

SB 138

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2002



ENROLLED

SENATE BILL NO. 736

(By Senator Craig, et al)



PASSED March 9, 2002

In Effect from Passage

FILED

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Senate Bill No. 736

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

[Passed March 9, 2002; in effect from passage.]

AN ACT to amend article seven, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding a new section, designated section four, relating generally to the powers of the public service commission; setting forth legislative findings; authorizing the public service commission to acquire certain properties in its own name; authorizing the public service commission to enter into agreements with other entities concerning the financing and use of the acquisitions; and authorizing the public service commission to use excess moneys from its special revenue funds to pay for the acquisitions.

Be it enacted by the Legislature of West Virginia:

That article seven, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be

amended by adding thereto a new section, designated section four, to read as follows:

ARTICLE 7. HEADQUARTERS.

§24-7-4. Legislative findings; authority to acquire further properties.

1 (a) The Legislature hereby finds that the public service
2 commission should be authorized to acquire and manage
3 further properties contiguous with its existing property at
4 201 Brooks street in Charleston, West Virginia, and to
5 make improvements on the property necessary to ensure
6 the efficient operations of the commission's business.
7 Furthermore, the Legislature finds that the public service
8 commission should be given the necessary authority to
9 enter into agreements with other entities concerning
10 financing and use of the acquisitions. The Legislature
11 further finds that the commission should be allowed to pay
12 for the acquisitions using excess funds from the special
13 revenues received by the commission pursuant to section
14 six, article three of this chapter and from funds received
15 by the use of the properties.

16 (b) The public service commission may contract to
17 acquire, lease, rent, purchase, own, hold, construct, equip,
18 maintain, operate, sell, encumber and assign rights of any
19 property, real or personal, contiguous with its existing
20 property at 201 Brooks street in Charleston, West Virginia,
21 consistent with the objectives of the commission as set
22 forth in this chapter.

23 (c) The public service commission may enter into con-
24 tracts, agreements or other undertakings with other
25 appropriate entities concerning the financing and use of
26 property acquisitions.

27 (d) The public service commission may pay for property
28 acquisitions and related activities from excess funds
29 obtained from the commission's assessments upon utility
30 gross revenue and property as provided for in section six,

31 article three of this chapter. Furthermore, the commission
32 may receive funds from other entities through the use and
33 management of its properties and use those funds for the
34 payment of the property acquisitions. The authority
35 granted to the public service commission by the provision
36 of this section shall expire the thirty-first day of Decem-
37 ber, two thousand four.

38 (e) Expenditures for any purpose set forth in this section
39 may be made only pursuant to legislative appropriation
40 expressly authorizing by line item expenditure for the
41 specific purpose. Notwithstanding any provision of
42 section eighteen, article two, chapter five-a of this code to
43 the contrary, no increase in the amount of the appropria-
44 tion may be authorized.

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

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within is approved this the 3rd
Day of April, 2002.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/19/02

Time 3:18p