WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1970

ENROLLED

HOUSE BILL No. 659

(By Mr. [Signatures])

PASSED February 12, 1970

In Effect from Passage

659

FILED IN THE OFFICE
JOHN G. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 2-18-70
AN ACT to amend and reenact section three, article eleven-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to revenue bonds for capital improvements at West Virginia University.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 11A. REVENUE BONDS FOR UNIVERSITY CAPITAL IMPROVEMENTS.


1 The issuance of bonds under the provisions of this

2 article shall be authorized by a resolution of the board
of regents, which shall recite an estimate by the board of the cost of the proposed building or buildings; and shall provide for the issuance of bonds in an amount sufficient, when sold as hereinafter provided, to provide moneys sufficient to pay such cost, less the amount of any other funds available for the construction of the building or buildings from any appropriation, grant or gift therefor. Such resolution shall prescribe the rights and duties of the bondholders and the board, and for such purpose may prescribe the form of the trust agreement hereinafter referred to. The bonds shall be of such series, bear such date or dates, mature at such time or times not exceeding thirty years from their respective dates, bear interest at such rate or rates, not exceeding seven per centum per annum, payable semi-annually; be in such denominations; be in such form, either coupon or fully registered without coupons, carrying such registration exchangeability and interchangeability privileges; be payable in such medium of payment and at such place or places; be subject to such terms of redemption at such prices not exceeding one hundred
five percent of the principal amount thereof, and be enti-
tled to such priorities on the revenues paid into the
special university capital improvements fund as may
be provided in the resolution authorizing the issuance
of the bonds or in any trust agreement made in connec-
tion therewith. The bonds shall be signed by the gover-
nor, and by the president of the board of regents, under
the great seal of the state, attested by the secretary of
state, and the coupons attached thereto shall bear the
facsimile signature of the president of the board. In
case any of the officers whose signatures appear on the
bonds or coupons cease to be such officers before the
delivery of such bonds, such signatures shall neverthe-
less be valid and sufficient for all purposes the same
as if such officers had remained in office until such de-
livery.

Such bonds shall be sold in such manner as the board
may determine to be for the best interests of the state,
taking into consideration the financial responsibility
of the purchaser, the terms and conditions of the pur-
chase, and especially the availability of the proceeds
of the bonds when required for payment of the cost of such building or buildings, such sale to be made at a price not lower than a price which, when computed upon standard tables of bond values, will show a net return of not more than eight percent per annum to the purchaser upon the amount paid therefor. The proceeds of such bonds shall be used solely for the payment of the cost of such building or buildings, and shall be deposited in the state treasury in a special fund and checked out as provided by law for the disbursement of other state funds. If the proceeds of such bonds, by error in calculation or otherwise, shall be less than the cost of such building or buildings, additional bonds may in like manner be issued to provide the amount of the deficiency; and unless otherwise provided for in the resolution or trust agreement hereinafter mentioned, shall be deemed to be of the same issue, and shall be entitled to payment from the same fund, without preference or priority, as the bonds before issued for such building or buildings. If the proceeds of bonds issued for such building or buildings shall exceed the cost thereof, the sur-
plus shall be paid into the sinking fund to be established for payment of the principal and interest of such bonds as hereinafter provided. Prior to the preparation of definitive bonds, the board may, under like restrictions, issue temporary bonds with or without coupons, exchangeable for definitive bonds upon their issuance.

The bonds issued under the provisions of this article shall be and have all the qualities of negotiable instruments under the law merchant and the uniform commercial code of this state.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Woodward
Chairman Senate Committee

Clayton E. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

Hiram Wright
Clerk of the Senate

W. A. Blankenship
Clerk of the House of Delegates

H. F. Jackson
President of the Senate

Sam F. Barbour
Speaker House of Delegates

The within approved this the 17th day of February, 1970.

Arch A. Shaie, Jr.
Governor
PRESENTED TO THE
GOVERNOR

Date  2/16/70  
Time  2:40 p.m.  