

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

Comm. Sub. for

SENATE BILL NO. 232

(By Mr. Carson, Mr. President)
original sponsor

PASSED March 13, 1965

In Effect June Passage

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 2-19-65

#232

ENROLLED

JUDICIARY
COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 232

(By MR. CARSON [Mr. President] original sponsor)

[Passed March 13, 1965; in effect from passage.]

AN ACT to amend chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article three, relating to making the joint committee on government and finance a statutory body, and its powers and duties.

Be it enacted by the Legislature of West Virginia:

That chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article three, to read as follows:

Article 3. Joint Committee on Government and Finance.

Section 1. Joint Committee on Government and Fi-

2 **nance; Members; Terms.**—The joint committee on govern-
3 ment and finance, heretofore existing under a joint rule
4 of the senate and house of delegates, is hereby continued
5 as a statutory body. This committee shall be composed
6 of seven members of the senate, six of whom shall be ap-
7 pointed by the president of the senate, and seven members
8 of the house of delegates, six of whom shall be appointed
9 by the speaker of the house of delegates. The six members
10 appointed by the president of the senate shall include the
11 majority leader of the senate, the minority leader of the
12 senate, the chairman of the senate committee on the judi-
13 ciary and the chairman of the senate committee on
14 finance. The six members appointed by the speaker of the
15 house of delegates shall include the majority leader of the
16 house of delegates, the minority leader of the house of
17 delegates, the chairman of the house committee on the
18 judiciary and the chairman of the house committee on
19 finance. The president of the senate and the speaker of
20 the house of delegates shall be members of the committee

21 and co-chairmen thereof. Not more than five of the mem-
22 bers of the committee from each house shall be members
23 of the same political party. The members shall serve until
24 their successors shall have been appointed as heretofore
25 provided.

Sec. 2. Expenses of Committee; Compensation of Mem-
2 bers.—The expenses of the committee shall be paid from
3 the contingent fund of the senate and contingent fund of
4 the house of delegates in equal amounts. The members
5 of the committee shall receive no remuneration for their
6 services, other than actual expenses incurred in the dis-
7 charge of their duties hereunder as approved by the
8 committee.

Sec. 3. Powers and Duties.—It shall be the duty of the
2 committee to consider matters referred to it by legislative
3 resolution, and to study and survey matters of govern-
4 ment, finance, and claims against the state and to make a
5 report of its studies, findings and such recommendations
6 as it may deem proper and as well all expenditures of
7 said committee to regular annual sessions of the Legis-
8 lature. The committee is hereby vested with power and

9 authority to employ and supervise the legislative auditor,
10 as provided in article two of this chapter; and to employ
11 other technical and clerical personnel as may from time
12 to time be necessary; and to establish a legislative refer-
13 ence library. The committee shall be vested with and au-
14 thorized to exercise all powers granted such committee
15 by legislative resolution, and the statutes and constitution
16 of the state of West Virginia. The committee may func-
17 tion and exercise any power granted it either during the
18 interim periods between sessions of the Legislature or
19 while the Legislature is in session. The office of said com-
20 mittee shall be maintained at the state capitol.

Sec. 4. Securing Information; Production of Evidence.—

2 For the purpose of obtaining information in conjunction
3 with the formulation of new laws or the revision of exist-
4 ing laws, the committee, or an employee duly authorized
5 by the committee, shall have access to records of every
6 agency or department of the state.

7 In addition, the committee, or any employee duly au-
8 thorized by the committee, is empowered to hold public
9 hearings at such times and places within the state as may

10 be desirable to make investigations and surveys, and
11 either co-chairman or any member of the committee shall
12 have the power to administer oaths to persons testifying
13 at such hearings. By subpoena, issued over the signature
14 of either chairman of the committee and served in the
15 manner provided by law, the committee may summon and
16 compel the attendance of witnesses and their examination
17 under oath and the production of all books, papers, docu-
18 ments and records necessary or convenient to be exam-
19 ined and used by the committee in the performance of its
20 duties. If any witness subpoenaed to appear at such hear-
21 ing shall refuse to appear or to answer inquiries there
22 propounded, or shall fail or refuse to produce books,
23 papers, documents or records within his or her control
24 when the same are demanded, the committee shall report
25 the facts to the circuit court of Kanawha county or any
26 other court of competent jurisdiction and such court may
27 compel obedience to the subpoena as though such sub-
28 poena had been issued by such court in the first instance.
29 Witnesses subpoenaed to attend such hearings shall be

30 allowed the same mileage and per diem as is allowed

31 witnesses before any petit jury in this state.

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

O. Ray Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *from* Passage.

John M. Myers
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Howard G. Carson
President of the Senate

H. Latham White
Speaker House of Delegates

The within *approved* this the *19*
day of *March*, 1965.

Hubert C. Smith
Governor



Presented to the Governor's Office
March 18, 1965
2:40 P.M.