

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



ENROLLED

HOUSE BILL No. 856

(By Mr. Speaker, Mr. White)



PASSED March 5, 1965

In Effect Ninety days from Passage



FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-10-65

#856

ENROLLED
House Bill No. 856
(By MR. SPEAKER, MR. WHITE)

[Passed March 5, 1965; in effect ninety days from passage.]

AN ACT to amend chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by amending and reenacting section one, article one thereof, and by amending and reenacting section seven, article three thereof, all relating to the authority of the director of purchases to give preference to commodities and printing produced by nonprofit workshops approved by the division of vocational rehabilitation.

Be it enacted by the Legislature of West Virginia:

That chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by amending and reenacting section one, article one thereof, and

by amending and reenacting section seven, article three thereof, all to read as follows:

Article 1. Department of Finance and Administration.

Section 1. Definitions.—For the purpose of this chapter:
2 ter:

3 “Commissioner” means the commissioner of finance and
4 administration and, as used in article two of this chapter,
5 the director of the budget.

6 “Board” means the board of public works.

7 “Director” means the director of the division referred
8 to in the heading of the article in which the word ap-
9 pears.

10 “Spending unit” means a department, agency or insti-
11 tution of the state government for which an appropri-
12 ation is requested, or to which an appropriation is made
13 by the Legislature.

14 “Spending officer” means the executive head of a spend-
15 ing unit, or a person designated by him.

16 “Commodities” means supplies, material, equipment,
17 contractual services, and any other articles or things used

18 by or furnished to a department, agency or institution of
19 the state government.

20 "Contractual services" shall include telephone, tele-
21 graph, electric light and power, water and similar serv-
22 ices.

23 "Printing" means printing, binding, ruling, lithograph-
24 ing, engraving and other similar services.

25 "Expendable commodities" means those commodities
26 which, when used in the ordinary course of business, will
27 become consumed or of no market value within the period
28 of one year or less.

29 "Removable property" means any personal property not
30 permanently affixed to or forming a part of real estate.

31 "Nonprofit workshops" means an establishment (a)
32 where any manufacture or handiwork is carried on, and
33 (b) which is operated either by a public agency or by a
34 cooperative or by a nonprofit private corporation or non-
35 profit association, in which no part of the net earnings
36 thereof inures, or may lawfully inure, to the benefit of any
37 private shareholder or individual, and (c) which is operated
38 for the primary purpose of providing remunerative em-

39 ployment to blind and severely disabled persons who can-
40 not be absorbed into the competitive labor market, and
41 (d) which shall be approved, as evidenced by a certificate
42 of approval, by the state board of vocational education,
43 division of vocational rehabilitation.

Article 3. Purchasing Division.

Sec. 7. Preference Given State Products; Nonprofit

2 **Workshop Products.**—The director shall, in the purchases
3 of commodities and printing, give preference, so far as
4 may be practicable and not conflicting with the provisions
5 of this article, to commodities and printing produced in
6 this state.

7 Further, the director may, in the purchases of com-
8 modities and printing, give preference, so far as may be
9 practicable, to commodities and printing produced and
10 offered for sale by nonprofit workshops, as defined in
11 section one of article one of this chapter, which are lo-
12 cated in this state, without the necessity of competitive
13 bidding: *Provided*, That such commodities and printing
14 are of a price and quality comparable to other commodi-
15 ties and printing otherwise available.

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

O. Roy Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Harold Keyes
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard H. Hanson
President of the Senate

H. Laban White
Speaker House of Delegates

The within *approved* this the *10*
day of *March*, 1965.

Huey C. Smith
Governor

Presented to the Governor's Office
Mar. 9, 19~~65~~⁶⁵
9:55 a.m.