

1 **ENROLLED**

2 **H. B. 4415**

3  
4 (By Delegates Staggers, Perry, Sumner, Pino,  
5 O'Neal, Boggs, Moye and L. Phillips)

6  
7 [Passed February 24, 2012 ; in effect from passage.]

8  
9 AN ACT to authorize a Prince Railroad Station Authority to acquire  
10 and maintain the railroad station building and the  
11 appurtenances thereto located in Prince, West Virginia; to be  
12 created as a public corporation; membership, terms and  
13 compensation of the board; powers; exemption from taxation;  
14 and dissolution of the authority.

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

16 **PRINCE RAILROAD STATION AUTHORITY.**

17 **§1. Legislative findings.**

18 Since the railroad station located in Prince, West Virginia,  
19 will be the primary stop for Boy Scouts riding trains to attend the  
20 Bechtel Family Summit Scout Reserve in Fayette County, and since  
21 the railroad station located in Prince is a vital transportation  
22 facility for many residents in the area, and since the railroad  
23 station located in Prince has potential for passenger inter-modal  
24 operations, and since the railroad station located in Prince is  
25 rich in railroad history and has architectural significance, the

1 Legislature finds that creating and empowering a statutory  
2 corporation to work with railroad officials to acquire, renovate  
3 and maintain the railroad station building and the appurtenances  
4 thereto located in Prince, West Virginia, would be in the public  
5 interest and would result in a better travel experience for all  
6 persons coming to and leaving southern West Virginia.

7 **§2. Prince Railroad Station Authority authorized.**

8 The Fayette County Commission and the Raleigh County  
9 commission are hereby authorized to create and establish the Prince  
10 Railroad Station Authority for the purpose of acquiring,  
11 establishing, renovating, constructing, equipping, improving,  
12 financing, maintaining, operating and leasing the railroad station  
13 building and the appurtenances thereto located in Prince, West  
14 Virginia.

15 **§3. The authority to be a public corporation.**

16 The Prince Railroad Station Authority when created and  
17 established, and the members thereof, shall constitute a public  
18 corporation and as such, shall have perpetual succession, may  
19 contract and be contracted with, sue and be sued, and have and use  
20 a common seal.

21 **§4. Appointment of board; terms.**

22 (a) The authority shall be governed by a nine-member board  
23 which shall consist of the following members:

24 (1) A member of the Fayette County commission or a designee;

1 (2) A member of the Raleigh County commission or a designee;

2 (3) A member of the Southern West Virginia Convention and  
3 Visitors Bureau or a designee;

4 (4) A member of the State Rail Authority or a designee;

5 (5) A member of the Fayette County Chamber of Commerce or a  
6 designee;

7 (6) A member of the Raleigh County Chamber of Commerce or a  
8 designee;

9 (7) The director of the Historic Preservation Section of the  
10 West Virginia Division of Culture and History or a designee;

11 (8) One professional member of the Boy Scouts of America  
12 representing the Bechtel Family Summit Scout Reserve, appointed by  
13 the Fayette County commission; and

14 (9) One citizen member, appointed by the Raleigh County  
15 commission, who has a knowledge of and demonstrates an interest in  
16 passenger railroads and is from southern West Virginia.

17 (b) The initial appointment terms for the appointed members of  
18 the board shall be staggered. After the initial terms, the terms  
19 for the appointed members of the board shall be five years and they  
20 may be reappointed.

21 **§5. Compensation of board members.**

22 Each member of the board shall serve without compensation, but  
23 each member shall be entitled to reimbursement by the authority for  
24 all reasonable and necessary expenses actually incurred in the

1 performance of his or her duties as a board member.

2 **§6. Board; quorum; bylaws.**

3 (a) The board is the governing body of the authority and the  
4 board shall exercise all the powers given to the authority. The  
5 board shall meet at least quarterly and may meet on the call of  
6 the chairperson.

7 (b) A majority of the members of the board constitutes a  
8 quorum and a quorum must be present for the board to conduct  
9 business. Unless the bylaws require a larger number, action may  
10 be taken by majority vote of the members present.

11 (c) The board shall adopt bylaws and rules, as may be  
12 necessary for its operation and management, governing the manner  
13 in which the business of the authority is conducted and shall  
14 develop and approve an annual budget.

15 **§7. Powers of the authority.**

16 The authority shall have the following powers:

17 (1) To make and adopt all necessary bylaws and rules for its  
18 organization and operations not inconsistent with law;

19 (2) To elect its own officers, to appoint committees and to  
20 employ and fix the compensation for personnel necessary for its  
21 operation;

22 (3) To sue and be sued, implead and be impleaded and complain  
23 and defend in any court;

24 (4) To execute contracts with any person, firm, corporation or

1 governmental agency;

2 (5) To obtain and maintain all necessary insurance;

3 (6) To insure that lessees maintain all necessary insurance;

4 (7) To delegate any authority given to it by law to any of its  
5 officers, committees, agents or employees;

6 (8) To purchase, acquire, own, hold, sell, convey, lease and  
7 dispose of property;

8 (9) To borrow money and execute negotiable notes and deeds of  
9 trust;

10 (10) To expend its funds in the execution of its powers;

11 (11) To apply for, accept, receive and use loans, grants,  
12 gifts, donations, contributions, technical assistance from any  
13 source;

14 (12) To insure that all applicable laws, rules and regulations  
15 are followed; and

16 (13) To do any and all things necessary or convenient for the  
17 purpose of acquiring, establishing, renovating, constructing,  
18 equipping, improving, financing, maintaining, operating and leasing  
19 the railroad station building and the appurtenances thereto located  
20 in Prince, West Virginia.

21 **§8. Exemption from taxation.**

22 The property, operations and activities of the authority are  
23 exempt from the payment of any taxes or fees to the state or any of  
24 its political subdivisions.

1 **§9. Dissolution of authority.**

2       When the railroad station building and the appurtenances  
3 thereto located in Prince, West Virginia, are no longer being used  
4 for the purpose of a railroad station, then the authority shall  
5 perform all its duties set out in the Deed in which it acquired the  
6 railroad station building and the appurtenances thereto and also  
7 all the duties set out in the authority's bylaws to dispose of the  
8 railroad station building and the appurtenances thereto. At the  
9 conclusion of all of its duties, the authority shall dissolve.