

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1969

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ENROLLED

SENATE BILL NO. 294

(By Mr. Moulton)

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PASSED March 6, 1969

In Effect Ninety days from Passage

FILED IN THE OFFICE  
JOHN D. COCKRELLER, IV  
SECRETARY OF STATE

THIS DATE 3-17-69

#294

**ENROLLED**  
**Senate Bill No. 294**

(By MR. MORELAND)

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[Passed March 6, 1969; in effect ninety days from passage.]

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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;

- 4     3. To contract to acquire and to acquire, in the name  
5 of the commission or of the state, by purchase or other-  
6 wise, real property or rights or easements necessary or  
7 convenient for its corporate purposes and to exercise the  
8 power of eminent domain to accomplish such purposes;
- 9     4. To acquire, hold and dispose of personal property  
10 for its corporate purposes;
- 11    5. To make bylaws for the management and regulation  
12 of its affairs;
- 13    6. With the consent of the attorney general of the state  
14 of West Virginia to use the facilities of his office, assist-  
15 ants and employees in all legal matters relating to or  
16 pertaining to the commission;
- 17    7. To appoint officers, agents and employees, and fix  
18 their compensation;
- 19    8. To make contracts, and to execute all instruments  
20 necessary or convenient to effectuate the intent of, and to  
21 exercise the powers granted to it by, this article;
- 22    9. To renegotiate all contracts entered into by it when-  
23 ever, due to a change in situation, it appears to the com-  
24 mission that its interest will be best served;

25 10. To construct a building or buildings on real prop-  
26 erty, which it may acquire, or which may be owned by  
27 the state of West Virginia, in the city of Charleston, as  
28 convenient as may be to the capitol building, together  
29 with incidental approaches, structures and facilities, sub-  
30 ject to such consent and approval of the city of Charleston  
31 in any case as may be necessary; and, in addition, to  
32 acquire or construct a warehouse, including office space  
33 therein, in Kanawha county for the West Virginia alcohol  
34 beverage control commissioner, and equip and furnish  
35 the same; and to acquire or construct buildings and addi-  
36 tions to buildings (and equip and furnish the same), in-  
37 cluding remodeling, renovation and repair, as may be re-  
38 quired for the safety and care of patients, guests and  
39 inmates at hospitals under the jurisdiction and super-  
40 vision of the department of mental health and at institu-  
41 tions under the jurisdiction and supervision of the com-  
42 missioner of public institutions; and to formulate and  
43 program plans for the orderly and timely capital improve-  
44 ment of all of said hospitals and institutions and the state  
45 capitol buildings; and to construct a building or buildings

46 in Kanawha county to be used as a general headquarters  
47 by the department of public safety to accommodate that  
48 department's executive staff, clerical offices, technical  
49 services, supply facilities and dormitory accommodations;  
50 and to establish one or more systems or complexes of  
51 buildings and projects under control of the commission  
52 and, subject to prior agreements with holders of bonds  
53 previously issued, to change the same from time to time,  
54 in order to facilitate the issuance and sale of bonds of  
55 different series on a parity with each other or having such  
56 priorities between series as the commission may deter-  
57 mine; and to acquire by purchase, eminent domain or  
58 otherwise all real property or interests therein necessary  
59 or convenient to accomplish the purposes of this sub-  
60 division;

61 11. To maintain, construct and operate a project au-  
62 thorized hereunder;

63 12. To charge rentals for the use of all or any part of a  
64 project or building at any time financed, constructed,  
65 acquired or improved in whole or in part with the pro-  
66 ceeds of sale of bonds issued pursuant to this article,

67 subject to and in accordance with such agreements with  
68 bondholders as may be made as hereinafter provided;

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

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

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

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

79 The rights and powers set forth in subdivision ten of  
80 this section shall not be construed as in derogation of any  
81 rights and powers now vested in the West Virginia alcohol  
82 beverage control commissioner, the department of mental  
83 health or the commissioner of public institutions.

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

*William Tompau*  
Chairman Senate Committee

*Clayton C. Davidson*  
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

*Harold Myers*  
Clerk of the Senate

*C. Blankenship*  
Clerk of the House of Delegates

*Clay G. Jackson*  
President of the Senate

*Spvr F. Boiassky*  
Speaker House of Delegates

The within *approved* this the *17<sup>th</sup>*  
day of *March*, 1969.

*Arch A. Moore Jr.*  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/12/69

Time 2:45 pm