WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1998

ENROLLED

SENATE BILL NO. 760

(By Senator CRAIGO, et al.)

PASSED March 13, 1998

In Effect From Passage
ENROLLED

Senate Bill No. 760

(By Senators Craigo, Anderson, Bailey, Chafin, Helmick, Jackson, Love, Macnaughtan, Plymale, Prezioso, Sharpe, Walker, Boley, Dugan, McKenzie, Minear and Sprouse)

[Passed March 13, 1998; in effect from passage.]

AN ACT to amend and reenact section five, article four, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the department of administration; general services division; regulation of parking on state-owned property; requiring the construction of a state capitol parking garage; creating special funds for the construction of a parking garage and maintenance and repair of the Morris square properties; and authorizing the relocation of the land division of the auditor’s office.

Be it enacted by the Legislature of West Virginia:

That section five, article four, 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 4. GENERAL SERVICES DIVISION.

§5A-4-5. Regulation of parking on state-owned property in Charleston; construction of parking garage for general public; penalties; jurisdiction; creation of funds.

(a) It is the intent of the Legislature to provide a parking facility for the general public and to direct the secretary of the department of administration to plan and construct a parking garage at the state capitol complex that will provide sufficient and additional parking for the general public.

(b) The secretary may regulate the parking of motor vehicles in accordance with the provisions of this section with regard to the following state-owned property in the city of Charleston, Kanawha County:

(1) The east side of Greenbrier street between Kanawha boulevard and Washington street, east;

(2) The west side of California avenue between Kanawha boulevard and Washington street, east;

(3) Upon the state-owned grounds upon which state office building no. 3 is located;

(4) Upon the state-owned grounds which state office building no. 4, 112 California avenue, is located;

(5) In the state-owned parking garage at 212 California avenue and upon the state-owned grounds upon which such parking garage is located;

(6) Upon the state-owned property at Michigan avenue and Virginia terrace; and

(7) Upon any other property now or hereafter owned by the state and used for parking purposes in conjunction with the state capitol or state office buildings numbers three and four, including the Laidley field complex:

Provided, That the secretary shall present to the joint committee on government and finance for its suggestions,
on or before the first day of July, one thousand nine hundred ninety-eight, plans for the construction of a state capitol parking garage to be constructed, on property owned by the state or to be purchased by the state, no later than the thirtieth day of June, one thousand nine hundred ninety-nine. The submitted plans shall include proposals for general public parking, including the estimated use and cost; relocation of parking for official state vehicles; and state employee parking, including the estimated use and cost.

(c) The secretary shall propose rules for promulgation respecting parking and to allocate parking spaces to public officers and employees of the state upon all of the property set forth in subsection (a) of this section: Provided, That during sessions of the Legislature, including regular, extended, extraordinary and interim sessions, parking on the east side of Greenbrier street between Kanawha boulevard and Washington street, east, in the science and culture center parking lot, on the north side of Kanawha boulevard between Greenbrier street and California avenue, and on the west side of California avenue between Kanawha boulevard and Washington street, east, is subject to rules promulgated jointly by the speaker of the House of Delegates and the president of the Senate. Any person parking any vehicle contrary to the rules promulgated under authority of this subsection is subject to a fine of not less than one dollar nor more than twenty-five dollars for each offense. In addition, the secretary or the Legislature, as the case may be, may cause the removal at owner expense of any vehicle that is parked in violation of the rules. Magistrates in Kanawha County have jurisdiction of all the offenses.

(d) The secretary may employ the persons as may be necessary to enforce the parking rules promulgated under the provisions of this section.

(e) There is created in the department of administration
66 a special fund to be named the "Parking Garage Fund" in
67 which shall be deposited funds that are appropriated and
68 funds from other sources to be used for the construction
69 and maintenance of a parking garage on the state capitol
70 complex.

71 (f) There is created in the department of administration
72 a special fund to be named the "Morris Square Repair
73 Fund" in which shall be deposited funds that are appro-
74 priated and funds from other sources to be used for
75 maintenance and repairs to the Morris square properties.

76 (g) The secretary shall include within the planning for
77 the buildings to be constructed or remodeled pursuant to
78 subsections (e) and (f) of this section, the location of the
79 land division of the auditor's office. The secretary shall
80 consult with the auditor in planning the relocation of the
81 land division of the auditor's office.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee.

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 27th day of , 1998.

Governor