

208

ENROLLED BILL

Senate Bill No. 208

(By Mr. Bencke)

Passed March 12, 1931

In Effect From Passage

Originating in the Senate Takes effect from Passage
M. S. Hayes Clerk of the Senate. Clerk of the House of Delegates.

CORRECTLY ENROLLED

James C. Henderson
Chairman House Committee.

Jacob W. Smith
Chairman Senate Committee.

ENROLLED BILL

(S. B. No. 208)

[Passed March 12, 1931; in effect from passage.]

AN ACT to amend and re-enact section twenty-two of article seventeen of chapter seventeen of the code of West Virginia, one thousand nine hundred and thirty-one, as amended and re-enacted by House Bill No. Seventy-one, passed by the West Virginia legislature at the session of one thousand nine hundred and thirty-one, relating to tolls to be charged on state toll bridges generally and on state toll bridges in the counties of Ohio and Marshall, and the disposition thereof.

Be it enacted by the Legislature of West Virginia:

That section twenty-two of article seventeen, chapter seventeen, of the code of West Virginia, one thousand nine hundred and

CORRECTLY ENROLLED

Samuel M. Mason

Chairman House Committee.

Joseph D. Smith

Chairman Senate Committee.

thirty-one, be amended and re-enacted so as to read as follows:

Section 22. Tolls shall be fixed, charged and collected for
transit over such bridges and shall be so fixed and adjusted, in
respect of the aggregate of tolls from the bridge or bridges for
which a single issue of bonds is issued, as to provide a fund
sufficient to pay the principal and interest of such issue of bonds
and to provide an additional fund to pay the cost of maintain-
ing, repairing and operating such bridge or bridges, subject,
however, to any applicable law or regulation of the United
States of America now in force or hereafter to be enacted or
made: *Provided*, That in case a single issue of bonds is issued
for the purchase and/or construction of two or more interstate
bridges, only such bridges shall be included as the bridge com-
mission shall determine to be competitive, and in no case shall
any intrastate bridge be included in any issue of bonds with
any interstate bridge: *Provided further*, That no existing
bridge shall be purchased unless the commission shall have de-
termined that the income therefrom, based upon the toll re-
ceipts for the next preceding fiscal or calendar year will be
sufficient to pay all expenses of operating and maintaining such
bridge in addition to the interest and sinking fund require-

CORRECTLY ENROLLED

Joseph A. Smith
Chairman Senate Committee.

Samuel M. Adams
Chairman House Committee.

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21 ments of the bonds to be issued to pay the purchase price
22 thereof: *And provided further*, That whenever interstate bridges
23 are included in one project for financing purposes the commis-
24 sion is hereby authorized to group the existing interstate
25 bridges in Ohio and Marshall counties and purchase same with
26 the proceeds of one bond issue, and when sufficient revenue
27 shall have been determined to be available from the collection
28 of tolls on the bridges terminating in the state of Ohio to pay
29 interest and maintenance charges and to provide a sinking fund
30 ample to retire the bonds at maturity as issued for the acquire-
31 ment of all said bridges, the commission is authorized to make
32 free of tolls the interstate bridges between the city of Wheeling
33 proper and Wheeling Island. The tolls from the bridge or
34 bridges for which a single issue of bonds is issued, except such
35 part thereof as may be necessary to pay such cost of maintain-
36 ing, repairing and operating during any period in which such
37 cost is not otherwise provided for (during which period the
38 tolls may be reduced accordingly), shall be transmitted each
39 month to the state sinking fund commission and by it placed
40 in a special fund which is hereby pledged to and charged with
41 the payment of the principal of such bonds and the interest

CORRECTLY ENROLLED

Samuel Madison

Chairman House Committee.

Joseph D. Smith

Chairman Senate Committee.

42 thereon, and to the redemption or repurchase of such bonds,
43 such special fund to be a fund for all such bonds without dis-
44 tinction or priority of one over another. The moneys in such
45 special fund, less a reserve for payment of interest, if not used
46 by the sinking fund commission within a reasonable time for
47 the purchase of bonds for cancellation at a price not exceeding
48 the market price and not exceeding the redemption price, shall
49 be applied to the redemption of bonds by lot at the redemption
50 price then applicable.

CORRECTLY ENROLLED

James H. Smith
Chairman-Senate Committee

James M. Maloney
Chairman House Committee.

J. Alfred Taylor
Speaker of the House of Delegates.

R. K. Kell
Clerk of the House of Delegates.

M. B. White
President of the Senate.

M. A. Hodges
Clerk of the Senate.

The within is *Approved*
this *17th* day of *March*, 1931.

W. E. Lawrence
Governor.

Filed in the office of the Secretary of State
of West Virginia **MAR 17 1931**
GEORGE W. STARR,
Secretary of State.