

Veto 1948

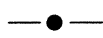
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WEST VIRGINIA LEGISLATURE

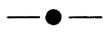
REGULAR SESSION, 1985



ENROLLED

HOUSE BILL No. 1948

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



Passed April 13, 1985

In Effect From Passage



ENROLLED
H. B. 1948

(By DELEGATE CASEY and DELEGATE CARMICHAEL)

[Passed April 13, 1985; in effect from passage.]

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; PREFILING 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
2 thousand nine hundred sixty-eight, the citizens advisory
3 commission on the Legislature of West Virginia concluded its
4 study for strengthening the West Virginia Legislature; that
5 such commission recommended that the capitol building be
6 utilized primarily for the space needs of the Legislature and
7 that certain executive department offices be moved outside of
8 the capitol building as necessary to provide the Legislature

9 with the space it requires; and that these recommendations
10 were based upon the following observations and conclusions
11 of such commission: (1) There are fifteen committees in the
12 Senate which consider legislation and twelve committees in the
13 House of Delegates which consider legislation, (2) the rules
14 committee of the Senate meets in the office of the president
15 of the Senate and the rules committee of the House of
16 Delegates meets in the office of the speaker of the House of
17 Delegates, (3) the remaining fourteen committees of the Senate
18 share three permanent committee rooms, (4) the remaining
19 eleven committees of the House of Delegates share five
20 permanent committee rooms, (5) the Legislature does not have
21 a hearing room or a committee room large enough to
22 accommodate large public hearings, (6) when any large public
23 hearing is held, the chamber of the Senate or the House of
24 Delegates must be used, thereby eliminating the desks of the
25 members on the floor of the chamber as work space for
26 members not involved in the public hearing, (7) there are no
27 rooms available in which individual members of the Legisla-
28 ture may talk with their constituents, (8) that at the very least
29 offices should be provided for individual members of the
30 Legislature to be used on a shared basis, (9) there is a pressing
31 need for additional permanent committee rooms, with the view
32 that in time all legislative committees which consider
33 legislation would be assigned individual committee rooms, (10)
34 that at least during legislative sessions, all committee chairmen
35 should be provided, if possible, with a private office, and if
36 not possible, with offices on a shared basis, (11) there should
37 be adequate office space for the staff of the Senate and House
38 of Delegates, and (12) the Legislature should have at least one
39 hearing room, sufficiently large to seat one hundred fifty
40 persons in addition to a legislative committee of twenty-five
41 persons. The Legislature hereby determines and finds that the
42 recommendations of the citizens advisory commission on the
43 Legislature of West Virginia with respect to the space needs
44 of the Legislature and the observations and conclusions of
45 such commission upon which such recommendations were
46 based are correct and proper. The remainder of this section
47 is enacted to implement the recommendations of the commis-
48 sion in this regard.

49 (b) The Legislature shall continue to have the exclusive use
50 of all of the space in the main unit of the capitol building

51 above the ground floor, the main unit being that portion of
52 the capitol building connecting the east and west wings. In
53 addition, the following space in the capitol building is assigned
54 to and set aside for the exclusive use of the Legislature, with
55 the use thereof to be determined by the joint committee on
56 government and finance:

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

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

70 (3) The rooms designated and numbered E-126, E-128, E-
71 130, E-131, E-132, E-133, E-134, E-136 and E-138 on the
72 ground floor of the east wing of the capitol building and the
73 rooms designated and numbered E-140, E-146, E-146C, E-
74 146D, R-153, R-2, R-3, R-4, R-5, R-6 and R-7 on the ground
75 floor of the main unit of the capitol building; and the rooms
76 on the basement floor of the main unit of the capitol building
77 designated and numbered MB-26A, MB-26B and MB-27A
78 shall be occupied by the Legislature.

79 As a substitute for the space on the second floor of the west
80 wing vacated by the state auditor, and in order to ensure
81 adequate space for the office of the state auditor, a constitu-
82 tional officer, all of the ground floor of the west wing of the
83 capitol building shall be assigned to and set aside for the
84 exclusive use of the state auditor except as hereinbefore
85 provided and the following assignments: Rooms designated
86 and numbered W-129, W-131, W-133, W-135, W-137, W-139
87 and W-141 shall be assigned to and set aside for the exclusive
88 use of the secretary of state; rooms designated and numbered
89 W-148, W-150, W-152, W-154, W-156 and W-158 shall be
90 assigned to and set aside for the exclusive use of the office

91 of the Governor.

92 (c) It is the intent of the Legislature in adopting the
93 amendments to this section at its regular session held in the
94 year one thousand nine hundred eighty-five, that the
95 Legislature shall retain the space which it occupied on the
96 ground floor of the capitol building immediately prior to the
97 convening of said session and that the executive branch shall
98 continue to occupy the space which was occupied by it
99 immediately prior to the convening of such session, except as
100 to that space described, designated and numbered in subdivi-
101 sion (3), subsection (b) of this section as R-3, R-5 and R-7
102 on the ground floor of the main unit of the capitol building.

103 (d) If any provision of this section or the application thereof
104 to any person or circumstance is held unconstitutional or
105 invalid, such unconstitutionality or invalidity shall not affect
106 other provisions or applications of the section, and to this end
107 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.

Harrell E. Holmes

Chairman Senate Committee

Floyd Fuller

Chairman House Committee

Originating in the House.

Takes effect from passage.

Todd C. Michie

Clerk of the Senate

Donald L. Hogg

Clerk of the House of Delegates

Sam Tentenail

President of the Senate

Joseph P. Albright

Speaker of the House of Delegates

The within *disapproval* this the *2nd*
day of *May*, 1985.

Mike A. Blasing

Governor

PRESENTED TO THE

GOVERNOR

Date 4/25/85

Time 2:45 p.m.