

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957



ENROLLED

HOUSE BILL No. 476

(By Mr. Seibert & Myler)



PASSED March 8 1957

In Effect July 1, 1957 Passage



ENROLLED

House Bill No. 476

(By MR. SEIBERT and MR. MYLES)

[Passed March 8, 1957; in effect July 1, 1957.]

AN ACT to amend and reenact sections nine and nineteen, article three, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to further amend article three of said chapter by adding two new sections, to be designated sections nine-a and nineteen-a, all providing for an increase in the price of alcoholic liquors sold at state stores for the purpose of paying veterans' bonus bonds and Korean veterans' bonus bonds and for the payments by the liquor commission into the veterans' bonus sinking fund.

Be it enacted by the Legislature of West Virginia:

That sections nine and nineteen, article three, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, and that said article three of said chapter be further amended by adding

thereto two new sections, designated sections nine-a and nineteen-a, all to read as follows:

Section 9. *Uniform Prices; Posting and Distribution of*

2 *Price Lists; Price Increase for Payment of Veterans'*

3 *Bonus Bonds and Korean Veterans' Bonus Bonds.*—The

4 commission shall, from time to time, fix uniform prices

5 for each variety, class and brand of alcoholic liquors

6 offered for sale in state stores. Alcoholic liquors shall be

'7 sold in state stores and agencies only at the uniform prices

8 fixed by the commission.

9 The commission shall prepare price lists showing the

10 price of each variety, class or brand. Price lists shall be

11 posted prominently in each store and shall be available

12 for distribution and inspection in every state store and

13 agency.

14 For the purpose of providing revenue for the payment

15 of bonds issued under and by virtue of the veterans' bonus

16 amendment of one thousand nine hundred fifty to the con-

17 stitution and the Korean veterans' bonus amendment of

18 one thousand nine hundred fifty-six to the constitution,

19 the commission in the exercise of its authority under this

20 section is hereby directed to continue the increase in the
21 price of alcoholic liquors heretofore effected pursuant to
22 the provisions of this section as amended by chapter six,
23 acts of the Legislature of West Virginia, regular session,
24 one thousand nine hundred fifty-one, in an amount suffi-
25 cient to produce an additional annual revenue of one
26 million six hundred thousand dollars on an annual volume
27 of business equal to the average for the past three years.
28 Whenever in any fiscal year the amount of money accu-
29 mulated in the veterans' bonus sinking fund is sufficient
30 to pay at maturity all of the outstanding bonus bonds
31 issued under said veterans' bonus amendment of one
32 thousand nine hundred fifty, together with the interest
33 due or payable thereon, and thereafter all of the outstand-
34 ing bonus bonds issued under said Korean veterans' bonus
35 amendment of one thousand nine hundred fifty-six, to-
36 gether with the interest due or payable thereon, the pro-
37 vision herein made for such price increase shall become
38 ineffective at the end of such fiscal year.

Sec. 9-a. *Price Increase for Payment of Korean Vet-*
2 *erans' Bonus Bonds.*—For the purpose of providing reve-

3 nue for the payment of bonds issued under and by virtue
4 of said Korean veterans' bonus amendment of one thou-
5 sand nine hundred fifty-six the commission in the exer-
6 cise of its authority under section nine of this article is
7 hereby directed to increase the price of alcoholic liquors
8 in addition to the price increase provided in said section
9 nine hereof, on or before the last day of June, one thou-
10 sand nine hundred fifty-seven, in an amount sufficient to
11 produce an additional revenue of one million eight hun-
12 dred thousand dollars on an annual volume of business
13 equal to the average for the last three years. Whenever
14 in any fiscal year the amount of money accumulated in
15 the veterans' bonus sinking fund for the retirement of
16 Korean veterans' bonus bonds shall be sufficient to pay
17 at maturity all outstanding bonus bonds issued under said
18 Korean veterans' bonus amendment of one thousand nine
19 hundred fifty-six, together with the interest due or pay-
20 able thereon, the provision herein made for such price
21 increase shall become ineffective at the end of such fiscal
22 year.

