

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

SENATE BILL No. 129

(By Mr. Randolph, M. President)

PASSED March 7 1941

In Effect 90 days from Passage



ENROLLED
Senate Bill No. 129
(BY MR. RANDOLPH, MR. PRESIDENT)

[Passed March 7, 1941; in effect ninety days from passage.]

AN ACT to amend and reenact sections four and seven, article three, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, relating to the state sinking fund commission of West Virginia.

Be it enacted by the Legislature of West Virginia:

That sections four and seven, article three, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 4. *Investment of Sinking Funds.* It shall be the
2 duty of said commission to keep all sinking funds, under

3 its control, invested. The sinking fund of each political
4 division shall be first invested in the political division's
5 own bonds, if the same are available for purchase. If
6 no such bonds can be purchased for investment or retire-
7 ment, then it shall be the duty of the commission to invest
8 the sinking funds in bonds issued by other political
9 divisions of the state. If bonds of the political division
10 cannot be purchased for investment or retirement and
11 there are no bonds of other political divisions of the state
12 available for purchase, then it shall be the duty of the
13 commission to invest the sinking funds in the bonds or
14 treasury certificates of the government of the United
15 States or bonds of this state. But any bonds so purchased
16 shall be bonds which mature before the bonds mature
17 for which the sinking fund was created. Before any
18 bond shall be purchased by the commission, either for
19 investment or retirement (unless the same be purchased
20 at maturity according to the condition of the bond), the
21 purchase must be authorized by a recorded vote of the
22 commission showing the approval of three-fourths of
23 all the members. No bond shall be purchased at a

24 greater rate than par and accrued interest. The interest
25 fund shall be used for the purpose of paying the interest
26 on the outstanding bonds as the same falls due.

Sec. 7. *Where Bonds and Interest are Payable; Sub-*
2 *stitute Paying Agent.* Payment of bonds and interest
3 coupons hereafter issued shall be made from funds
4 specified in section eight of this article. The place or
5 places of payment of such bonds and coupons shall be
6 in accordance with the provisions of articles one and two
7 of this chapter. In the event of the insolvency, threat of
8 insolvency, death, or discontinuance from business of the
9 paying agent or in the case of discontinuance of the place
10 of payment as designated by the terms of such bonds, it
11 shall be the duty of the sinking fund commission to ap-
12 point another paying agent or designate another place of
13 payment. Such action by the commission shall be valid
14 only if sanctioned by the recorded votes of three-fourths
15 of the commission's membership. Upon appointment of a
16 substitute paying agent, it shall be the duty of the commis-
17 sion to publish notice of such action once a week for two
18 consecutive weeks in a newspaper of general circulation

19 in the county in which the former paying agent had resi-
20 dence. Upon designation of another place of payment,
21 publication of notice shall be made in the county in which
22 was located the former place of payment.

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

C. H. McKeown

Chairman Senate Committee

Leon Rice

Chairman House Committee

Originated in the Senate

Takes effect 90 days from passage

W. Lee Walters

Clerk of the Senate

J. Klipp

Clerk of the House of Delegates

Byron B. Handolph

President of the Senate

Malcolm R. Arnold

Speaker House of Delegates

The within approved this the 14

day of March, 1941.

Matthew M. Neely
Governor.

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Filed in the office of the Secretary of State of West Virginia. **MAR 17 1941**

Wm. S. O'BRIEN,
Secretary of State