WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 261

(By Mr. [Signature])

PASSED ________________ 1955

In Effect 90 Days from Passage

Filed in the Office of the Secretary of State of West Virginia, MAR 11 1955

D. PITT O'BRIEN
SECRETARY OF STATE
ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 251

(Originating in the Committee on the Judiciary)

[Passed March 5, 1955; in effect ninety days from passage.]

AN ACT to amend and reenact section fourteen, article two, chapter twenty-five-a of the code of West Virginia, one thousand nine hundred thirty-one as amended, relating to the disposition by the director of purchases of commodities.

Be it enacted by the Legislature of West Virginia:

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

Section 14. Disposition by Director of Commodities;

2 Application of Proceeds From Sale.—The director shall have the exclusive power and authority to make disposition of commodities or expendable commodities now
owned or in the future acquired by the state, when any such commodities are or shall have become obsolete, unusable or are not being used, or need to be replaced, and are so reported in writing by the department owning or having custody or control thereof as available for the director's disposition.

It shall be the duty of the director to determine what commodities or expendable commodities should be disposed of and he shall make such disposition in the manner which in his opinion will be most advantageous to the state, either by transferring the particular commodities or expendable commodities between departments, by trading in such commodities as a part payment on the purchase of new commodities, or by sale thereof to the highest bidder by means of public auctions or sealed bids after having first advertised the time, terms and place of such sale once a week for two successive weeks in some newspaper published or having general circulation in the county wherein the sale is to be conducted. The director shall have the authority to sell to the highest bidder or to any one or more of the highest bidders if there be more
than one, or if in his opinion the best interest of the state
will be served, to reject all bids. Upon the transfer of
commodities or expendable commodities between depart-
ments, the director shall set the price to be paid by the
receiving department with due consideration to current
market prices. The proceeds of such sales or transfers
shall be deposited in the state treasury to the credit on
a pro rata basis of the fund or funds out of which the
purchase of the particular commodities or expendable
commodities was made.

This section shall not apply to the sale of farm and dairy
products, livestock, and products or merchandise of in-
stitutional industries or state proprietary enterprises.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect immediately upon passage.

[Signatures]

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 10th day of March, 1955.

[Signature]

Governor

Filed in the Office of the Secretary of State of West Virginia

MAR 11 1955

D. PITTINGTON O'BRIEN
SECRETARY OF STATE