

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

Senate Bill 344

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[Originating in the Committee on Transportation and
Infrastructure; Reported on February 21, 2018]

1 A BILL to amend and reenact §17-2A-14 of the Code of West Virginia, 1931, as amended, relating
2 to disposition of certain surplus equipment, supplies, and materials; requiring the West
3 Virginia Commissioner of Highways design and implement a policy to assure recycling of
4 metal if cost effective; and updating code.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.

§17-2A-14. Disposition of surplus, etc., equipment and materials; inventories; requiring metal recycling if cost effective.

1 (a) The commissioner shall dispose of obsolete and unusable equipment, surplus
2 supplies, and other unneeded materials, either by transfer to other governmental agencies or
3 institutions, by exchange or trade, or by sale as junk or otherwise. The commissioner shall ~~adopt~~
4 ~~and promulgate rules and regulations~~ propose rules for legislative approval in accordance with
5 the provisions of §29A-3-1 et seq. of this code governing and controlling the disposition of all such
6 equipment, supplies, and materials. He or she shall advertise, by newspaper publication or
7 otherwise, the availability or sales of such disposable equipment, supplies, and materials and may
8 sell same, in whole or in part, at public auction, or may transfer, exchange, or trade same (if by
9 exchange or trade, then without advertising), in whole or in part, as sound business practices may
10 warrant under existing circumstances and conditions. The commissioner shall inventory all such
11 disposable equipment, supplies, and materials from time to time as quantity and stocks may
12 warrant but shall make a complete semiannual inventory thereof as of March 31 and September
13 30, of each year. He or she may report ~~such~~ the inventories to the ~~director of purchases~~
14 Purchasing Division within the Department of Administration whose services and facilities shall
15 be available to the commissioner in making advantageous disposition of any part or all of such
16 disposable equipment, supplies, and materials. ~~Such~~ The inventories shall briefly describe the
17 disposable items, the date of purchase thereof, the vendor to the commissioner, the purchase
18 price paid therefor, and the commissioner's order number authorizing disposition thereof and shall

19 indicate briefly the reason said items are no longer needed or can no longer be used by the
20 commission. All ~~such~~ the inventories shall be kept as public records open to public inspection at
21 the office of the commissioner for a period of five years and may thereafter be destroyed.

22 (b) The commissioner shall design and implement a policy to assure that surplus metal
23 supplies, equipment, and materials are recycled, if recycling is cost effective, instead of discarded.

NOTE: The purpose of this bill is to require the Commissioner of Highways to implement a program to recycle, rather than discard surplus metal supplies, materials, and equipment if recycling is cost effective.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.