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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2001

ENROLLED

SENATE BILL NO. 713

(By Senator Craigo, et al)

PASSED April 13, 2001

In Effect from Passage

FILED

2001 APR 23 P 4: 16

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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.

- 1 (a) Any two or more county commissions of Ohio,
- 2 Brooke and Hancock counties are authorized to cooperate
- 3 or contract to share expenses for and revenues derived
- 4 from joint economic development projects within their
- 5 geographic territories regardless of the county in which
- 6 the economic development project is located.

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7 (b) A contract shall be authorized by each party thereto
8 with approval of its legislative body.

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

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

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

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

27 (g) The authorization of the commissions of Ohio,
28 Brooke and Hancock counties to contract to share ex-
29 penses for and revenues derived from joint economic
30 development projects, as set forth in this section, shall be
31 subject to termination and sunset three years after the
32 effective date of the authorization and after conduct of a
33 performance audit: *Provided*, That the termination of
34 counties' authorization to enter into these contracts does
35 not cancel or terminate any contract already entered into
36 by the county commissions prior to sunset. The perfor-
37 mance audit shall be filed with the president of the Senate
38 and the speaker of the House of Delegates. The perfor-
39 mance audit shall contain the following:

40 (1) A summary of the contracts entered and the develop-
41 ment projects established;

42 (2) A summary of the results of the contracts and the
43 development projects, including jobs created and revenues
44 derived;

45 (3) A summary of the cost of the development projects;
46 and

47 (4) Recommendations as to the changes needed to
48 further promote counties to cooperate in obtaining eco-
49 nomic development projects to be located in the state.

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 *23rd*
Day of *April*, 2001.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/19/01

Time 5:10 pm