WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990

- - -

ENROLLED

HOUSE BILL No. 4356

(By Mr. Del. Flanigan + Basham)

- - -

Passed .................................... Feb. 16, 1990

In Effect ................................ From Passage

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990

- - -

ENROLLED

HOUSE BILL No. 4356

(By Mr. Del. Flanigan + Basham)

- - -

Passed .................................... Feb. 16, 1990

In Effect ................................ From Passage

- - -

ENROLLED

HOUSE BILL No. 4356

(By Mr. Del. Flanigan + Basham)

- - -

Passed .................................... Feb. 16, 1990

In Effect ................................ From Passage

- - -

ENROLLED

HOUSE BILL No. 4356

(By Mr. Del. Flanigan + Basham)

- - -

Passed .................................... Feb. 16, 1990

In Effect ................................ From Passage

- - -

ENROLLED

HOUSE BILL No. 4356

(By Mr. Del. Flanigan + Basham)

- - -

Passed .................................... Feb. 16, 1990

In Effect ................................ From Passage

- - -

ENROLLED

HOUSE BILL No. 4356

(By Mr. Del. Flanigan + Basham)

- - -

Passed .................................... Feb. 16, 1990

In Effect ................................ From Passage

- - -

ENROLLED

HOUSE BILL No. 4356

(By Mr. Del. Flanigan + Basham)

- - -

Passed .................................... Feb. 16, 1990

In Effect ................................ From Passage
AN ACT to authorize the Mercer County commission to appoint a five-member tourist train authority to operate a pilot tourist train project and to exercise certain powers.

Be it enacted by the Legislature of West Virginia:

MERCER COUNTY TOURIST TRAIN AUTHORITY.

§1. Mercer County tourist train authority; powers and pilot project.

The Mercer County commission may establish a tourist train authority. The authority shall be composed of five members appointed by the county commission. Of the members appointed, at least two members shall have had experience or involvement in the management or maintenance of a railroad and at least one member shall have had experience or involvement in the development or management of a tourist attraction.

The authority shall have the responsibility for and shall establish the pilot project to create a tourist train network in the area involving routes between Bluefield, Bramwell and Matoaka, West Virginia, and Pocahontas, Virginia, as described in chapter one hundred fifty-seven, acts of the Legislature, one thousand nine hundred eighty-nine.

The authority may also:
(1) Sue and be sued, make contracts, and adopt and use a common seal and alter the same as may be deemed expedient;

(2) Acquire, purchase, install, lease, construct, own, hold, operate, maintain, equip, use and control terminals, buildings, roadways, rights-of-way, rails and structures, equipment, facilities or improvements and lease, install, construct, acquire, own, maintain, control and use any and every kind or character of motive powers and conveyances or appliances necessary or proper to carry persons, goods, wares and merchandise over, along, upon or through the railway system;

(3) Apply for and accept loans, grants or gifts of money, property or service from any federal agency or the state of West Virginia or any political subdivision thereof or from any public or private sources available for any and all of the purposes authorized in this article, or imposed thereon by any such federal agency, the state of West Virginia or any political subdivision thereof, or any public or private lender or donor, and give evidences of indebtedness as may be required;

(4) Act as agent for the United States of America, or any agency, department, corporation or instrumentality thereof, in any manner coming within the purposes or powers of the authority;

(5) Initiate preservation of railroad facilities, promote economic development and tourism of a specific nature in this state;

(6) Meet and cooperate with similar authorities or bodies of any of the several states contiguous with this state, whose purpose in their respective states is to establish an interstate or intermodal transportation network;

(7) Enter into agreements, contracts or other transactions with any federal, state, county, municipal agency or private entity;

(8) Report annually to the county commission by the first day of January of each year on the status of projects, operations, financial condition and other
necessary information relating to the tourist train project;

(9) Enter into agreements or contracts with the West Virginia railroad maintenance authority for the preservation, operation and use of railroad lines;

(10) Assist and encourage the West Virginia railroad maintenance authority to purchase railroad tracks being abandoned by any common carrier, and to financially assist the railroad maintenance authority in making such purchase;

(11) Collect reasonable fees and charges in connection with making and servicing loans, notes, bonds, obligations, commitments and other evidence of indebtedness, and in connection with providing technical, consultive and project assistance services;

(12) Do any and all things necessary to carry out and accomplish the purposes of this act.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Parker
Chairman Senate Committee

Bernard V. Kelly
Chairman House Committee

Originating in the House.
Takes effect from passage.

Harold A. Boland
Clerk of the Senate

Donald L. Topp
Clerk of the House of Delegates

Mell Turley
President of the Senate

Edgar C. Corroon
Speaker of the House of Delegates

The within is approved this the 26th day of February, 1990.

Jaston Caperton
Governor