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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976



ENROLLED

Committee Substitute for

HOUSE BILL No. 1043

(By Mr. *Speaker, Mr. McManus*.....)



PASSED *March 12,*..... 1976

In Effect *from*..... Passage



**FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA**

THIS DATE 3/31/76

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ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 1043

(By MR. SPEAKER, MR. MCMANUS)

(Originating in the House Committee on Finance)

[Passed March 12, 1976; 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 eight, relating to the creation of a capitol building commission; providing for composition, terms of members; vacancies; meetings; decisions of commission; officers; reimbursement of expenses of members; and powers and duties generally.

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 eight, to read as follows:

ARTICLE 8. CAPITOL BUILDING COMMISSION.

§4-8-1. Capitol building commission; creation; composition.

1 There is hereby created a capitol building commission,
2 hereinafter referred to as the commission, which shall be
3 composed of five members who shall be appointed by the
4 governor with the advice and consent of the Senate on the
5 first day of July, one thousand nine hundred seventy-six,
6 plus the commissioner of the department of finance and ad-

7 ministration who shall be a nonvoting member. No more than
8 three members shall be of the same political party. One mem-
9 ber shall be an architect selected from three persons recom-
10 mended by the board of architects, one member shall be a
11 registered professional engineer selected from three persons
12 recommended by the board of engineers, one member shall be
13 selected from three persons who are interested in the historical
14 beauty, value and preservation of the capitol building recom-
15 mended by the state board of archives and history and two
16 members shall be selected from the public at large.

§4-8-2. Terms of members; vacancies; meetings; decisions of commission.

1 Members shall be appointed for terms of four years and may
2 be reappointed at the expiration of their terms. In the event of
3 a vacancy, an appointment shall be made to fill the unexpired
4 term. Whenever the approval of the commission is requested,
5 as required by sections three and six of this article, the com-
6 mission shall meet and render its decision, in writing, within
7 ninety days of the filing with the commission of such request.

§4-8-3. Officers; employees; and expenses.

1 The capitol building commission shall organize by electing
2 a chairman, a vice chairman and a secretary from among the
3 members of the commission. The members of the commission
4 shall serve without compensation and shall be reimbursed for
5 such necessary travel expenses, subsistence and other reason-
6 able expenses as may be actually incurred by them in the
7 performance of their duties, all to be paid by the joint com-
8 mittee on government and finance.

§4-8-4. Powers and duties generally.

1 The capitol building commission shall review and approve
2 or reject all plans recommending substantial physical changes
3 inside the state capitol building or surrounding complex. The
4 approval of the commission is mandatory before a contract
5 may be let for work which constitutes a substantial physical
6 change inside the capitol building or surrounding complex, or
7 before changes are started if the work is not done under a con-
8 tract. As used in this article, the surrounding complex shall

9 include the governor's mansion and other buildings used by the
10 governor as part of his residence, the state science and cultural
11 center, all state office buildings located in the immediate vic-
12 inity of the state capitol, and the roadways, structures and
13 facilities which are incidental to such buildings. As used in
14 this article, substantial physical change shall include but not
15 be limited to permanent physical changes that alter the ap-
16 pearance of the public areas of the capitol building and sur-
17 rounding complex. The Commissioner of the department of
18 finance and administration shall promulgate rules and regu-
19 lations, which rules and regulations shall be subject to the
20 approval of the capitol building commission, to implement the
21 provisions of this article.

§4-8-5. Contracts which will result in physical changes to the capitol building require approval of commission.

1 No contract or contracts which will result in physical changes
2 to the capitol building or any approaches, structures or facili-
3 ties incidental thereto shall be let, nor shall any physical
4 changes be made not requiring a contract until approval of
5 the commission has been obtained.

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

James L. Davis
Chairman Senate Committee

Clarence C. Chastain, Jr.
Chairman House Committee

Originated in the House.

Takes effect from passage.

J. Keenan, Jr.
Clerk of the Senate

C. A. Glaschenko
Clerk of the House of Delegates

H. B. ...
President of the Senate

Lewis F. McMane
Speaker House of Delegates

The within *approved* this the *29th*
day of *March*, 1976.

Andrew ...
Governor

PRESENTED TO THE
GOVERNOR

Date 3/24/76

Time 3:45 p.m.