Sec. 19. *Amount of Operating Fund; Payment into Vet-*

2 *erans' Bonus Sinking Fund; Disposition of Excess.*—All
3 moneys collected by the commission shall be credited to
4 the operating fund until that fund reaches an amount
5 sufficient for the current and routine requirements of the
6 department, this amount to be not in excess of the amount
7 hereinbefore provided in section fifteen of this article.

8 On or after the first day of July, one thousand nine
9 hundred fifty-seven, from receipts in excess of the re-
10 quirement of the operating fund, the sum of four hun-
11 dred thousand dollars shall, upon requisition of the gov-
12 ernor, be paid each quarter into the veterans' bonus sink-
13 ing fund. If, in any fiscal year, the amount so paid shall
14 be less than fifteen per cent of such excess, an additional
15 amount sufficient to make the total payments equal to
16 fifteen per cent of such excess shall at the end of the
17 fiscal year be paid into the sinking fund, upon the requi-
18 sition of the governor. All such funds so paid into the
19 veterans' bonus sinking fund shall be applied to the re-
20 tirement of bonds issued under said veterans' bonus
21 amendment of one thousand nine hundred fifty: *Provided,*
22 *however,* That when the amount of money accumulated

23 in the veterans' bonus sinking fund for retirement of
24 veterans' bonus bonds issued under said veterans' bonus
25 amendment of one thousand nine hundred fifty shall be
26 sufficient to pay at maturity all outstanding bonus bonds
27 issued under said amendment, together with the interest
28 due or payable thereon, said funds shall thereupon be
29 applied to the retirement of bonds issued under said
30 Korean veterans' bonus amendment of one thousand nine
31 hundred fifty-six.

32 Whenever in any fiscal year the amount of money
33 accumulated in the veterans' bonus sinking fund shall be
34 sufficient to pay at maturity all outstanding bonus bonds
35 issued under said veterans' bonus amendment of one
36 thousand nine hundred fifty and under said Korean vet-
37 erans' bonus amendment of one thousand nine hundred
38 fifty-six together with interest due or payable thereon, no
39 further transfers to such sinking fund shall be made after
40 the end of such fiscal year.

Sec. 19-a. *Payment into Veterans' Bonus Sinking Fund*

2 *For Retirement of Korean Veterans' Bonus Bonds.*—On
3 or after the first day of July, one thousand nine hundred

4 fifty-seven, from receipts in excess of the requirements
5 of the operating fund of the commission, the sum of four
6 hundred fifty thousand dollars shall, upon requisition of
7 the governor, be paid each quarter into the veterans'
8 bonus sinking fund to be used for the purpose of retiring
9 bonds issued under said Korean veterans' bonus amend-
10 ment of one thousand nine hundred fifty-six. Whenever
11 in any fiscal year, the amount of money accumulated in
12 the veterans' bonus sinking fund for the retirement of
13 said Korean veterans' bonus bonds shall be sufficient to
14 pay at maturity all outstanding bonus bonds issued under
15 the Korean veterans' bonus amendment of one thousand
16 nine hundred fifty-six, together with interest due or pay-
17 able thereon, no further transfers to such sinking fund
18 shall be made after the end of such fiscal year.

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

E. H. McCourt
Chairman Senate Committee

Whitton Line
Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1957 passage.

Thomas Nease
Clerk of the Senate

A. B. Blankenship
Clerk of the House of Delegates

Ralph J. Burr
President of the Senate

W. C. Fleming
Speaker, House of Delegates

The within approved this the 15th
day of March, 1957.

Leif H. Underwood
Governor



Filed in the Office of the Secretary of State
of West Virginia
MAR 15 1957
D. PITT O'BRIEN
SECRETARY OF STATE