

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

ENROLLED

HOUSE BILL No. 860

(By Mr. Judka and M. Paterno)

PASSED March 27 1973

In Effect From Passage



FILED IN THE OFFICE
EDGAR F. HEICKELL III
SECRETARY OF STATE
THIS DATE 4-4-73

860

ENROLLED

House Bill No. 860

(By MR. TUCKER and MR. PATERNO)

[Passed March 27, 1973; in effect from passage.]

AN ACT to amend and reenact section three, article two-c, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the industrial development bond act; defining terms used in said act; expanding the definition of the term "industrial plant" as used in said act; and specifically expanding said term to include a warehouse or distribution facility, industrial park and water dock and port facilities.

Be it enacted by the Legislature of West Virginia:

That section 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-3. Definitions.

- 1 Unless the context clearly indicates otherwise, as used in
- 2 this article:
- 3 (a) "County court" means the governmental body created
- 4 by section twenty-two, article eight of the West Virginia con-
- 5 stitution.
- 6 (b) "Governmental body" means the county court, a town
- 7 or city council or any other governing body in lieu thereof.
- 8 (c) "Industrial plant" means any site, structure, building,

9 industrial park, water dock and port facilities, fixtures, ma-
10 chinery, equipment and related facility, including real and
11 personal property, or any combination thereof, suitable as a
12 factory, mill or shop, or processing, assembly, manufacturing
13 or fabricating plant, or warehouse or distribution facility, or re-
14 search or development facility or pollution abatement or control
15 facility and includes the reconstruction, modernization and
16 modification of any existing industrial plant for the abatement
17 or control of industrial pollution. Such term does not include,
18 except to the extent above provided, any facility designed for
19 sale or distribution to the public of electricity, gas, water, tele-
20 phone or any other service commonly classified as a "public
21 utility."

22 (d) "Industrial pollution" means any gaseous, liquid or
23 solid waste substances or adverse thermal effects or combina-
24 tions thereof resulting from any process of industry, manu-
25 facturing, trade or business or from the development, process-
26 ing or recovery of any natural resources which pollute the
27 land, water or air of this state.

28 (e) "Municipality" means any incorporated town or city.

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

H. Warrick Barber
Chairman Senate Committee

Barbara C. Johnston
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Carlson
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

H. C. Robertson
President of the Senate

Levin H. Thomas
Speaker House of Delegates

The within approved this the 4th
day of April, 1973.

Arch A. Shaefer
Governor

PRESENTED TO THE
GOVERNOR

Date 3/30/73

Time 3:00 p.m.