WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

HOUSE BILL No. 876

(By Mr. Speaker, Hon. White)

PASSED March 7, 1965

In Effect Ninety days from Passage
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:

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

“Board” means the board of public works.

“Director” means the director of the division referred to in the heading of the article in which the word ap­pears.

“Spending unit” means a department, agency or insti­tution of the state government for which an appropri­ation is requested, or to which an appropriation is made by the Legislature.

“Spending officer” means the executive head of a spend­ing unit, or a person designated by him.

“Commodities” means supplies, material, equipment, contractual services, and any other articles or things used
by or furnished to a department, agency or institution of
the state government.

“Contractual services” shall include telephone, tele-
graph, electric light and power, water and similar serv-
ices.

“Printing” means printing, binding, ruling, lithograph-
ing, engraving and other similar services.

“Expendable commodities” means those commodities
which, when used in the ordinary course of business, will
become consumed or of no market value within the period
of one year or less.

“Removable property” means any personal property not
permanently affixed to or forming a part of real estate.

“Nonprofit workshops” means an establishment (a)
where any manufacture or handiwork is carried on, and
(b) which is operated either by a public agency or by a
cooperative or by a nonprofit private corporation or non-
profit association, in which no part of the net earnings
thereof inures, or may lawfully inure, to the benefit of any
private shareholder or individual, and (c) which is operated
for the primary purpose of providing remunerative em-
ployment to blind and severely disabled persons who cannot be absorbed into the competitive labor market, and (d) which shall be approved, as evidenced by a certificate of approval, by the state board of vocational education, division of vocational rehabilitation.

Article 3. Purchasing Division.

Sec. 7. Preference Given State Products; Nonprofit Workshop Products.—The director shall, in the purchases of commodities and printing, give preference, so far as may be practicable and not conflicting with the provisions of this article, to commodities and printing produced in this state.

Further, the director may, in the purchases of commodities and printing, give preference, so far as may be practicable, to commodities and printing produced and offered for sale by nonprofit workshops, as defined in section one of article one of this chapter, which are located in this state, without the necessity of competitive bidding: Provided, That such commodities and printing are of a price and quality comparable to other commodities and printing otherwise available.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor
Presented to the Governor's Office
Mar. 9, 1915
9:54 a.m.