WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

ENROLLED

SENATE BILL NO. 294

(By Mr. [Signature])

PASSED .............................................................. 1969

In Effect 20 days after Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-17-69
ENROLLED
Senate Bill No. 294
(By MR. MORELAND)

(Passed March 6, 1969; in effect ninety days from passage.)

AN ACT to amend and reenact section three, article six, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to powers of the state building commission.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6. STATE BUILDING COMMISSION.

§5-6-3. Powers of commission.

1 The commission shall have power:

2 1. To sue and be sued, plead and be impleaded;

3 2. To have a seal and alter the same at pleasure;
3. To contract to acquire and to acquire, in the name of the commission or of the state, by purchase or otherwise, real property or rights or easements necessary or convenient for its corporate purposes and to exercise the power of eminent domain to accomplish such purposes;

4. To acquire, hold and dispose of personal property for its corporate purposes;

5. To make bylaws for the management and regulation of its affairs;

6. With the consent of the attorney general of the state of West Virginia to use the facilities of his office, assistants and employees in all legal matters relating to or pertaining to the commission;

7. To appoint officers, agents and employees, and fix their compensation;

8. To make contracts, and to execute all instruments necessary or convenient to effectuate the intent of, and to exercise the powers granted to it by, this article;

9. To renegotiate all contracts entered into by it whenever, due to a change in situation, it appears to the commission that its interest will be best served;
10. To construct a building or buildings on real property, which it may acquire, or which may be owned by the state of West Virginia, in the city of Charleston, as convenient as may be to the capitol building, together with incidental approaches, structures and facilities, subject to such consent and approval of the city of Charleston in any case as may be necessary; and, in addition, to acquire or construct a warehouse, including office space therein, in Kanawha county for the West Virginia alcohol beverage control commissioner, and equip and furnish the same; and to acquire or construct buildings and additions to buildings (and equip and furnish the same), including remodeling, renovation and repair, as may be required for the safety and care of patients, guests and inmates at hospitals under the jurisdiction and supervision of the department of mental health and at institutions under the jurisdiction and supervision of the commissioner of public institutions; and to formulate and program plans for the orderly and timely capital improvement of all of said hospitals and institutions and the state capitol buildings; and to construct a building or buildings
in Kanawha county to be used as a general headquarters by the department of public safety to accommodate that department's executive staff, clerical offices, technical services, supply facilities and dormitory accommodations; and to establish one or more systems or complexes of buildings and projects under control of the commission and, subject to prior agreements with holders of bonds previously issued, to change the same from time to time, in order to facilitate the issuance and sale of bonds of different series on a parity with each other or having such priorities between series as the commission may determine; and to acquire by purchase, eminent domain or otherwise all real property or interests therein necessary or convenient to accomplish the purposes of this subdivision;

11. To maintain, construct and operate a project authorized hereunder;

12. To charge rentals for the use of all or any part of a project or building at any time financed, constructed, acquired or improved in whole or in part with the proceeds of sale of bonds issued pursuant to this article,
subject to and in accordance with such agreements with bondholders as may be made as hereinafter provided;

13. To issue negotiable bonds and to provide for the rights of the holders thereof;

14. To enter on any lands and premises for the purpose of making surveys, soundings and examinations;

15. To invest in United States government obligations, on a short-term basis, any surplus funds which the commission may have on hand pending the completion of any project or projects;

16. To do all things necessary or convenient to carry out the powers given in this article.

The rights and powers set forth in subdivision ten of this section shall not be construed as in derogation of any rights and powers now vested in the West Virginia alcohol beverage control commissioner, the department of mental health or the commissioner of public institutions.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Williams Tampan
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Herman
Clerk of the Senate

O. B. Blankenship
Clerk of the House of Delegates

Lloyd D. Johnson
President of the Senate

John F. Borosky
Speaker House of Delegates

The within appeared this the 17th day of March, 1969.

Arch A. Shamley Jr.
Governor