

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1958



ENROLLED

HOUSE BILL No. 31

(By Mr. Myers and Mr. Seibert)



PASSED January 31 1958

In Effect from Passage



FEB 11 1958

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House Bill No. 31

(By MR. MYLES and MR. SEIBERT)

[Passed January 31, 1958; in effect from passage.]

AN ACT to amend and reenact section thirty-one, article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the construction, etc., of dormitories, etc., at state educational institutions; fixing certain powers and duties in connection therewith.

Be it enacted by the Legislature of West Virginia:

That section thirty-one, article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 31. *State Debt not Permitted; Acceptance of*
2 *Loans or Temporary Advances from, and Contracts and*
3 *Agreements with, Federal Agencies or Private Parties.—*
4 Nothing in these sections dealing with dormitories, homes
5 or refectories shall be so construed or interpreted as to

6 authorize or permit the incurring of state debt of any
7 kind or nature as contemplated by the constitution of
8 this state in relation to the state debt. The dormitories,
9 homes or refectories herein are of the character described
10 as self-liquidating projects under the laws of the United
11 States.

12 Any state agency authorized to issue bonds under the
13 provisions of this article is authorized and empowered to
14 accept loans or grants or temporary advances for the
15 purpose of paying part or all of the cost of construction of
16 the dormitories, homes or refectories and the other pur-
17 poses herein authorized, from the United States of Amer-
18 ica or such federal or public agency or department of the
19 United States or any private agency, corporation or indi-
20 vidual, which temporary advances may be repaid out of
21 the proceeds of the bonds authorized to be issued under
22 the provisions of this article and to enter into the neces-
23 sary contracts and agreements to carry out the purposes
24 hereof with the United States of America or such federal
25 or public agency or department of the United States, or
26 with any private agency, corporation or individual:

27 *Provided, however,* That if such bonds are not sold to and
28 purchased by the United States of America or any such
29 federal or public agency or department, then the state
30 agency shall advertise such bonds for sale, on sealed bids,
31 which advertisement shall be published at least once a
32 week for three weeks, the first publication to be made at
33 least twenty-one days preceding the date fixed for the
34 reception of bids, in two newspapers published and of
35 general circulation in the state and of opposite political
36 affiliation, and such advertisement shall also be published
37 in a financial paper published either in the city of New
38 York, in the state of New York, or the city of Chicago, in
39 the state of Illinois. The state agency may reject any
40 and all bids. If the bonds be not sold pursuant to such
41 advertisement, they may, within sixty days after the date
42 advertised for the reception of bids, be sold by the state
43 agency at private sale, but no private sale shall be made
44 at a price less than the highest bid which shall have been
45 received pursuant to such advertisement. If not sold,
46 such bonds shall be readvertised in the manner herein
47 provided.

48 The provisions and parts of this act are separable and
49 are not matters of mutual essential inducement, and it is
50 the intention to confer the whole or any part of the
51 powers herein provided for, and if any of the sections or
52 provisions, or parts thereof, are for any reason illegal or
53 invalid, it is the intention that the remaining sections
54 and provisions or parts thereof shall remain in full force
55 and effect.

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

E. H. M. Court
Chairman Senate Committee

W. E. Chilton
Chairman House Committee

Originated in the House of Delegates

Takes effect *from* _____ passage.

W. H. M. Deane
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Ralph Bean
President of the Senate

W. E. Fanning
Speaker House of Delegates

The within *approved* this the *11th*

day of *February*, 1958.

Geoff. H. Underwood
Governor



Filed in Office of the Secretary of State
of West Virginia **FEB 11 1958**

HELEN HOLT
SECRETARY OF STATE