

SB 160

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# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1998



## ENROLLED

SENATE BILL NO. 760

(By Senator CRAIGO, ET AL)



PASSED MARCH 13, 1998

In Effect FROM Passage

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OFFICE OF THE CLERK  
SENATE OF WEST VIRGINIA

## 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)

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

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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.**

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

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

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

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

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

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

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

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

24 (7) Upon any other property now or hereafter owned by  
25 the state and used for parking purposes in conjunction  
26 with the state capitol or state office buildings numbers  
27 three and four, including the Laidley field complex:  
28 *Provided*, That the secretary shall present to the joint  
29 committee on government and finance for its suggestions,

30 on or before the first day of July, one thousand nine  
31 hundred ninety-eight, plans for the construction of a state  
32 capitol parking garage to be constructed, on property  
33 owned by the state or to be purchased by the state, no  
34 later than the thirtieth day of June, one thousand nine  
35 hundred ninety-nine. The submitted plans shall include  
36 proposals for general public parking, including the  
37 estimated use and cost; relocation of parking for official  
38 state vehicles; and state employee parking, including the  
39 estimated use and cost.

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

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

65 (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.

*Randy Johnson*  
.....  
Chairman Senate Committee.

*Nels Jantzen*  
.....  
Chairman House Committee

Originated in the Senate.

In effect from passage

*Barrett B. Buse*  
.....  
Clerk of the Senate

*Gregory W. Bied*  
.....  
Clerk of the House of Delegates

*Earl Ray Tomblin*  
.....  
President of the Senate

*John C. C. ...*  
.....  
Speaker House of Delegates

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

*Jeff Abernethy*  
.....  
Governor

PRESENTED TO THE

GOVERNOR.

Date 2/24/98

Time 3:20 pm