

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977

ENROLLED

SENATE BILL NO. 547

(By Mr. Brotherton, M. President)

PASSED March 28, 1977

In Effect ninty days from Passage



ENROLLED

Senate Bill No. 547

(By MR. BROTHERTON, MR. PRESIDENT)

[Passed March 28, 1977; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article five, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to approval by the commissioner of finance and administration for permanent changes to premises leased by state agencies.

Be it enacted by the Legislature of West Virginia:

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


ARTICLE 5. LEASING OF GROUNDS, BUILDINGS, OFFICE OR OTHER SPACE BY STATE GOVERNMENT.

§5A-5-3. Selection of grounds, etc.; acquisition by contract or lease; requiring approval of commissioner for permanent changes.

1 The commissioner shall have sole authority to select and
2 to acquire by contract or lease, in the name of the state,
3 all grounds, buildings, office space or other space, the
4 rental of which is necessarily required by any spending
5 unit, upon a certificate from the chief executive officer
6 of said spending unit that the grounds, buildings, office
7 space or other space requested is necessarily required
8 for the proper function of said spending unit and that
9 satisfactory grounds, buildings, office space or other space
10 is not available on grounds and in buildings now owned
11 or leased by the state. The commissioner shall, before
12 executing any rental contract or lease, determine the

13 fair rental value for the rental of the requested grounds,
14 buildings, office space or other space, in the condition in
15 which they exist, and shall contract for or lease said
16 premises at a price not to exceed the fair rental value
17 thereof.

18 A spending unit which is granted any grounds, build-
19 ings, office space or other space leased in accordance with
20 this section may not order or make permanent changes
21 of any type thereto, unless the commissioner has first
22 determined that the change is necessary for the proper,
23 efficient and economically sound operation of the spending
24 unit. For purposes of this section, a "permanent change"
25 means any addition, alteration, improvement, remodeling,
26 repair or other change involving the expenditure of state
27 funds for the installation of any tangible thing which
28 cannot be economically removed from the grounds, build-
29 ings, office space or other space when vacated by the
30 spending unit.



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

James L. Davis
Chairman Senate Committee

Clarence C. Strickland
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

J. C. Willoughby
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

W. B. Battle
President of the Senate

Donald S. Hoop
Speaker House of Delegates

The within is approved this the 8
day of April, 1977.

John R. Ruff
Governor



APPROVED AND SIGNED BY THE GOVERNOR

RECEIVED

APR 29 51 AM '77

OFFICE OF THE GOVERNOR

Date April 8, 1977

Time 9:00 AM.

*Received in the
Secretary of State's office
April 10, 1977 P.M.*

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OFFICE
SECRETARY OF STATE