

No. 2714

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987



ENROLLED

HOUSE BILL No. 2714

(By Delegates McKinley + Otte)



Passed March 12, 1987

In Effect from Passage

ENROLLED
H. B. 2714

(By DELEGATES MCKINLEY and 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.

§13-2C-3. Definitions.

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

3 (a) "Commercial project" means real or personal
4 property or both, including any buildings, improve-
5 ments, additions, extensions, replacements, appurtenan-
6 ces, lands, rights in land, water rights, franchises,
7 machinery, equipment, furnishings, landscaping, utili-
8 ties, railroad spurs and sidings, parking facilities,
9 farms, parking wharfs, approaches and roadways or any
10 number or combination of the foregoing necessary or

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.

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

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

33 (d) "Industrial project" means any site, structure,
34 building, industrial park, water dock, wharf or port
35 facilities, fixtures, machinery, equipment and related
36 facility, including real and personal property, or any
37 combination thereof, suitable as a factory, mill or shop,
38 or processing, assembly, manufacturing or fabricating
39 project, or warehouse or distribution facility, or
40 facilities for the extraction, production or distribution of
41 mineral resources and related facilities, or sewage or
42 solid waste disposal facilities, or facilities for the local
43 furnishing of electric energy or gas, or facilities for the
44 furnishing of water, if available on reasonable demand
45 to members of the general public, or storage or training
46 facilities related to any of the foregoing, or research or
47 development facility or pollution abatement or control
48 facility and includes the reconstruction, modernization
49 and modification of any existing industrial project for
50 the abatement or control of industrial pollution.

51 (e) "Industrial pollution" means any gaseous, liquid or
52 solid waste substances or adverse thermal effects or
53 combinations thereof resulting from any process of
54 industry, manufacturing, trade or business or from the
55 development, processing or recovery of any natural
56 resources which pollute the land, water or air of this
57 state.

30 W
James R. [unclear]
[unclear]

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

Bruce O. Williams
Chairman Senate Committee

Bernard V. Kelly
Chairman House Committee

Originating in the House.

Takes effect from passage.

Jedd C. Kullis
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Mass. Tomlinson
President of the Senate

W. H. Clark
Speaker of the House of Delegates

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

Arch A. Phares Jr.
Governor

PRESENTED TO THE

GOVERNOR

Date 3/25/87

Time 4:53 p.m.

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OFFICE OF THE
DIRECTOR OF THE
BUREAU OF THE
INTERNAL SECURITY