State of West Virginia 3-15-63

JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend article four, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section seventeen-b, relating to the relocation of public utility lines and facilities to accommodate federal-aid highway projects.

Be it enacted by the Legislature of West Virginia:

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

Section 17-b. Relocation of Public Utility Lines to Accommodate Federal-Aid Highway Projects.—When-
ever the state road commission shall determine that any public utility line or facility located upon, across or under any portion of a state highway shall be relocated in order to accommodate a federal-aid interstate highway project, and upon such determination and due notice thereof, the public utility owning or operating such facility shall relocate the same in accordance with the order of the commissioner: Provided, however, That the cost of such relocation shall be paid out of the state road fund in all cases involving the interstate system where proportionate reimbursement of such cost shall be obtained by the state road commission from the United States pursuant to the “Federal-Aid Highway Act of 1956” and all acts amendatory or supplementary thereto: And, provided further, however, That the cost of any relocation of municipally owned utility facilities and water or sanitary districts or authorities shall be paid out of state road funds in any case involving any federal-aid system where proportionate reimbursement of such cost shall be obtained by the state road commission from the United States. For the purposes of this section, the terms, “cost of re-
location," shall include the entire amount paid by such utility, exclusive of any right of way costs incurred by such utility, properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and salvage value derived from the old facility. The cost of relocating utility facilities, as defined herein, in connection with any federal-aid interstate highway project is hereby declared to be a cost of highway construction.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

O. Perry Parker
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect from passage.

Homero H. Hays
Clerk of the Senate

O. B. Blankenship
Clerk of the House of Delegates

Howard H. Lamar
President of the Senate

Julius W. Singleton Sr.
Speaker House of Delegates

The within approved this the ___ day of March, 1963.

W. E. Bailey
Governor