

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939



ENROLLED

HOUSE BILL No. 254

(By Mr. Speaker Mr. Thomas)



PASSED March 2, 1939

In Effect from Passage

**ENROLLED**  
**House Bill No. 254**

(BY MR. SPEAKER, MR. THOMAS)

[Passed March 2, 1939; in effect from passage.]

AN ACT to amend and reenact section eleven, article two, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as enacted by chapter four, acts of the Legislature, regular session, one thousand nine hundred thirty-five, relating to the state control of alcoholic liquors.

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

That section eleven, article two, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as enacted by chapter four, acts of the Legislature, regular session, one thousand nine hundred thirty-five, relating to the state control of alcoholic liquors, be amended and reenacted to read as follows:

**Article 2. Liquor Control Commission.**

Section 11. *Powers and Duties of Commission.* The state  
2 liquor commission shall have the following powers and duties

3 and any and all other powers and duties reasonably necessary  
4 and convenient for the purposes of this chapter.

5 (1) Exercise general supervision of, and make rules and  
6 regulations for the management of its department;

7 (2) Sign and execute in the name of the commission any  
8 contract or agreement authorized by this chapter;

9 (3) Supervise the fiscal affairs and responsibilities of the  
10 department;

11 (4) Obtain by lease or agreement, after receiving com-  
12 petitive bids, lands and buildings required for the purposes  
13 of this chapter. All such leases and agreements shall contain  
14 a condition whereby such leases or agreements shall terminate  
15 and all liability to the commission thereunder shall cease  
16 and determine, should the sale of alcoholic liquors be pro-  
17 hibited under the provisions of article five of this chapter.

18 Nothing herein contained shall empower the commission to  
19 acquire title to any real estate, except that with the approval  
20 of the Governor, the commission may purchase real estate for  
21 the purpose of one warehouse to be centrally located and pay  
22 therefor not to exceed sixty-seven thousand five hundred  
23 dollars.

24 (5) Keep a complete and accurate record of all proceed-  
25 ings, record and file all bonds and contracts taken or entered  
26 into, and assume responsibility for the custody and preserva-  
27 tion of all papers and documents pertaining to the commission;

28 (6) Purchase or lease as provided by law all equipment  
29 necessary for the conduct of the department;

30 (7) Report to the Governor each year all information  
31 relative to the operation and functions of the department.

32 They shall make such other reports and recommendations as  
33 may be required by the Governor;

34 (8) Exercise any other power that may be necessary or  
35 proper for the orderly conduct of the business and the effective  
36 discharge of the duties of the commission;

37 (9) Invoke any legal or equitable remedies for the en-  
38 forcement of the orders of the commission or the provisions  
39 of this chapter;

40 (10) All writings required to be executed on behalf of the  
41 commission shall be signed by the chairman and attested by  
42 the secretary, except that in the absence of the chairman  
43 such writing may be executed by the other two members.

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

*E. L. Wiseman*  
.....  
Chairman Senate Committee

*Reed G. Bolte*  
.....  
Chairman House Committee

Originated in the *House of Delegates* .....

Takes effect *from* ..... passage.

*Charles H. Miller*  
.....  
Clerk of the Senate

*Wm. S. Hall*  
.....  
Clerk of the House of Delegates

*James H. McMillan*  
.....  
President of the Senate

*James Kay Thomas*  
.....  
Speaker House of Delegates

The within *approved* ..... this the *9<sup>th</sup>* .....

day of *March* ....., 1939.

*Samuel R. Leib*  
.....  
Governor.



Filed in the office of the Secretary of State  
of West Virginia. **MAR 9 1939**  
Wm. S. O'BRIEN,  
Secretary of State