

# WEST VIRGINIA LEGISLATURE

## 2019 REGULAR SESSION

Introduced

### House Bill 2148

FISCAL  
NOTE

BY DELEGATE SUMMERS

[Introduced January 9, 2019; Referred  
to the Committee on Technology and Infrastructure  
then Finance.]

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 and materials, requiring recycling of metal if  
3 cost effective.

*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 supplies  
2 and other unneeded materials, either by transfer to other governmental agencies or institutions,  
3 by exchange or trade, or by sale as junk or otherwise. The commissioner shall adopt and  
4 promulgate rules and regulations governing and controlling the disposition of all such equipment,  
5 supplies and materials. He or she shall advertise, by newspaper publication or otherwise, the  
6 availability or sales of such disposable equipment, supplies and materials and may sell same, in  
7 whole or in part, at public auction, or may transfer, exchange or trade same (if by exchange or  
8 trade, then without advertising), in whole or in part, as sound business practices may warrant  
9 under existing circumstances and conditions. The commissioner shall inventory all such  
10 disposable equipment, supplies and materials from time to time as quantity and stocks may  
11 warrant but shall make a complete semiannual inventory thereof as of March 31 and September  
12 30, of each year. He or she may report ~~such~~ the inventories to the director of purchases whose  
13 services and facilities shall be available to the commissioner in making advantageous disposition  
14 of any part or all of such disposable equipment, supplies and materials. Such inventories shall  
15 briefly describe the disposable items, the date of purchase thereof, the vendor to the  
16 commissioner, the purchase price paid therefor and the commissioner's order number authorizing  
17 disposition thereof and shall indicate briefly the reason said items are no longer needed or can  
18 no longer be used by the commission. All such inventories shall be kept as public records open  
19 to public inspection at the office of the commissioner for a period of five years and may thereafter

20 be destroyed.

21 (b) The commissioner shall design and implement a policy to assure that surplus metal

22 supplies, equipment and materials are recycled instead of discarded, if recycling is cost effective.

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.