WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

ENROLLED

HOUSE BILL No. 1948

(By Mr. Del. Casey & Del. Carmichael)

Passed ___________________________ April 13, 1985

In Effect ____________________________ From Passage

[Stamp: Received May 8, 1985 at 4:39 pm]
AN ACT to amend and reenact section twenty, article one, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to designation of offices in the main capitol building for use by the Legislature and various executive agencies; legislative intent with respect thereto; and providing for the severability of the provisions of said section.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. OFFICERS, MEMBERS AND EMPLOYEES; APPROPRIATIONS; INVESTIGATIONS; DISPLAY OF FLAGS; RECORDS; USE OF CAPITOL BUILDING; PREFILE OF BILLS AND RESOLUTIONS; STANDING COMMITTEES; INTERIM MEETINGS.

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

1 (a) The Legislature hereby recognizes that in December, one thousand nine hundred sixty-eight, the citizens advisory commission on the Legislature of West Virginia concluded its study for strengthening the West Virginia Legislature; that such commission recommended that the capitol building be utilized primarily for the space needs of the Legislature and that certain executive department offices be moved outside of the capitol building as necessary to provide the Legislature
with the space it requires; and that these recommendations
were based upon the following observations and conclusions
of such commission: (1) There are fifteen committees in the
Senate which consider legislation and twelve committees in the
House of Delegates which consider legislation, (2) the rules
committee of the Senate meets in the office of the president
of the Senate and the rules committee of the House of
Delegates meets in the office of the speaker of the House of
Delegates, (3) the remaining fourteen committees of the Senate
share three permanent committee rooms, (4) the remaining
eleven committees of the House of Delegates share five
permanent committee rooms, (5) the Legislature does not have
a hearing room or a committee room large enough to
accommodate large public hearings, (6) when any large public
hearing is held, the chamber of the Senate or the House of
Delegates must be used, thereby eliminating the desks of the
members on the floor of the chamber as work space for
members not involved in the public hearing, (7) there are no
rooms available in which individual members of the Legisla-
ture may talk with their constituents, (8) that at the very least
offices should be provided for individual members of the
Legislature to be used on a shared basis, (9) there is a pressing
need for additional permanent committee rooms, with the view
that in time all legislative committees which consider
legislation would be assigned individual committee rooms, (10)
that at least during legislative sessions, all committee chairmen
should be provided, if possible, with a private office, and if
not possible, with offices on a shared basis, (11) there should
be adequate office space for the staff of the Senate and House
of Delegates, and (12) the Legislature should have at least one
hearing room, sufficiently large to seat one hundred fifty
persons in addition to a legislative committee of twenty-five
persons. The Legislature hereby determines and finds that the
recommendations of the citizens advisory commission on the
Legislature of West Virginia with respect to the space needs
of the Legislature and the observations and conclusions of
such commission upon which such recommendations were
based are correct and proper. The remainder of this section
is enacted to implement the recommendations of the commis-

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

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

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

(3) The rooms designated and numbered E-126, E-128, E-
130, E-131, E-132, E-133, E-134, E-136 and E-138 on the
ground floor of the east wing of the capitol building and the
rooms designated and numbered E-140, E-146, E-146C, E-
146D, R-153, R-2, R-3, R-4, R-5, R-6 and R-7 on the ground
floor of the main unit of the capitol building; and the rooms
on the basement floor of the main unit of the capitol building
designated and numbered MB-26A, MB-26B and MB-27A
shall be occupied by the Legislature.

As a substitute for the space on the second floor of the west
wing vacated by the state auditor, and in order to ensure
adequate space for the office of the state auditor, a constitu-
tional officer, all of the ground floor of the west wing of the
capitol building shall be assigned to and set aside for the
exclusive use of the state auditor except as hereinbefore
provided and the following assignments: Rooms designated
and numbered W-129, W-131, W-133, W-135, W-137, W-139
and W-141 shall be assigned to and set aside for the exclusive
use of the secretary of state; rooms designated and numbered
W-148, W-150, W-152, W-154, W-156 and W-158 shall be
assigned to and set aside for the exclusive use of the office
(c) It is the intent of the Legislature in adopting the amendments to this section at its regular session held in the year one thousand nine hundred eighty-five, that the Legislature shall retain the space which it occupied on the ground floor of the capitol building immediately prior to the convening of said session and that the executive branch shall continue to occupy the space which was occupied by it immediately prior to the convening of such session, except as to that space described, designated and numbered in subdivision (3), subsection (b) of this section as R-3, R-5 and R-7 on the ground floor of the main unit of the capitol building.

(d) If any provision of this section or the application thereof to any person or circumstance is held unconstitutional or invalid, such unconstitutionality or invalidity shall not affect other provisions or applications of the section, and to this end the provisions of this section are declared to be severable.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within bill was disposed of this the 2nd day of May, 1985.

Governor
PRESENTED TO THE
GOVERNOR

Date  4/25/85
Time  2:45 p.m.