

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 1129

(By Mr. NEELY)



PASSED MARCH 13 1971

In Effect NINETY DAYS FROM Passage



FILED IN THE OFFICE  
JOHN R. COMPELLO, IV  
SECRETARY OF STATE  
THIS DATE 4-2-71

1129

**ENROLLED**  
**House Bill No. 1129**  
(By MR. NEELY)

[Passed March 13, 1971; in effect ninety days from passage.]

AN ACT to amend and reenact sections two and three, article two-c, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to public bond indebtedness, industrial development bond act and the financing of pollution abatement facilities.

*Be it enacted by the Legislature of West Virginia:*

That sections two and three, article two-c, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 2C. INDUSTRIAL DEVELOPMENT BOND ACT.**

**§13-2C-2. Legislative finding.**

1 It is hereby determined and declared as a matter  
2 of legislative finding (a) that critical conditions of un-  
3 employment exist in many areas of this state; (b) that  
4 lack of employment and business opportunities have  
5 resulted in thousands of people leaving this state to  
6 find employment elsewhere, and this exodus has ad-  
7 versely affected the tax base of counties and municipali-  
8 ties within this state, resulting in an impairment of  
9 their ability to support local government; (c) that the  
10 development of new commercial, industrial and manu-  
11 facturing plants are essential to relieve unemployment  
12 and establish a balanced economy within the state;  
13 (d) that the present and prospective health, happiness,  
14 safety, right of gainful employment, and general wel-  
15 fare of the citizens of each of the counties and municipi-  
16 palities of this state will be promoted by the establish-  
17 ment of industrial plants as herein provided; (e) that  
18 the means and measures herein authorized for the pro-  
19 motion of industrial plants are as a matter of public

20 policy, for the public purpose of the several counties,  
21 municipalities and the state of West Virginia; and (f)  
22 that the abatement or control of pollution of the envi-  
23 ronment of the state is necessary to protect the health  
24 and welfare of the citizens of the state, to protect the  
25 natural resources of the state and to encourage the  
26 economic development of the state.

**§13-2C-3. Definitions.**

1 The following terms, whenever used in this article,  
2 shall have the following meaning:

3 (a) The term "municipality" shall mean any incor-  
4 porated town or city.

5 (b) The term "county court" shall mean the govern-  
6 mental body created by section twenty-two, article eight  
7 of the West Virginia constitution.

8 (c) The term "governmental body" shall mean the  
9 county court, the council of a town or city, or any other  
10 governing body in lieu thereof.

11 (d) The term "industrial pollution" shall mean any  
12 gaseous, liquid, or solid waste substances or adverse  
13 thermal effects or combinations thereof resulting from

14 any process of industry, manufacturing, trade or busi-  
15 ness, or from the development, processing, or recovery  
16 of any natural resources which pollute the land, water  
17 or air of the state.

18 (e) The term "industrial plant" shall mean any site,  
19 structure, building, fixtures, machinery, equipment and  
20 related facilities including both real and personal prop-  
21 erty or any combination thereof which shall be suitable  
22 as a factory, mill, shop, processing, assembly, manufac-  
23 turing, fabricating plant, research and development  
24 facility or pollution abatement or control facility or  
25 facilities, including the reconstruction, modernization or  
26 modification of existing industrial plants, for the abate-  
27 ment or control of industrial pollution: *Provided*, That  
28 except to the extent provided above, the term indus-  
29 trial plant shall not include facilities designed for sale  
30 or distribution to the public of electricity, gas, water,  
31 telephone or other services commonly classified as "pub-  
32 lic utilities".

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

Russell H. Ball  
Chairman Senate Committee

Phyllis J. Rutledge  
Chairman House Committee

Originated in the House.

In effect ninety days from passage.

Howard Kuper  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

E. Hans McKount  
President of the Senate

Lewis N. McManus  
Speaker House of Delegates

The within approved this the 1st  
day of April, 1971.

Archa. Shawe, Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/18/71

Time 1:55 p.m.

RECEIVED

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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA