

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1970



ENROLLED

HOUSE BILL No. 647

(By Mr. Sentent)



PASSED Feb. 12, 1970

In Effect pro Passage



647

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE

THIS DATE 2-17-70

ENROLLED
House Bill No. 647

(By MR. SEIBERT)

[Passed February 12, 1970; in effect from passage.]

AN ACT to amend and reenact section fourteen, article twenty-seven, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, pertaining to maximum interest on revenue bonds issued to finance urban mass transportation systems.

Be it enacted by the Legislature of West Virginia:

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

**ARTICLE 27. INTERGOVERNMENTAL RELATIONS—URBAN
MASS TRANSPORTATION SYSTEMS.**

§8-27-14. Revenue and refunding bonds generally.

1 The authority is hereby empowered and authorized
2 to provide by resolution, from time to time, for the

3 issuance of revenue bonds of the authority for the pur-
4 pose of paying all or any part of the cost of acquiring,
5 constructing or improving a system or systems, or any
6 part thereof, or the facilities and equipment therefor,
7 as the case may be, or for any other purpose of project
8 authorized by the provisions of this article. The purposes
9 for which revenue bonds may be issued may include
10 the payment of all costs and estimated costs incidental
11 to or connected with the accomplishment of such pur-
12 pose or project including, without limitation, engineer-
13 ing, inspection and legal fees, the fees of fiscal agents
14 and financial consultants and other fees, bond and other
15 reserve funds, working capital, bond interest estimated
16 to accrue during the construction period and for a period
17 not to exceed two years thereafter, and expenses of all
18 proceedings for the authorization, issuance and sale of
19 the bonds.

20 The bonds of each issue shall be dated, shall bear in-
21 terest at such rate or rates not exceeding seven per cen-
22 tum per annum, payable semiannually, and shall mature
23 at such time or times not exceeding forty years from

24 their date or dates, as may be determined by the au-
25 thority, and may be made redeemable before maturity, at
26 the option of the authority, at such price or prices and
27 under such terms and conditions as may be fixed by the
28 authority prior to the issuance of the bonds. The authority
29 shall determine the form of the bonds, including any in-
30 terest coupons to be attached thereto, and shall fix the de-
31 nomination or denominations of the bonds and the place
32 or places of payment of the principal and interest, which
33 may be at any banking institution or trust company
34 within or without the state. The bonds shall be signed
35 by the president of the authority or shall bear his fac-
36 simile signature, and the official seal of the authority,
37 or a facsimile thereof, shall be impressed or imprinted
38 thereupon and attested by the secretary of the authority,
39 and any coupons attached to the bonds shall bear the
40 facsimile signature of the president of the authority.
41 All such signatures, countersignatures and seal may be
42 printed, lithographed or mechanically reproduced, except
43 that one of such signatures or countersignatures on the
44 bonds shall be manually affixed, unless the resolution

45 authorizing the issuance of such bonds shall otherwise
46 provide. If any officer whose signature or countersig-
47 nature or a facsimile of whose signature or counter-
48 signature appears on bonds or coupons ceases to be such
49 officer before the delivery of the bonds, his signature
50 shall be as effective as if he had remained in office until
51 such delivery. The bonds may be issued in coupon or
52 in registered form, or both, as each authority may de-
53 termine and provision may be made for the registra-
54 tion of any coupon bonds as to principal alone, and also
55 as to both principal and interest, for the reconversion
56 into coupon bonds of any bonds registered as to both
57 principal and interest, and for the interchange of regis-
58 tered and coupon bonds. Notwithstanding the form or
59 tenor thereof, and in the absence of any express re-
60 cital on the face thereof that the bond is nonnegotiable,
61 all such bonds shall be, and shall be treated as, nego-
62 tiable instruments for all purposes except when registered
63 in the name of a registered owner.

64 The authority may exchange its bonds, in whole or
65 in part, for any system or systems, or any parts there-

66 of, or facilities and equipment therefor, or may sell its
67 bonds, in whole or in part, in such manner either at
68 public or private sale and for such price as it may deter-
69 mine will best effect the purposes of this article and be
70 for the best interest of the authority: *Provided*, That if the
71 bonds be issued the minimum price for which they may be
72 exchanged or at which they may be sold shall be such
73 that the interest cost to the authority of the proceeds of
74 the bonds shall not exceed eight percent per annum com-
75 puted to maturity according to the standard table of bond
76 values and the interest rate or rates shall not exceed eight
77 percent per annum.

78 Prior to the preparation of definitive bonds, the author-
79 ity may, under like restrictions, issue interim receipts
80 or temporary bonds with or without coupons, exchange-
81 able for definitive bonds when such bonds shall have
82 been executed and are available for delivery. The au-
83 thority may also provide for the replacement of any
84 bonds which shall become mutilated or shall be de-
85 stroyed or lost.

86 The authority is hereby empowered and authorized to

87 provide by resolution, from time to time, for the issuance,
88 sale or exchange of revenue refunding bonds of such
89 authority for the purpose of refunding any bonds then
90 outstanding which shall have been issued under the
91 provisions of this article, including the payment of any
92 redemption premium thereon, and any interest accrued
93 or to accrue to the date of redemption of such bonds, and
94 the payment of all expenses incidental thereto. The
95 authority is further empowered and authorized to pro-
96 vide by resolution, from time to time, for the issuance,
97 sale or exchange of revenue bonds of such authority
98 for the combined purpose of refunding any bonds then
99 outstanding, as herein provided, and paying all or any
100 part of the cost of any additional project or projects.
101 All provisions of this article applicable to the issuance
102 of revenue bonds are applicable to the issuance of re-
103 funding bonds and to the sale or exchange thereof.

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

William Tompa
Chairman Senate Committee

Clyde C. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Neizer
Clerk of the Senate

L. Blankenship
Clerk of the House of Delegates

Boyd B. Johnson
President of the Senate

Sam Z. Benson
Speaker House of Delegates

The within approved this the 16th
day of February, 1970.

Arwa Shaver Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 2/14/70

Time 2:47 p.m.

RECEIVED

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