

214 - Gov. did not sign Bill.

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971

ENROLLED

SENATE BILL NO. 214

(By Mr. MORELAND)

PASSED FEBRUARY 26 1971

In Effect NINETY DAYS FROM Passage



FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-2-71

ENROLLED

Senate Bill No. 214

(By MR. MORELAND)

[Passed February 26, 1971; in effect ninety days from passage.]

AN ACT to amend article one, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty, relating to acquisition of space within the capitol building for the Legislature and providing for use thereof.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. OFFICERS, MEMBERS AND EMPLOYEES; APPROPRIATIONS; INVESTIGATIONS; DISPLAY OF FLAGS; RECORDS.

**§4-1-20. Legislative findings; space in capitol building for use
by Legislature.**

1 (a) The Legislature hereby recognizes that in Decem-
2 ber, one thousand nine hundred sixty-eight, the citizens
3 advisory commission on the Legislature of West Virginia
4 concluded its study for strengthening the West Virginia
5 Legislature; that such commission recommended that the
6 capitol building be utilized primarily for the space needs
7 of the Legislature and that certain executive department
8 offices be moved outside of the capitol building as neces-
9 sary to provide the Legislature with the space it requires;
10 and that these recommendations were based upon the
11 following observations and conclusions of such commis-
12 sion: (1) There are fifteen committees in the Senate
13 which consider legislation and twelve committees in the
14 House of Delegates which consider legislation, (2) the
15 rules committee of the Senate meets in the office of the
16 president of the Senate and the rules committee of the
17 House of Delegates meets in the office of the speaker of
18 the House of Delegates, (3) the remaining fourteen com-
19 mittees of the Senate share three permanent committee

20 rooms, (4) the remaining eleven committees of the House
21 of Delegates share five permanent committee rooms, (5)
22 the Legislature does not have a hearing room or a com-
23 mittee room large enough to accommodate large public
24 hearings, (6) when any large public hearing is held, the
25 chamber of the Senate or the House of Delegates must be
26 used, thereby eliminating the desks of the members on
27 the floor of the chamber as work space for members not
28 involved in the public hearing, (7) there are no rooms
29 available in which individual members of the Legislature
30 may talk with their constituents, (8) that at the very
31 least offices should be provided for individual members
32 of the Legislature to be used on a shared basis, (9) there
33 is a pressing need for additional permanent committee
34 rooms, with the view that in time all legislative com-
35 mittees which consider legislation would be assigned
36 individual committee rooms, (10) that at least during
37 legislative sessions, all committee chairmen should be
38 provided, if possible, with a private office, and if not
39 possible, with offices on a shared basis, (11) there should
40 be adequate office space for the staff of the Senate and

41 House of Delegates, and (12) the Legislature should
42 have at least one hearing room, sufficiently large to seat
43 one hundred fifty persons in addition to a legislative
44 committee of twenty-five persons. The Legislature hereby
45 determines and finds that the recommendations of the
46 citizens advisory commission on the Legislature of West
47 Virginia with respect to the space needs of the Legisla-
48 ture and the observations and conclusions of such com-
49 mission upon which such recommendations were based
50 are correct and proper. The remainder of this section is
51 enacted to implement the recommendations of the com-
52 mission in this regard.

53 (b) The Legislature shall continue to have the ex-
54 clusive use of all of the space in the main unit of the
55 capitol building above the ground floor, the main unit
56 being that portion of the capitol building connecting the
57 east and west wings. In addition, the following space
58 in the capitol building is assigned to and set aside for the
59 exclusive use of the Legislature, with the use thereof to
60 be determined by the joint committee on government
61 and finance:

62 (1) All of the space on the second floor of the east
63 wing of the capitol building; and

64 (2) All of the space on the second floor of the west
65 wing of the capitol building, except that room designated
66 and numbered W-212 and the large vault used and occu-
67 pied by the land division of the state auditor's office,
68 which said room W-212 and said vault shall continue to
69 be used and occupied by the office of the state auditor.
70 The additional space for the Legislature provided for in
71 subdivisions (1) and (2) of this subsection shall be made
72 available to the Legislature as soon as possible, but shall
73 in any event be made available for occupancy by the
74 Legislature not later than July one, one thousand nine
75 hundred seventy-two.

76 (c) As soon as the additional space provided for in
77 subsection (b) of this section is made available for occu-
78 pancy by the Legislature, then (1) the rooms designated
79 and numbered E-126, E-128, E-130, E-132, E-134, E-136
80 and E-138 on the ground floor of the east wing of the
81 capitol building and the rooms designated and numbered
82 E-140, 28, 30 and 32 on the ground floor of the main unit

83 of the capitol building and occupied by the office of
84 legislative services on the effective date of this section
85 shall be relinquished by the Legislature for occupancy
86 by the executive branch of the state government, and
87 (2) as a substitute for the space on the second floor of
88 the west wing vacated by the state auditor, and in order
89 to insure adequate space for the office of the state auditor,
90 a constitutional officer, all of the ground floor of the west
91 wing of the capitol building (except the rooms designated
92 and numbered W-129, W-131, W-133, W-135, W-137, W-139,
93 W-141, W-148, W-150, W-152, W-154, W-156 and W-158
94 and except for the space occupied on the effective date
95 of this section by the office of the department of public
96 institutions) shall be assigned to and set aside for the
97 exclusive use of the state auditor.

98 (d) If any provision of this section or the application
99 thereof to any person or circumstance is held unconstitu-
100 tional or invalid, such unconstitutionality or invalidity
101 shall not affect other provisions or applications of the
102 section, and to this end the provisions of this section are
103 declared to be severable.

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

Russell G. Bane
Chairman Senate Committee

Phyllis Rutledge
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Howard Myers
Clerk of the Senate

A Blankenship
Clerk of the House of Delegates

Chapman
President of the Senate

Lois F. Bursky
Speaker House of Delegates

The within _____ this the _____
day of _____, 1971.

Governor

PRESENTED TO THE
GOVERNOR

Date 3/2/71

Time 10:35 a.m.

RECEIVED

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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA