WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974

ENROLLED

SENATE BILL NO. 79

(By Mr. [Name] )

PASSED March 5, 1974

In Effect ninety days from Passage

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 3-14-74
AN ACT to amend and reenact section three, article eight, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to permitting the state agency for surplus property to acquire and distribute surplus property to fire departments, volunteer fire departments and rescue squads.

Be it enacted by the Legislature of West Virginia:

That section three, article eight, 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 8. STATE AGENCY FOR SURPLUS PROPERTY.

§5A-8-3. Authority and duties of state agency for surplus property.

1 (a) The state agency for surplus property is hereby authorized and empowered (1) to acquire from the United States of America such property, including equipment, materials, books or other supplies under the control of any department or agency of the United States of America as may be usable and necessary for educational, fire protection and prevention, rescue, or public health purposes, including research; (2) to warehouse property acquired; and (3) to distribute the property to tax-supported medical institutions, hospitals, clinics, fire departments, rescue squads, health centers, school sys-
tems, schools, colleges and universities within the state, and to other nonprofit medical institutions, hospitals, clinics, volunteer fire departments, volunteer rescue squads, health centers, schools, colleges and universities within the state which have been held exempt from taxation under section 101 (6) of the United States Internal Revenue Code.

(b) For the purpose of executing its authority under this article, the state agency for surplus property is authorized and empowered to adopt, amend or rescind rules and regulations as may be deemed necessary, and take other action necessary and suitable in the administration of this article, including the enactment and promulgation of rules and regulations necessary to bring this article and its administration into conformity with any federal statutes or rules and regulations promulgated under federal statutes for the acquisition and disposition of surplus property.

(c) The state agency for surplus property is authorized and empowered to appoint advisory boards or committees necessary to the end that this article and the rules and regulations promulgated hereunder conform with federal statutes and rules and regulations promulgated under federal statutes for the acquisition and disposition of surplus property.

(d) The state agency for surplus property is authorized and empowered to take action, make expenditures and enter into contracts, agreements and undertakings for and in the name of the state, require reports, and make investigations as may be required by law or regulation of the United States of America in connection with the receipt, warehousing and distribution of property received by the state agency for surplus property from the United States of America.

(e) The state agency for surplus property is authorized and empowered to act as a clearinghouse of information for the public and private nonprofit institutions and agencies referred to in subsection (a) of this section, to locate property available for acquisition from the United States of America, to ascertain the terms and conditions under which the property may be obtained, to receive requests
from the above-mentioned institutions and agencies and
to transmit to them all available information in reference
to the property, and to aid and assist the institutions and
agencies in every way possible in the consummation or
acquisition of transactions hereunder.

(f) The state agency for surplus property, in the ad-
ministration of this article, shall cooperate to the fullest
extent consistent with the provisions of this article, with
the departments or agencies of the United States of
America and shall make reports in the form and con-
taining the information the United States of America or
any of its departments or agencies may from time to time
require, and it shall comply with the laws of the United
States of America and the rules and regulations of any
of the departments or agencies of the United States of
America governing the allocation, transfer, use or ac-
counting for property donable or donated to the state.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

**N. Darrel Cherry**
Chairman Senate Committee

**Clerk of the Senate**

**N. Dale Blankenship**
Clerk of the House of Delegates

**R. P. Bratton Jr.**
President of the Senate

**Speaker House of Delegates**

The within **approved** this the **13th**
day of **March**, 1974.

**Andy Shannon Jr.**
Governor
PRESENTED TO THE GOVERNOR

Date 3/8/14
Time 11:47 a.m.