

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967



## ENROLLED

HOUSE BILL No. 977

(By Mr. Speaker, Mr. White)



PASSED March 11, 1967

In Effect from Passage



FILED IN THE OFFICE  
ROBERT D. BAILEY  
SECRETARY OF STATE  
THIS DATE 3-20-67

#977

**ENROLLED**  
**House Bill No. 977**

(By MR. SPEAKER, MR. WHITE)

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AN ACT to amend and reenact section seven, article six, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the duties, powers and responsibilities of the state building commission with respect to the issuance of revenue bonds and the maximum interest rate thereon, eligibility of such bonds as investments for workmen's compensation fund and certain retirement funds established by law, use of such bonds as security for deposit of public funds, and the acceptance of gifts and grants.

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

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

**ARTICLE 6. STATE BUILDING COMMISSION.****§5-6-7. Commission empowered to issue state building revenue bonds; form and requirements for bonds; procedure for issuance; temporary bonds; funds, grants and gifts.**

1 The commission is hereby empowered to raise the cost  
2 of a project, as defined hereinabove, by the issuance of  
3 state building revenue bonds of the state, the principal  
4 of and interest on which bonds shall be payable solely  
5 from the special fund herein provided for such pay-  
6 ment. Such bonds shall be authorized by resolution of  
7 the commission which shall recite an estimate by the  
8 commission of such cost, and shall provide for the issu-  
9 ance of bonds in an amount sufficient, when sold as here-  
10 inafter provided, to produce such cost, less the amount  
11 of any funds, grant or grants, gift or gifts received, or  
12 in the opinion of the commission expected to be received  
13 from the United States of America or from any other  
14 source. The acceptance by the commission of any and  
15 all such funds, grants and gifts, whether in money or  
16 in land, labor or materials, is hereby expressly author-  
17 ized. All such bonds shall have and are hereby declared  
18 to have all the qualities of negotiable instruments. Such

19 bonds shall bear interest at not more than five per cent  
20 per annum, payable semiannually, and shall mature in  
21 not more than twenty-five years from their date or dates,  
22 and may be made redeemable at the option of the state,  
23 to be exercised by the commission, at such price and  
24 under such terms and conditions as the commission may  
25 fix prior to the issuance of such bonds. The commis-  
26 sion shall determine the form of such bonds, including  
27 coupons to be attached thereto to evidence the right of  
28 interest payments, which bonds shall be signed by the  
29 chairman and secretary of the commission, under the  
30 great seal of the state, attested by the secretary of state,  
31 and the coupons attached thereto shall bear the facsimile  
32 signature of said chairman of the commission. In case  
33 any of the officers whose signatures appear on the bonds  
34 or coupons issued as hereinbefore authorized shall cease  
35 to be such officers before the delivery of such bonds, such  
36 signatures shall nevertheless be valid and sufficient for  
37 all purposes the same as if they had remained in office  
38 until such delivery. The commission shall fix the de-  
39 nominations of said bonds, the principal and interest of

40 which shall be payable at the office of the treasurer of  
41 the state of West Virginia, at the capitol of said state,  
42 or, at option of the holder, at some bank or trust com-  
43 pany in the city of New York to be named in the bonds  
44 in such medium as may be determined by the commis-  
45 sion. The said bonds and interest thereon shall be exempt  
46 from taxation by the state of West Virginia, or any county  
47 or municipality therein. The commission may provide for  
48 the registration of such bonds in the name of the owner as  
49 to principal alone, and as to both principal and interest  
50 under such terms and conditions as the commission may  
51 determine, and shall sell such bonds in such manner as  
52 it may determine to be for the best interest of the state,  
53 taking into consideration the financial responsibility of  
54 the purchaser, and the terms and conditions of the pur-  
55 chase, and especially the availability of the proceeds  
56 of the bonds when required for payment of the cost of  
57 the project, such sale to be made at a price not lower than  
58 a price which, computed upon standard tables of bond  
59 values, will show a net return of not more than five  
60 per cent per annum to the purchaser upon the amount

61 paid therefor. The proceeds of such bonds shall be used  
62 solely for the payment of the cost of the project for which  
63 bonds were issued, and shall be deposited and checked  
64 out as provided by section four of this article, and under  
65 such further restrictions, if any, as the commission may  
66 provide. If the proceeds of bonds issued for a project  
67 shall exceed the cost thereof, the surplus shall be paid  
68 into the fund hereinafter provided for payment of the  
69 principal and interest of such bonds. Such fund may be  
70 used for the purchase of any of the outstanding bonds pay-  
71 able from such fund at the market price, but at not exceed-  
72 ing the price, if any, at which such bonds shall in the same  
73 year be redeemable, and all bonds redeemed or pur-  
74 chased shall forthwith be cancelled, and shall not again  
75 be issued. Prior to the preparation of definitive bonds,  
76 the commission may, under like restrictions, issue tem-  
77 porary bonds with or without coupons, exchangeable  
78 for definitive bonds upon the issuance of the latter. Reve-  
79 nue bonds issued under the authority herein granted shall  
80 be eligible as investments for the workmen's compen-  
81 sation fund, teachers' retirement fund, department of

82 public safety death, disability and retirement fund,  
83 West Virginia public employees' retirement system  
84 and as security for the deposit of all public funds. Such  
85 revenue bonds may be issued without any other pro-  
86 ceedings or the happenings of any other conditions or  
87 things than those proceedings, conditions and things  
88 which are specified and required by this article, or  
89 by the constitution of the state: *Provided*, That the  
90 aggregate amount of all issues of bonds outstanding  
91 at one time for all projects authorized hereunder shall  
92 not exceed twenty-five million dollars including the re-  
93 negotiation, reissuance or refinancing of any such bonds:  
94 *Provided, however*, That no bonds or other obligations  
95 shall be issued or incurred hereunder, unless and until  
96 the legislature by concurrent resolution has approved the  
97 purpose and amount of each separate project.

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

*William Tompa*  
Chairman Senate Committee

*Clayton C. Davidson*  
Chairman House Committee

Originated in the House.

Takes effect from passage.

*Howard Myers*  
Clerk of the Senate

*C. Blankenship*  
Clerk of the House of Delegates

*Howard Carson*  
President of the Senate

*H. Laban White*  
Speaker House of Delegates

The within approved this the 17  
day of March, 1967.

*Heena C. Smith*  
Governor





PRESENTED TO THE  
GOVERNOR

Date 3/17/69

Time 1:15 P.M.