WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971

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.

It is hereby determined and declared as a matter of legislative finding (a) that critical conditions of unemployment exist in many areas of this state; (b) that lack of employment and business opportunities have resulted in thousands of people leaving this state to find employment elsewhere, and this exodus has adversely affected the tax base of counties and municipalities within this state, resulting in an impairment of their ability to support local government; (c) that the development of new commercial, industrial and manufacturing plants are essential to relieve unemployment and establish a balanced economy within the state; (d) that the present and prospective health, happiness, safety, right of gainful employment, and general welfare of the citizens of each of the counties and municipalities of this state will be promoted by the establishment of industrial plants as herein provided; (e) that the means and measures herein authorized for the promotion of industrial plants are as a matter of public
policy, for the public purpose of the several counties, municipalities and the state of West Virginia; and (f) that the abatement or control of pollution of the environment of the state is necessary to protect the health and welfare of the citizens of the state, to protect the natural resources of the state and to encourage the economic development of the state.


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

3 (a) The term “municipality” shall mean any incorporated town or city.

5 (b) The term “county court” shall mean the governmental body created by section twenty-two, article eight of the West Virginia constitution.

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

11 (d) The term “industrial pollution” shall mean any gaseous, liquid, or solid waste substances or adverse thermal effects or combinations thereof resulting from
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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 J. Beck  
Chairman Senate Committee

Myra J. Rutledge  
Chairman House Committee

Originated in the House.

In effect ninety days from passage.

J. Howard hungry  
Clerk of the Senate

Clerk of the House of Delegates

E. Hans McKown  
President of the Senate

Ludwig J. McManus  
Speaker House of Delegates

The within ______ approved ______ the ______ day of ______, ______.

Arthur Ashe, Jr.  
Governor
PRESENTED TO THE GOVERNOR

Date 3/18/11
Time 1:55 p.m.