WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

ENROLLED

HOUSE BILL No. 2714

(By Delegates McKinley + Otte)

Passed March 12, 1987

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 and commercial development bond act; definitions; instructional buildings and other facilities at institutions of higher education included as fundable projects.

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 AND COMMERCIAL DEVELOPMENT BOND ACT.


1 Unless the context clearly indicates otherwise, as used in this article:

2 (a) "Commercial project" means real or personal property or both, including any buildings, improvements, additions, extensions, replacements, appurtenances, lands, rights in land, water rights, franchises, machinery, equipment, furnishings, landscaping, utilities, railroad spurs and sidings, parking facilities, farms, parking wharfs, approaches and roadways or any number or combination of the foregoing necessary or
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11 desirable in connection with a commercial enterprise or
12 incidental thereto and includes, without limiting the
13 generality of the foregoing, hotels and motels and
14 related facilities, nursing homes and other health care
15 facilities, facilities for participatory or spectator sports,
16 conventions or trade show facilities, airport facilities,
17 shopping centers, office buildings, residential real
18 property for family units, and mass commuting facili-
19 ties, dormitories, apartments and other housing facili-
20 ties for the students and faculties of institutions of
21 higher education, instructional buildings and other
22 facilities used in connection with nonpublic institutions
23 of higher education, facilities providing housing for the
24 elderly, including, but not limited to, life care facilities,
25 congregate living facilities and adult residential
26 facilities.

(b) “County commission” means the governmental
27 body created by section twenty-two, article VIII of the
28 West Virginia constitution.

(c) “Governmental body” means the county commis-
29 sion, a town or city council or any other governing body
30 in lieu thereof.

(d) “Industrial project” means any site, structure,
31 building, industrial park, water dock, wharf or port
32 facilities, fixtures, machinery, equipment and related
33 facility, including real and personal property, or any
34 combination thereof, suitable as a factory, mill or shop,
35 or processing, assembly, manufacturing or fabricating
36 project, or warehouse or distribution facility, or
37 facilities for the extraction, production or distribution of
38 mineral resources and related facilities, or sewage or
39 solid waste disposal facilities, or facilities for the local
40 furnishing of electric energy or gas, or facilities for the
41 furnishing of water, if available on reasonable demand
42 to members of the general public, or storage or training
43 facilities related to any of the foregoing, or research or
44 development facility or pollution abatement or control
45 facility and includes the reconstruction, modernization
46 and modification of any existing industrial project for
47 the abatement or control of industrial pollution.
(e) "Industrial pollution" means any gaseous, liquid or solid waste substances or adverse thermal effects or combinations thereof resulting from any process of industry, manufacturing, trade or business or from the development, processing or recovery of any natural resources which pollute the land, water or air of this state.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originate in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within approved this the 30th day of March, 1987.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/25/59
Time 4:53 P.M.