

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972

## ENROLLED

SENATE BILL NO. 221

(By Mr. SUSMAN)

PASSED MARCH 7 1972

In Effect 90 Days From Passage

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

MAR 29 11 33 PM '72

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

THIS DATE 3-29-72

Veto-271

**ENROLLED**  
**Senate Bill No. 271**  
**(By MR. SUSMAN)**

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[Passed March 7, 1972; in effect ninety days from passage.]

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AN ACT to amend and reenact sections four, ten and thirteen, article three, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to price restrictions on the purchase and resale of bonds administered by the state sinking fund commission.

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

That sections four, ten and thirteen, article three, chapter thirteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 3. STATE SINKING FUND COMMISSION.**

**§13-3-4. Investment of sinking funds.**

1 It shall be the duty of said commission to keep all sink-  
2 ing funds, under its control, invested. The sinking fund  
3 of each political division shall be first invested in the  
4 political division's own bonds, if the same are available  
5 for purchase. If no such bonds can be purchased for in-  
6 vestment or retirement, then it shall be the duty of  
7 the commission to invest the sinking funds in bonds  
8 issued by other political divisions of the state. If bonds  
9 of the political division cannot be purchased for invest-  
10 ment or retirement and there are no bonds of other  
11 political divisions of the state available for purchase,  
12 then it shall be the duty of the commission to invest  
13 the sinking funds in the bonds or treasury certificates  
14 of the government of the United States or bonds of this  
15 state. But any bonds so purchased shall be bonds which  
16 mature before the bonds mature for which the sinking  
17 fund was created. Before any bond shall be purchased  
18 by the commission, either for investment or retirement  
19 (unless the same be purchased at maturity according to  
20 the condition of the bond), the purchase must be

21 authorized by a recorded vote of the commission show-  
22 ing the approval of three fourths of all the members. No  
23 bond shall be purchased for more than the current market  
24 value and accrued interest. The interest fund shall be  
25 used for the purpose of paying the interest on the out-  
26 standing bonds as the same falls due.

**§13-3-10. Resale of bonds purchased by the commission.**

1 Any bonds purchased by the commission in pursuance  
2 of the provisions of the preceding sections of this article  
3 may be resold by the commission when, in its opinion,  
4 it is necessary or desirable for the successful operation  
5 of the commission. Before any such sale shall be made,  
6 however, the sale shall be authorized by a recorded vote  
7 of the commission, showing the approval of three fourths  
8 of all the members, and no bond shall be sold for an  
9 amount less than the current market value, plus accrued  
10 interest. The proceeds of such sale shall be credited to  
11 the proper fund out of which the bonds were purchased:  
12 *Provided*, That the profit accruing upon any bonds offered  
13 to the secretary of state under the provisions of article  
14 one of this chapter, and purchased by the state sinking  
15 fund commission and sold by said commission at a pre-  
16 mium, shall be credited to the sinking fund of the political  
17 division issuing the bonds for the payment of said bonds  
18 and any interest thereon.

**§13-3-13. Resale of bonds to other funds.**

1 The commission shall, when requested by the governor,  
2 sell such treasury certificates or bonds, held as tempo-  
3 rary investment for state funds, to some other fund under  
4 its control, or sell the same to the workmen's compensa-  
5 tion fund: *Provided*, That under this section no bond  
6 may be purchased for more than or sold for less than  
7 the current market value.

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

*Russell H. Beane*

Chairman Senate Committee

*Phyllis K. Rutledge*

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Howard E. Carson*

Clerk of the Senate

*C. A. Blankenship*

Clerk of the House of Delegates

*Edmund Levent*

President of the Senate

*Lewis G. McMan*

Speaker House of Delegates

The within *disapproved* this the *27th*  
day of *March*, 1972.

*Archie A. Thayer, Jr.*

Governor

PRESENTED TO THE  
GOVERNOR

Date 3/11/72

Time 6:20 p.m.