

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1965

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**ENROLLED**

SENATE BILL NO. 197

(By Mr. Smith)

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PASSED March 6, 1965

In Effect from Passage



FILED IN THE OFFICE OF  
JOE F. BURDETT  
SECRETARY OF STATE  
THIS DATE 3-12-65

#197

ENROLLED

Senate Bill No. 197

(By MR. SMITH)

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[Passed March 6, 1965; in effect from passage.]

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AN ACT to amend and reenact section forty-five, article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the right of the state agency for surplus property to charge the donee of such property a fee to cover actual expenses.

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

That section forty-five, article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**Article 3. Purchasing Division.**

**Section 45. Surplus Property Agency; Authority of Director.**—The purchasing division is hereby designated as a sole agency for the purposes of sections forty-four and

4 forty-five of this article, and the director shall be the  
5 director of the state agency for surplus property. As such,  
6 he shall have sole authority to:

7 (a) Make such reasonable rules and regulations, re-  
8 quire such certifications and agreements by eligible re-  
9 cipients of surplus property, and employ such persons  
10 as may be necessary for the accomplishment of the pur-  
11 poses of sections forty-four and forty-five of this article;

12 (b) Make such certification and enter into such agree-  
13 ments or understandings for and in the name of the state  
14 (including cooperative agreements with federal agencies)  
15 as may be appropriate or required by federal law or  
16 regulations in carrying out the functions hereby author-  
17 ized; the state agency for surplus property shall have the  
18 right to charge the donee of such surplus property a  
19 service charge for the care and handling of donable sur-  
20 plus property which shall be limited to the amount nec-  
21 essary to pay actual expenses of current operations and  
22 to purchase necessary equipment. The service charge  
23 assessed by the state agency for surplus property for the  
24 transfer of any single item of donable surplus property

25) shall be reasonable in relation to the costs incident to the  
 26) transfer; such service charges shall be used by the state  
 27) agency for surplus property to defray the general operat-  
 28) ing expenses of such state agency for surplus property;  
 29) (c) Require such reports and make such investigations  
 30) and take such actions as may be necessary for the ac-  
 31) complishment of the purposes of this and the preceding  
 32) section.

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

*Roy Parker*  
Chairman Senate Committee

*James W. Hoop*  
Chairman House Committee

Originated in the Senate.

Takes effect *from* Passage.

*Howard Keger*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Harold H. Hanson*  
President of the Senate

*H. John White*  
Speaker House of Delegates

The within *approved* this the *12*  
day of *March*, 1965.

*Street C. Smith*  
Governor



Presented to Gov. J.

3/10/65

11:18 a.m.