

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2003



ENROLLED

Committee Substitute for

SENATE BILL NO. *383*

(By Senators *Bailey and Bowman* **)**



PASSED *March 7, 2003*

In Effect *from* **Passage**

FILED

2003 MAR 21 P 5:35

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 383

(SENATORS BAILEY AND BOWMAN, *original sponsors*)

[Passed March 7, 2003; in effect from passage.]

AN ACT to amend and reenact section eleven, article two, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating generally to the powers and duties of the alcohol beverage control commissioner; and allowing the commissioner, upon approval of the governor and the board of public works, to sell a warehouse located in Nitro, Putnam County, and purchase a replacement warehouse.

Be it enacted by the Legislature of West Virginia:

That section eleven, article two, 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 2. ALCOHOL BEVERAGE CONTROL COMMISSIONER.

§60-2-11. Powers and duties.

1 The alcohol beverage control commissioner shall have
2 the following powers and duties and any and all other
3 powers and duties reasonably necessary and convenient
4 for the purpose of this chapter:

5 (1) Exercise general supervision of, and make rules and
6 regulations for, the management of his or her department;

7 (2) Sign and execute in the name of the commissioner
8 any contract or agreement authorized by this chapter;

9 (3) Supervise the fiscal affairs and responsibilities of the
10 department;

11 (4) With the approval of the governor, acquire title to
12 and purchase real estate containing 12.168 acres situate on
13 River Road in the Hub Industrial Park, Nitro, Putnam
14 County, which real estate is improved by block and steel
15 building containing approximately one hundred fifty
16 thousand (150,000) square feet, formerly known as the
17 Heck's warehouse, for a sale price not to exceed two
18 million, two hundred fifty thousand dollars
19 (\$2,250,000.00);

20 (5) With the approval of the governor and the board of
21 public works, sell, in part or in whole, the real estate
22 containing 12.168 acres and a warehouse situate on River
23 Road in the Hub Industrial Park, Nitro, Putnam County,
24 for a sale price of at least the appraised fair market value
25 and upon terms the commissioner determines to be in the
26 best interest of the state of West Virginia: *Provided*, That
27 the commissioner may only sell the property if it is deter-
28 mined that the soil beneath the warehouse is contaminated
29 with toxic chemicals;

30 (6) With the approval of the governor and the board of
31 public works, and upon the sale of real estate containing
32 12.168 acres and a warehouse situate on River Road in the
33 Hub Industrial Park, Nitro, in Putnam County, acquire

34 title to and purchase, upon terms the commissioner
35 determines to be in the best interest of the state of West
36 Virginia, real estate containing a replacement warehouse
37 of a size and in a location that the commissioner deter-
38 mines meets the storage needs of the commission;

39 (7) Keep a complete and accurate record of all proceed-
40 ings, record and file all bonds and contracts taken or
41 entered into and assume responsibility for the custody and
42 preservation of all papers and documents pertaining to the
43 commissioner;

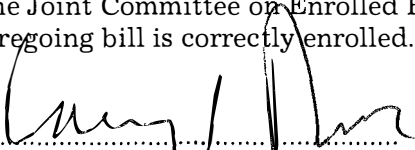
44 (8) Purchase or lease as provided by law all equipment
45 necessary for the conduct of the department;

46 (9) Report to the governor each year all information
47 relative to the operation and functions of the department.
48 The commissioner shall make such other reports and
49 recommendations as may be required by the governor;

50 (10) Exercise any other power that may be necessary or
51 proper for the orderly conduct of the business and the
52 effective discharge of the duties of the commissioner; and

53 (11) Invoke any legal or equitable remedies for the
54 enforcement of the orders of the commissioner or the
55 provisions of this chapter.

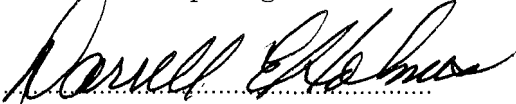
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

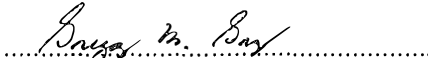

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Chairman Senate Committee

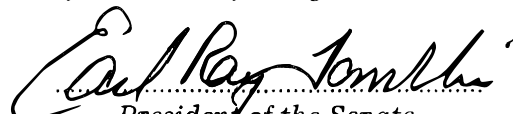

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Chairman House Committee

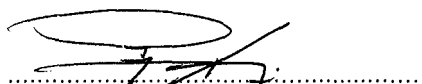
Originated in the Senate.

In effect from passage.

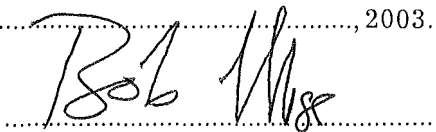

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within is approved this the 21st
Day of March, 2003.


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Governor

PRESENTED TO THE
GOVERNOR

Date 3/17/03

Time 9:35 am

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