WEST VIRGINIA LEGISLATURE REGULAR SESSION, 1971

ENROLLED

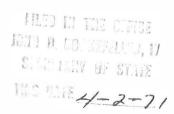
HOUSE BILL No. 1129

(By Mr. NEELY)

PASSED MARCH 13 1971

In Effect NINETY DAYS FRAME Passage





1/29

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 1 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 5 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 manu-10 facturing plants are essential to relieve unemployment and establish a balanced economy within the state; 12 13 (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 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 It Beall |
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| Chairman Senate Committee |
| Chairman House Committee |
| Originated in the House. |
| In effect ninety days from passage. |
| Clerk of the Senate |
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| Clerk of the House of Delegates |
| cterk of the House of Delegates |
| E. Hans Mckoust President of the Senate |
| President of the Senate |
| Speaker House of Delegates |
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| The within appeared this the 1st |
| day of <i>April</i> , 1971. |
| archa Share fr. |
| Governor |
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PRESENTED TO THE GOVERNOR

Date 3 | 18 | 11 | 1:55p.m.

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SECRETARY OF STATE
TATE OF VIEST VIRGINIE