

1 **ENROLLED**

2 **H. B. 3119**

3
4 (By Delegates Hartman, Pethtel, Perry, Williams
5 and Evans)

6
7 [Passed March 11, 2011; in effect ninety days from passage.]
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10 AN ACT to amend and reenact §16-13A-7 of the Code of West Virginia,
11 1931, as amended, relating to increasing the expenditure limit
12 from \$15,000 to \$25,000 on public service district
13 construction and purchase contracts before competitive bids
14 are required.

15 *Be it enacted by the Legislature of West Virginia:*

16 That §16-13A-7 of the Code of West Virginia, 1931, as amended,
17 be amended and reenacted, to read as follows:

18 **ARTICLE 13A. PUBLIC SERVICE DISTRICTS.**

19 **§16-13A-7. Acquisition and operation of district properties.**

20 The board of these districts shall have the supervision and
21 control of all public service properties acquired or constructed by
22 the district, and shall have the power, and it shall be its duty,
23 to maintain, operate, extend and improve the same, including, but
24 not limited to, those activities necessary to comply with all
25 federal and state requirements, including water quality improvement

1 activities. All contracts involving the expenditure by the
2 district of more than \$25,000 for construction work or for the
3 purchase of equipment and improvements, extensions or replacements,
4 shall be entered into only after notice inviting bids shall have
5 been published as a Class I legal advertisement in compliance with
6 the provision of article three, chapter fifty-nine of this code,
7 and the publication area for such publication shall be as specified
8 in section two of this article in the county or counties in which
9 the district is located. The publication shall not be less than
10 ten days prior to the making of any such contract. To the extent
11 allowed by law, in-state contractors shall be given first priority
12 in awarding public service district contracts. It shall be the
13 duty of the board to ensure that local in-state labor shall be
14 utilized to the greatest extent possible when hiring laborers for
15 public service district construction or maintenance repair jobs.
16 It shall further be the duty of the board to encourage contractors
17 to use American made products in their construction to the extent
18 possible. Any obligations incurred of any kind or character shall
19 not in any event constitute or be deemed an indebtedness within the
20 meaning of any of the provisions or limitations of the
21 Constitution, but all such obligations shall be payable solely and
22 only out of revenues derived from the operation of the public
23 service properties of the district or from proceeds of bonds issued
24 as hereinafter provided. No continuing contract for the purchase
25 of materials or supplies or for furnishing the district with

1 electrical energy or power shall be entered into for a longer
2 period than fifteen years.