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H. B. 2718

(By Delegate Howell)
[Introduced February 25, 2013; referred to the
Committee on Roads and Transportation then Finance.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §17-17-38, relating
to the creation of the Keyser-McCool Bridge Fund; construction
of the Keyser-McCool Bridge; and the termination of the fund.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section designated §17-17-38, to read as
follows:

ARTICLE 17. TOLL BRIDGES.

§17-17-38. Findings; intent; termination.

(a) Legislative findings. -- The Legislature finds and
declares that the safety of the people and the efficient
maintenance of the state highways play a critical role in the
economy of this state and that a substantial state interest exists

1 in protecting the citizens of our state and in maintaining our
2 roadways. It further finds and declares that the authorization of
3 the bridge provided in this section will serve to protect and
4 enhance our industry and, indirectly, other segments of the economy
5 of this state.

6 (b) There is hereby created a special fund in the State
7 Treasury which shall be designated and known as the Keyser-McCool
8 Bridge Fund. One Hundred percent of the gross income tax and
9 business and occupational tax revenue received by the state from
10 the operation of a Industrial Wind Farm of between twenty and
11 twenty-five turbines with a nameplate generating capacity between
12 45 and 65 megawatts located above two thousand feet and in the
13 Chesapeake Bay Watershed shall be deposited with the State
14 Treasurer and placed in the Keyser-McCool Bridge Fund. The fund
15 shall be an interest-bearing account with interest to be credited
16 to and deposited in the Keyser-McCool Bridge Fund.

17 (c) The state shall issue bonds for the construction of a
18 bridge connecting the city of Keyser in West Virginia with the
19 unincorporated community of McCool situate in Allegheny County in
20 the Commonwealth of Maryland. The bridge shall be a two-lane
21 vehicular bridge with at least one pedestrian walkway and shall be
22 designed to follow as closely as is practicable the route of old
23 United States Route 220 and the original bridge on that route
24 removed sixty-three years previously. All of these bonds shall be

1 repaid from the Keyser-McCool Bridge Fund as revenue is deposited
2 in this fund. The bridge is to be free of all tolls and other
3 encumbrances.

4 (d) Upon completion of the bridge the aforementioned revenues
5 are to be continued to be deposited in the fund for a period of not
6 less than two nor more than three years. The title of the bridge
7 shall, upon completion, be transferred to the city of Keyser. All
8 revenues remaining in this fund following completion shall be
9 placed in an escrow account to be used by the city of Keyser solely
10 for the continuing maintenance and eventual replacement of the new
11 bridge.

NOTE: The purpose of this bill is to create the Keyser-McCool Bridge Fund; and to provide further for the construction of the Keyser-McCool Bridge; and the termination of the fund.

This section is new; therefore, it has been completely underscored.