

APPROVED AND SIGNED BY THE GOVERNOR

Date 2-1-80

Time 1:00 p.m.

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1980**

**ENROLLED**

**SENATE BILL NO. 152**

(By Mr. Brotherton, Mr. President & Mr. Haeman)

PASSED January 24, 1980

In Effect ninty days from Passage

70: 152

# ENROLLED

## Senate Bill No. 152

(By MR. BROTHERTON, MR. PRESIDENT, and MR. HARMAN)

[Passed January 24, 1980; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article one, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the creation and composition of the council of finance and administration, and providing for the annual joint meeting of the council of finance and administration with the joint committee on government and finance and providing for this meeting to be in November on call jointly by the president of the Senate, speaker of the House and commissioner of finance and administration.

*Be it enacted by the Legislature of West Virginia:*

That section three, article one, 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 1. DEPARTMENT OF FINANCE AND ADMINISTRATION.**

#### **§5A-1-3. Council of finance and administration.**

1 The council of finance and administration is hereby  
2 created and shall be composed of ten members, four of  
3 whom shall serve ex officio and six of whom shall be  
4 appointed as herein provided. The ex officio members shall  
5 be the governor, attorney general, the state treasurer and  
6 the state auditor. From the membership of the Legisla-  
7 ture, the president of the Senate shall appoint three  
8 senators as members of the council, not more than two of  
9 whom shall be members of the same political party, and  
10 the speaker of the House shall appoint three delegates as  
11 members of the council, not more than two of whom shall  
12 be members of the same political party. Members of the  
13 council appointed by the president of the Senate and the  
14 speaker of the House shall serve at the will and pleasure  
15 of the officer making their appointment. The commis-  
16 sioner of finance and administration shall serve as chair-

17 man of the council. Meetings of the council shall be upon  
18 call of the chairman or a majority of the members thereof.  
19 It shall be the duty of the chairman to call at least four  
20 meetings in each fiscal year, one in each quarter, and all  
21 meetings shall be open to the public. All meetings of the  
22 council shall be held at the capitol building in a suitable  
23 committee room which shall be made available by the  
24 Legislature for such purpose: *Provided*, That the second  
25 quarterly meeting in each fiscal year shall be held in No-  
26 vember and shall be a joint meeting with the joint com-  
27 mittee on government and finance of the Legislature call-  
28 ed jointly by the president of the Senate, speaker of the  
29 House and commissioner of finance and administration.

30 The council shall serve the department of finance and  
31 administration in an advisory capacity for purposes of  
32 reviewing the performance of the administrative and  
33 fiscal procedures of the state and shall have the following  
34 duties:

35 (1) To review and advise with the commissioner as to  
36 all budget proposals to be submitted to the governor;

37 (2) At the time of the submission of the proposed bud-  
38 get to the governor, to report to the governor its conclu-  
39 sions concerning the proposed budget and any additions,  
40 modifications or adjustments that it may care to suggest;

41 (3) To advise with the commissioner concerning such  
42 studies of government and administration as it may con-  
43 sider appropriate; and

44 (4) To advise with the commissioner in the preparation  
45 of studies designed to provide long-term capital planning  
46 and finance for state institutions and agencies. Members  
47 of the council shall be paid all necessary expenses in-  
48 curred in the discharge of their duties.

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

*James L. Davis*  
Chairman Senate Committee

*James B. Christian*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Judd C. Willis*  
Clerk of the Senate

*W. B. Blankenship*  
Clerk of the House of Delegates

*H. D. Brooks*  
President of the Senate

*Clayton M. Lee, Jr.*  
Speaker House of Delegates

The within *is approved* this the *1*  
day of *February*, 1980.

*Don R. Reynolds*  
Governor



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