

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1978



ENROLLED

Committee Substitute for
HOUSE BILL No. 1229

(By Mr. Shiflet and Mrs. Pitsenberger)



PASSED March 9, 1978

In Effect July 1, 1978 ~~_____~~



ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 1229

(By MR. SHIFLET and MRS. PITSENBERGER)

[Passed March 9, 1978; in effect July 1, 1978.]

AN ACT to amend and reenact section seven, article three, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to agencies of the alcohol beverage control commissioner; providing for classification and compensation of agencies according to gross volume of business; and requiring agencies to pay expenses out of the compensation provided.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3. SALES BY COMMISSIONER.

§60-3-7. Agencies classified; compensation and bond of agent.

- 1 Agents shall be compensated based upon the average month-
- 2 ly gross revenues of the agency or store, excluding sales tax
- 3 thereon. The amount of compensation shall be computed and
- 4 paid as follows:
 - 5 (1) For gross revenues up to three thousand dollars per
 - 6 month, four hundred dollars compensation per month.

7 (2) For gross revenues of not less than three thousand
8 dollars nor more than six thousand dollars per month, ten
9 percent of all gross revenues between said three thousand
10 dollars and six thousand dollars, which shall be in addition
11 to the compensation as provided in subdivision (1) here-
12 inabove.

13 (3) For gross revenues of not less than six thousand dollars
14 nor more than eight thousand dollars per month, eight percent
15 of all gross revenues between said six thousand dollars and
16 eight thousand dollars, which shall be in addition to the
17 compensation as provided in subdivisions (1) and (2) here-
18 inabove.

19 (4) For gross revenues of not less than eight thousand
20 dollars nor more than ten thousand dollars per month, six
21 percent of all gross revenues between said eight thousand
22 dollars and ten thousand dollars, which shall be in addition
23 to the compensation as provided in subdivisions (1), (2) and
24 (3) hereinabove.

25 (5) For gross revenues over ten thousand dollars per
26 month, four percent of all gross revenues over said ten thou-
27 sand dollar amount, which shall be in addition to the com-
28 pensation as provided in subdivisions (1), (2), (3) and (4)
29 hereinabove.

30 The agent shall pay for utilities, renovations and operating
31 expenses of the agency from the compensation set forth
32 herein.

33 Each agent shall give bond in an amount fixed by the
34 commissioner conditioned upon the faithful observance of the
35 provisions of this chapter, compliance with the rules and
36 regulations of the commissioner, and the accounting for and
37 paying over of all moneys coming into his custody by virtue
38 of his agency. An agent shall not, at any time, have on hand
39 a stock of alcoholic liquors greater in value than the amount
40 of his bond.

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

James L. Davis

Chairman Senate Committee

Clarence C. Christian

Chairman House Committee

Originated in the House.

Takes effect July 1, 1978.

J. P. Hillen

Clerk of the Senate

W. A. Blankenship

Clerk of the House of Delegates

H. P. Brotherton

President of the Senate

Donald L. Hoop

Speaker House of Delegates

The within is approved this the 30
day of March, 1978.

John D. Rhymer

Governor

APPROVED AND SIGNED BY THE GOVERNOR

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OFFICE OF THE GOVERNOR

Date Mar. 30, 1978
Time 4:45 p.m.

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