WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975

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ENROLLED
Committee Substitute for
SENATE BILL NO. 269

(By Mr. Ferguson and Mr. Swanson)

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PASSED March 8, 1975

In Effect ninety days from Passage
AN ACT to amend and reenact sections fifteen and seventeen, article three, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to the state control of alcoholic liquors, sales by the commissioner; directing the commissioner to plan his purchases so that the stock on hand does not exceed the estimated requirements for ninety days' sales; increasing the amount of stock allowed; regulations as to handling and depositing of moneys collected; directing the commissioner to prescribe such regulations with the approval of the state treasurer; requiring monthly remittances to the state treasury by the commissioner, and providing a criminal penalty for the failure of the commissioner to make such remittances.

Be it enacted by the Legislature of West Virginia:

That sections fifteen and seventeen, article three, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted all to read as follows:

ARTICLE 3. SALES BY COMMISSIONER.

§60-3-15. Amount of stock allowed; contract for manufacture of state brand.

1 In order to avoid the accumulation of excessive stocks in warehouses and stores, the commissioner shall so plan his purchases of alcoholic liquors for sale in state stores and agencies that stock on hand at any time does not exceed the estimated requirements for ninety days' sales,
that none of such stock be on a consignment basis
and that the amount of operating fund and the value of
inventory stock shall not exceed eleven million dollars
except during the last quarter of the calendar year,
during which time it shall not exceed twenty million
dollars.

The commissioner may, with the consent of the gover-
nor, contract for the manufacture of alcoholic liquors for
sale in state stores and agencies. Such liquors shall bear
a special designation as "state brand".

Listed brands and sizes of spirituous liquors shall not be
reordered in quantities greater than at the rate of com-
parative gross sales as determined by the last weekly
report published prior to each reorder: Provided, That
listed brands on allocation by the respective suppliers
may be reordered upon the basis of anticipated needs to
be determined by projecting the adjusted sales records
to the period of allocation as fixed by the respective sup-
pliers.

The initial order of any new or unlisted brand of
spirituous liquor, excepting wine, shall not exceed five
hundred cases. The initial order of new or unlisted wine
brands shall not exceed fifteen hundred cases.

§60-3-17. Regulations as to handling and depositing of moneys
collected; monthly remittances; penalty.

The commissioner, with the approval of the state trea-
surer, shall prescribe regulations for the handling and
depositing of all moneys collected by the commissioner.
All receipts accruing to and available for the general
revenue fund in excess of the requirements of the operat-
ing fund and the license fee and additional sales tax
imposed by the provisions of this chapter shall be re-
mitted by the commissioner to the state treasury monthly
within fifteen days next after the end of each calendar
month.

If the commissioner fails to remit such moneys to the
state treasury within the time specified in accordance
with the provisions of this section, he shall be guilty of a
misdemeanor, and, upon conviction thereof, shall be fined
one thousand dollars.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

Secretary

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within _______approved________this the 30th

day of__________March________, 1975.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/14/75
Time 11:45 a.m.