WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1945

ENROLLED

HOUSE BILL No. 241

(By Mr. Speaker, Mrs. Armst) By Request

PASSED March 10, 1945

In Effect 90 days from Passage
AN ACT to amend and reenact sections two and three, article one, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter eight, acts of the Legislature, regular session, one thousand nine hundred forty-one, relating to public bonded indebtedness.

Be it enacted by the Legislature of West Virginia:

That sections two and three, article one, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter eight, acts of the Legislature, regular session, one thousand nine hundred forty-one, be amended and reenacted to read as follows:

Section 2. Purposes for Which Bonds May Be Issued.—

2 Debt may be incurred and bonds issued under this article for the purpose of acquiring, constructing and erecting,
4 enlarging, extending, reconstructing or improving any
5 building, work, utility or undertaking, or for furnishing,
6 equipping and acquiring or procuring the necessary appa-
7 ratus for any building, work, improvement or depart-
8 ment, or for establishing and maintaining a library or
9 museum for the public use, or a building or structure for
10 educational purposes, or acquiring a recreation park for
11 the public use, or for other similar corporate purpose,
12 for which the political division is authorized to levy taxes
13 or expend public money. But no bonds shall be issued
14 for the purpose of providing funds for the current ex-
15 penses of any body or political division. Interest accru-
16 ing during the construction period, that is to say, the time
17 when an improvement is under construction and six
18 months thereafter, shall be deemed a part of the cost of
19 the improvement, and shall not be deemed current ex-
20 penses. All engineering and inspection costs, including
21 a proper proportion of the compensation, salaries and
22 expenses of the engineering staff of the political division
23 properly chargeable to any work or improvements, as
24 determined by the governing body, or the estimated
amount of such costs, shall be deemed part of the cost of
an improvement. All costs and estimated costs of the
issuance of bonds shall be deemed a part of the cost of
the work or improvement, or of the property, or of the
carrying out of the purposes for which such bonds are
to be issued. The power to acquire or construct any
building, work or improvement as herein provided shall
be deemed to include the power to acquire the necessary
lands, sites and rights-of-way therefor.

Bonds may also be issued by any municipality having
a population of fifty thousand or more or by any county
for the purpose of acquiring land and constructing a
building or buildings for use and occupancy as a col-
lege. The proposal for such a bond issue shall contain
a provision that there shall be created a commission or
committee for the purpose of operating the building or
buildings and for renting the same for an amount suffi-
cient to pay the interest and sinking fund on the bonds
proposed to be issued, and shall contain a further pro-
vision that in the event a sufficient amount is not real-
ized from rent or rents for the purpose of meeting the
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46 debt service, then the city or county shall lay a levy for
47 such purpose in an amount sufficient within the constitu-
48 tutional and statutory limitation to pay the interest and
49 principal on such bonds as the same become due and pay-
50 able. The proposal may also contain a provision that
51 when the bonds and the interest thereon shall have been
52 paid, then the title to the land and the building or build-
53 ings situated thereon may be transferred to the college
54 to which the same have been rented.

Sec. 3. *Amount of Indebtedness for Which Bonds May
2 Be Issued.*—No political division authorized by this article
3 to issue bonds, shall, by any bond issue, become indebted
4 to an amount, including all other indebtedness, exceed-
5 ing two and one-half per cent of the value of the tax-
6 able property therein, as shown by the last assessment
7 thereof, for state and county purposes, next prior to the
8 issuing of such bonds: *Provided, however,* That any board
9 of education for the acquisition of land and the erection
10 and equipment of school buildings, and any county for
11 the erection and equipment of a courthouse and/or jail
12 for such county, with funds borrowed from the govern-
ment of the United States or any governmental agency, federal or state, and any municipal corporation of three hundred inhabitants or more, for the purpose of grading, paving, sewering, and otherwise improving or re improv ing its streets and alleys, or for establishing and maintaining a library or museum for the public use, or a building or structure for educational purposes, or acquiring a recreation park for the public use, may become indebted and issue bonds in an additional sum not exceeding two and one-half per cent of the value of the taxable property therein, ascertained as aforesaid.

The term "sewering" as used herein shall be treated in a comprehensive sense, so as to include all mains, laterals, connections, traps, incinerating and disposal plants, and other necessary and convenient accessories to a modern, sanitary and efficient sewerage system and shall include storm sewers.

The county court of any county is hereby authorized and empowered to negotiate and sell to the government of the United States or to any governmental agency, federal or state, at private sale, at not less than par any bonds
issued for the purpose of erecting and equipping a court-
house or other public buildings for such county, under
and by virtue of article one, chapter thirteen of the code
of West Virginia, without first offering them for sale at
public auction, or to any other person or agency.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Charles C. Morris  
Chairman Senate Committee

J. A. S. Graybeal  
Chairman House Committee

Originated in the House

Takes effect 90 days from passage.

Howard Peery  
Clerk of the Senate

Phillips  
Clerk of the House of Delegates

Herbert W. Vickers  
President of the Senate

John E. Amos  
Speaker House of Delegates

The within approved this the 16th day of March, 1945.

Herbert W. Vickers  
Governor.

Filed in the office of the Secretary of State of West Virginia MAR 16 1945  
Wm. S. O'Brien,  
Secretary of State