

WEST VIRGINIA LEGISLATURE

FIRST EXTRAORDINARY SESSION, 1969

ENROLLED

Com. Sub. pr  
SENATE BILL NO. 6

(By Mr. Jack Ross [Mr. President] and  
Mr. Carigin, original sponsor)

PASSED July 25, 1969

In Effect January 1, 1970 Passage

FILED IN THE OFFICE  
JOHN D. BOCKEFELLER, IV  
SECRETARY OF STATE  
THIS DATE 7-31-69

6  
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**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**Senate Bill No. 6**

(MR. JACKSON [MR. PRESIDENT] AND MR. CARRIGAN,  
*original sponsors*)

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[Passed July 25, 1969; in effect January 1, 1970.]

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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 a new section, designated section twenty-five; and to amend and reenact section one, article two, chapter twenty-four of said code, relating to the public service commission of West Virginia; extending its jurisdiction over public service districts generally; and specifically providing that a public service district may not borrow money or issue or contract to issue revenue bonds or exercise certain powers without the prior consent and approval of said public service commission.

Be it enacted by ~~the~~ <sup>the</sup> 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 a new section, designated section twenty-five; and that section one, article two, chapter twenty-four of said code be amended and reenacted, all to read as follows:

**CHAPTER 16. PUBLIC HEALTH.**

**ARTICLE 13A. PUBLIC SERVICE DISTRICTS FOR WATER AND SEWERAGE SERVICES.**

**§16-13A-25. Consent and approval of public service commission required before borrowing money, issuing bonds, etc.**

Notwithstanding any other provisions of this article to the contrary, a public service district shall not borrow money or issue or contract to issue revenue bonds or exercise any of the powers conferred by the provisions of sections thirteen, twenty or twenty-four of this article without the prior consent and approval of the public service commission. The commission may grant its consent and approval subject to such terms and conditions as may be necessary for the protection of the public interest, pursuant to the provisions of chapter twenty-four of this code, or may withhold such consent and approval for the protection of the public interest.

In the event of disapproval, the reasons therefor shall be assigned in writing by the commission. If written disapproval has not been given by the commission within sixty days after receipt of the application by the commission, it may be deemed by the applicant that approval has in fact been given.

**CHAPTER 24. PUBLIC SERVICE COMMISSION.**

**ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

**§24-2-1. Jurisdiction of commission.**

The jurisdiction of the commission shall extend to all public utilities in this state, and shall include any utility engaged in any of the following public services:

Common carriage of passengers or goods, whether by railroad, street railroad, motor or otherwise, by express or otherwise, by land, water or air, whether wholly or partly by land, water or air; transportation of oil, gas or water by pipeline; transportation of coal and its derivatives and all mixtures and combinations thereof with other substances by pipeline; sleeping car or parlor car services; transmission of messages by telephone, telegraph or radio; generation and transmission of



electrical energy by hydroelectric or other utilities for service to the public, whether directly or through a distributing utility; supplying water, gas or electricity, by municipalities or others; sewer systems servicing twenty-five or more persons or firms other than the owner of the sewer systems; any public service district created under the provisions of article thirteen-a, chapter sixteen of this code; toll bridges, wharves, ferries; and any other public service.

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

William Tompco  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the Senate.

To take effect January 1, 1970.

Howard Meyer  
Clerk of the Senate

C. Blankenship  
Clerk of the House of Delegates

Lang Johnson  
President of the Senate

Orin F. Boiarsky  
Speaker House of Delegates

The within approved this the 30<sup>th</sup>  
day of July, 1969.

Arch. Shreve Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 1/30/69

Time 1:55 p.m.

RECEIVED  
GOVERNOR'S OFFICE  
JAN 31 1969

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