AN ACT to amend and reenact section forty-five, article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the right of the state agency for surplus property to charge the donee of such property a fee to cover actual expenses.

Be it enacted by the Legislature of West Virginia:

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

Article 3. Purchasing Division.

Section 45. Surplus Property Agency; Authority of Director.—The purchasing division is hereby designated as a sole agency for the purposes of sections forty-four and
forty-five of this article, and the director shall be the
director of the state agency for surplus property. As such,
he shall have sole authority to:

(a) Make such reasonable rules and regulations, re-
quire such certifications and agreements by eligible re-
cipients of surplus property, and employ such persons
as may be necessary for the accomplishment of the pur-
poses of sections forty-four and forty-five of this article;

(b) Make such certification and enter into such agree-
ments or understandings for and in the name of the state
(including cooperative agreements with federal agencies)
as may be appropriate or required by federal law or
regulations in carrying out the functions hereby author-
ized; the state agency for surplus property shall have the
right to charge the donee of such surplus property a
service charge for the care and handling of donable sur-
plus property which shall be limited to the amount nec-
essary to pay actual expenses of current operations and
to purchase necessary equipment. The service charge
assessed by the state agency for surplus property for the
transfer of any single item of donable surplus property
shall be reasonable in relation to the costs incident to the
transfer; such service charges shall be used by the state
agency for surplus property to defray the general operating
expenses of such state agency for surplus property;
(c) Require such reports and make such investigations
and take such actions as may be necessary for the ac-
complishment of the purposes of this and the preceding
section.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Roy Parker
Chairman Senate Committee

James W. Foos
Chairman House Committee

Originated in the Senate.

Takes effect immediately after Passage.

J. Howard Hedges
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard H. Wilson
President of the Senate

A. Johnson Embree
Speaker House of Delegates

The within approved this the 1st

day of March, 1965.

W. W. Smith
Governor
Presented to Ted Y.
2/10/65
11:18 a.m.