WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1970

ENROLLED

SENATE BILL NO. 18

(By Mr. Cameron)

PASSED January 10, 1970

In Effect Ninety days from Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 2-13-70

18
AN ACT to amend and reenact section seventeen-b, article four, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the relocation of public utility facilities to accommodate federal aid highway projects.

Be it enacted by the Legislature of West Virginia:

That section seventeen-b, article four, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 4. STATE ROAD SYSTEM.

§17-4-17b. Relocation of public utility lines to accommodate federal aid highway projects.

1 Whenever the state road commissioner shall determine

2 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 or Appalachian 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; then the cost of such relocation shall be paid out of the state road fund in all cases involving the interstate or the Appalachian system where proportionate reimbursement of such cost shall be obtained by the state road commissioner from the United States pursuant to the "Federal Aid Highway Act of 1956" or the "Appalachian Regional Development Act of 1965", as amended, and all acts amendatory or supplementary thereto: Provided, 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 commissioner from the United States.

For the purposes of this section, the term, "cost of relocation", 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 or Appa-
alachian 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.

William Tongue
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

J. H. Murray
Clerk of the Senate

O. A. Blankenship
Clerk of the House of Delegates

Hayden
President of the Senate

Jim F. Bunn
Speaker House of Delegates

The within approved this the 12th day of February, 1970.

Arch A. Thomas, Jr.
Governor
PRESENTED TO THE
GOVERNOR

Date 2/12/70
Time 2:00 P.M.