

SB574

FILED

2004 APR -5 A 11:47

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2004

ENROLLED

SENATE BILL NO. 574

(By Senator Bowman, et al)

PASSED March 13, 2004

In Effect from Passage

FILED

2004 APR -5 A 11:47

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 574

(BY SENATORS BOWMAN, BAILEY, CALDWELL, JENKINS,
KESSLER, MINARD, ROWE, SNYDER, WHITE, BOLEY,
MINEAR AND WEEKS)

[Passed March 13, 2004; in effect from passage.]

AN ACT to amend and reenact §60-2-11 of the code of West Virginia, 1931, as amended, relating generally to powers and duties of the alcohol beverage control commissioner; allowing commissioner to sell liquor warehouse, upon approval of governor and board of public works, when sale is in best interest of state; and making technical corrections.

Be it enacted by the Legislature of West Virginia:

That §60-2-11 of the code of West Virginia, 1931, 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 agency;

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 agency;

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
15 steel building containing approximately one hundred
16 fifty thousand (150,000) square feet, formerly known
17 as the Heck's warehouse, for a sale price not to exceed
18 two 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;

27 (6) With the approval of the governor and the board of
28 public works, and upon the sale of real estate containing
29 12.168 acres and a warehouse situate on River Road in the
30 Hub Industrial Park, Nitro, Putnam County, acquire title
31 to and purchase, upon terms the commissioner determines
32 to be in the best interest of the state of West Virginia, real
33 estate containing a replacement warehouse of a size and in
34 a location that the commissioner determines meets the
35 storage needs of the agency;

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

41 (8) Purchase or lease as provided by law all equipment
42 necessary for the conduct of the agency;

43 (9) Report to the governor each year all information
44 relative to the operation and functions of the agency. The
45 commissioner shall make such other reports and recom-
46 mendations as may be required by the governor;

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

50 (11) Invoke any legal or equitable remedies for the
51 enforcement of the orders of the commissioner or the
52 provisions of this chapter.

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

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within is approved this the 5th
Day of April, 2004.

[Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

DATE

3/22/04

TIME

9:45 am