APPROVED AND SIGNED BY THE GOVERNOR

Date 3-26-80

Time 8:10 P.M.

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1980

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ENROLLED

SENATE BILL NO. 413

(By Mr. Brotherton, Mr. President, et al.)

—•—

PASSED March 8, 1980

In Effect from Passage

No. 413

ENROLLED

Senate Bill No. 413

(By MR. BROTHERTON, MR. PRESIDENT, and MISS HERNDON)

[Passed March 8, 1980; in effect from passage.]

AN ACT to amend and reenact section twenty-two-a, article thirteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the authority of a municipal corporation or sanitary district to accept grants and procure loans or temporary advances to pay part or all of the cost of acquisition or construction of its sewage works and construction of betterments and improvements thereto from any state, federal or public agency or any private party and to enter into necessary contracts and agreements with such federal or public agency or private party; and authorizing the payment of any such loan or temporary advance, and interest thereon, from bond proceeds, revenues of said sewage works or grants to the municipality or sanitary district from any state, federal or public agency or any private party or from any combination of such sources of payment.

Be it enacted by the Legislature of West Virginia:

That section twenty-two-a, article thirteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 13. SEWAGE WORKS OF MUNICIPAL CORPORATIONS AND SANITARY DISTRICTS.

§16-13-22a. Acceptance of grants and procurement of loans or temporary advances from, and contracts and agreements with, federal agencies or private parties.

Any municipality is authorized and empowered to accept grants and procure loans or temporary advances

evidenced by notes or other negotiable instruments issued in the manner, and subject to the limitations, set forth with respect to bonds authorized to be issued under the provisions of this article, for the purpose of paying part or all of the cost of acquisition or construction of said sewage works and the construction of betterments and improvements thereto from any authorized agency of the state or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual, which loans or temporary advances may be repaid out of the proceeds of bonds authorized to be issued under the provisions of this article; and to enter into the necessary contracts and agreements to carry out the purposes hereof with the United States of America or any federal or public agency or department of the United States, or with any private agency, corporation or individual.

In no event shall any such loan or temporary advance be a general obligation of the municipality and such loans or temporary advances, including the interest thereon, shall be paid solely from the proceeds of the bonds authorized to be issued under the provisions of this article, the revenues of the said sewage works so recited in each such contract and agreement, grants to the municipality from any agency of the state or from the United States of America or any federal or public agency or department of the United States or any private agency, corporation or individual or from any combination of such sources of payment.

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

James L. Davis
Chairman Senate Committee

Clarence E. Johnston Jr.
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Fred C Wells
Clerk of the Senate

C A Blankenship
Clerk of the House of Delegates

H. G. Holderby Jr.
President of the Senate

Chas. M. Lee, Jr.
Speaker House of Delegates

The within is approved this the 26 day of March, 1980.

John D. Rockefeller IV
Governor

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