ENROLLED

SENATE BILL NO. 713

(By Senator Craigo, et al.)

PASSED April 13, 2001

In Effect from Passage
ENROLLED

Senate Bill No. 713

(BY SENATORS CRAIGO, SHARPE, JACKSON, CHAFIN, PREZIOSO, PLYMALE, LOVE, HELMICK, BOWMAN, BAILEY, ANDERSON, EDGELL, UNGER, MCCABE, BOLEY, MINEAR AND SPROUSE)

[Passed April 13, 2001; in effect from passage.]

AN ACT to authorize the county commissions of Ohio, Brooke and Hancock counties to jointly undertake, by contract, economic development projects.

Be it enacted by the Legislature of West Virginia:

JOINT UNDERTAKINGS FOR ECONOMIC DEVELOPMENT PROJECTS BY OHIO, BROOKE AND HANCOCK COUNTIES.

§1. Authority of the county commissions of Ohio, Brooke and Hancock counties to jointly undertake by contract economic development projects and sunset provisions.

(a) Any two or more county commissions of Ohio, Brooke and Hancock counties are authorized to cooperate or contract to share expenses for and revenues derived from joint economic development projects within their geographic territories regardless of the county in which the economic development project is located.
(b) A contract shall be authorized by each party thereto with approval of its legislative body.

(c) A contract shall set forth the purposes, powers, rights, obligations and responsibilities, financial and otherwise, of the contracting parties. The contract shall also include a plan in which the project will be evaluated for its success and performance and a mechanism for reporting the progress of the project to the Legislature.

(d) Where other provisions of law provide requirements for special types of intergovernmental contracting or cooperation, those special provisions shall control.

(e) In the event that a county desires to withdraw from participation, the county may not be entitled to the return of any money or property advanced to the project, unless specifically provided for in the contract.

(f) In the event that a joint economic development project is terminated, all funds, property and other assets shall be returned to the county commissions in the same proportion as contributions of funds, property and other assets were made by the county commissions.

(g) The authorization of the commissions of Ohio, Brooke and Hancock counties to contract to share expenses for and revenues derived from joint economic development projects, as set forth in this section, shall be subject to termination and sunset three years after the effective date of the authorization and after conduct of a performance audit: Provided, That the termination of counties' authorization to enter into these contracts does not cancel or terminate any contract already entered into by the county commissions prior to sunset. The performance audit shall be filed with the president of the Senate and the speaker of the House of Delegates. The performance audit shall contain the following:

(1) A summary of the contracts entered and the development projects established;
(2) A summary of the results of the contracts and the development projects, including jobs created and revenues derived;

(3) A summary of the cost of the development projects;

and

(4) Recommendations as to the changes needed to further promote counties to cooperate in obtaining economic development projects to be located in the state.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 23rd Day of April, 2001.

Governor