

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972



ENROLLED

HOUSE BILL No. 1088

(By Mr. Buske)



PASSED March 9 1972

In Effect 90 days from Passage



FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE

THIS DATE 3-29-72

1088

ENROLLED
House Bill No. 1088
(By MR. BURKE)

[Passed March 9, 1972; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article one, chapter six-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to conflicts of interest; providing that persons employed under the colleges and universities part-time employees program are exempt from the provisions of this article.

Be it enacted by the Legislature of West Virginia:

That section one, article one, chapter six-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. DISCLOSURE.

§6B-1-1. Statements to be filed by members of the Legislature and certain officers and employees; suspension for noncompliance; report of statements filed; forms for statements; exceptions.

1 In the year one thousand nine hundred sixty-nine and
2 every calendar year thereafter, every person who is or
3 was at any time during the preceding calendar year, a
4 member of the Legislature, an officer, agent, servant or
5 employee in the executive branch of state government
6 or an employee or judge in the judicial branch of state
7 government, shall, between January one and January
8 fifteen in each year file with the clerk of the Senate if
9 a member of that body, with the clerk of the House
10 of Delegates if a member of that body, with the secretary
11 of state if an officer, agent, servant or employee in the

12 executive branch of state government and with the clerk
13 of the supreme court of appeals if an employee or judge
14 of the judicial branch of state government, a written
15 statement under oath of:

16 (1) The name of every corporation, firm, association,
17 partnership or sole proprietorship, in which he, his
18 spouse, or his unemancipated minor child or children own
19 either in his or their own name or beneficially at least
20 ten percent of such business entity, which is then fur-
21 nishing or which within the previous calendar year has
22 furnished to the state, commodities or printing as those
23 terms are defined in section one, article one, chapter
24 five-a of this code.

25 (2) The name of each person, corporation, firm, part-
26 nership or other business association in, for, or of which
27 he is an officer, director, agent, attorney, representative,
28 employee, partner or employer, and which to his actual
29 knowledge is then furnishing or within the previous
30 calendar year has furnished to the state, commodities or
31 printing as those terms are defined in section one, article
32 one, chapter five-a of this code.

33 (3) Any other interest or relationship which might
34 reasonably be expected to be particularly affected by
35 legislative action or in the public interest should be dis-
36 closed.

37 Those persons to whom the provisions of subdivisions
38 (1), (2) and (3) above are not applicable shall file a
39 written statement under oath to that effect, such state-
40 ment to be filed within the time and with the appropriate
41 official as above specified.

42 Any person other than a constitutional officer who
43 shall fail or refuse to file a written statement under oath
44 as required under subdivisions (1), (2) or (3) above or
45 the preceding paragraph hereof shall by operation of law
46 be automatically suspended without pay from his office,
47 position or employment, as the case may be, in, with or
48 by the government of this state, until such statement
49 is filed.

50 On or before January thirty-first of each year the clerk
51 of the Senate, the clerk of the House of Delegates, the
52 secretary of state and the clerk of the supreme court of

53 appeals shall prepare a report containing the statements
54 for the previous calendar year required to be filed pur-
55 suant to this section. Copies of such reports shall be
56 open to public inspection in their respective offices, and
57 shall be retained for a period of five years after the date
58 of the preparation thereof. Each house may adopt rules
59 to implement the provisions of this section, insofar as
60 they relate to members of the Legislature.

61 The clerk of the Senate, the clerk of the House of Dele-
62 gates, the secretary of state and the clerk of the supreme
63 court of appeals shall prepare forms for such written
64 statements and distribute the same to those persons who
65 are required to file such written statements with him:
66 *Provided*, That the provisions of this article shall not
67 apply to persons receiving hourly compensation under the
68 aid to dependent children of unemployed parents pro-
69 gram, to persons receiving compensation under the foster
70 grandparents program, to part-time student employees
71 of colleges or universities, and to volunteer fire fighters
72 compensated from state funds.

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

Russell G. Brown
Chairman Senate Committee

Phyllis J. Rutledge
Chairman House Committee

Originated in the House.

In effect ninety days from passage.

Howard Robinson
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

E. Harv McConert
President of the Senate

Lewis G. McManis
Speaker House of Delegates

The within approved this the 27th
March
day of _____, 1972.

Arch A. Shaefer, Jr.
Governor



PRESENTED TO THE
COMPTROLLER

DATE 3/16/72
TIME 2:10 p.m.

MAR 29 9 23 AM '72

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA