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2005 FEB 18 P 3:53

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**

*FIRST EXTRAORDINARY SESSION, 2005*

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**ENROLLED**

SENATE BILL NO. 1001

(By Senators *Tombles, Mr. President, and Sprouse* )  
*By Request of the Executive*)

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PASSED JANUARY 27, 2005

In Effect from Passage

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**Senate Bill No. 1001**

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND SPROUSE  
BY REQUEST OF THE EXECUTIVE)

[Passed January 27, 2005; in effect from passage.]

AN ACT to amend and reenact §3-8-2a of the Code of West Virginia, 1931, as amended; and to amend and reenact §5A-4-2 of said Code, all relating to authorizing the excess contribution received by inaugural committees to be used for the enhancement of the Governor's Mansion; and creating the Governor's Mansion Fund.

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

That §3-8-2a of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that §5A-4-2 of said code be amended and reenacted, all to read as follows:

**CHAPTER 3. ELECTIONS.**

**ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS.**

**§3-8-2a. Detailed accounts and verified financial statements for certain inaugural events; limitations; reporting requirements.**

1 (a) For purposes of this section:

2 (1) "Inaugural committee" includes any person, organi-  
3 zation or group of persons soliciting or receiving contribu-  
4 tions for the purpose of funding an inaugural event for a  
5 person elected to a statewide public office; and

6 (2) "Inaugural event" means any event or events held  
7 between the general election of a person elected to a  
8 statewide public office and ninety days after the general  
9 election, whether the event is sponsored by the inaugural  
10 committee or the state political party committee repre-  
11 senting the party of the person elected and for which the  
12 person elected is a prominent participant or for which  
13 solicitations of contributions include the name of the  
14 person elected in prominent display.

15 (b) Any inaugural committee soliciting or receiving  
16 contributions for the funding of all or any part of an  
17 inaugural event for any person elected to a statewide  
18 office that receives an individual contribution in excess of  
19 two hundred fifty dollars for any such event shall file and  
20 retain detailed records of any such contribution.

21 (c) No person may contribute more than five thousand  
22 dollars for any inaugural event. For purposes of this  
23 section, "contribution" does not include volunteer per-  
24 sonal services but does include in-kind contributions of  
25 materials or supplies.

26 (d) Any inaugural committee, financial agent or any  
27 person or officer acting on behalf of such committee which  
28 is subject to the provisions of this section shall file a  
29 verified financial statement with the Secretary of State on  
30 a form prescribed by the state election commission within  
31 ninety days of the event. The financial statement shall  
32 contain information as may be required by the provisions  
33 of this section relating to any contribution in excess of two  
34 hundred fifty dollars. The Secretary of State shall file and  
35 retain such statements as public records for a period of not  
36 less than six years.

37 (e) In addition to any other information required by the  
38 state election commission, the report of contributions  
39 required by the provisions of this section shall include the  
40 methodology of the fundraising, the nature of the expendi-  
41 tures made and the names, addresses and amounts paid to  
42 any person.

43 (f) Amounts received by an inaugural committee for any  
44 person elected to a statewide public office in excess of the  
45 amount expended for an inaugural event may be contrib-  
46 uted to any educational, cultural or charitable organiza-  
47 tion, or to the governor's mansion fund created in section  
48 two, article four, chapter five-a of this code. The inaugu-  
49 ral committee shall, within sixty days after filing the  
50 report required by subsection (d) of this section, expend  
51 any excess moneys and report, on a form prescribed by the  
52 Secretary of State, any amounts contributed to the gover-  
53 nor's mansion fund, any amounts contributed to educa-  
54 tional, cultural or charitable organizations and the names  
55 of the organizations to which such excess moneys were  
56 contributed. The Secretary of State shall file and retain  
57 such records as public records for a period of not less than  
58 six years.

## **CHAPTER 5A. DEPARTMENT OF ADMINISTRATION.**

### **ARTICLE 4. GENERAL SERVICES DIVISION.**

#### **§5A-4-2. Care, control and custody of capitol buildings and grounds.**

1 (a) The director has the full responsibility for the care,  
2 control and custody of the capitol buildings and in this  
3 connection he or she shall:

4 (1) Furnish janitorial services, which are to be provided  
5 by employees of the Department of Administration for the  
6 main capitol building, including east and west wings,  
7 together with all the departments in the building, or  
8 connected with the building, regardless of the budget or  
9 budgets, departmental or otherwise, from which the

10 janitorial services are paid, and shall furnish janitorial  
11 supplies, light, heat and ventilation for all the rooms and  
12 corridors of the buildings: *Provided*, That nothing in this  
13 section shall be construed to prohibit contracts for janito-  
14 rial services with sheltered workshops. The President of  
15 the Senate and Speaker of the House of Delegates, or their  
16 respective designees, have charge of the halls and commit-  
17 tee rooms of their respective houses and any other quarters  
18 at the State Capitol provided for the use of the Legislature  
19 or its staff and shall keep the areas properly cleaned,  
20 warmed and in good order and shall do and perform any  
21 other duties in relation to the areas as either house may  
22 require;

23 (2) Landscape and take care of the lawns and gardens;  
24 and

25 (3) Direct the making of all minor repairs to and alter-  
26 ations of the capitol buildings and governor's mansion and  
27 the grounds of the buildings and mansion. Major repairs  
28 and alterations shall be made under the supervision of the  
29 director, subject to the direction of the secretary.

30 (b) The offices of the assistants and employees appointed  
31 to perform these duties shall be located where designated  
32 by the secretary, except that they shall not be located in  
33 any of the legislative chambers, offices, rooms or halls.  
34 Office hours shall be arranged so that emergency or  
35 telephone service is available at all times. The hours shall  
36 be arranged so that janitorial service shall not interfere  
37 with other employment during regular office hours.

38 (c) There is created in the state treasury a special reve-  
39 nue account to be named the "Capitol Dome and Capitol  
40 Improvements Fund". The fund shall consist of moneys  
41 received under section ten, article twenty-two-a, chapter  
42 twenty-nine of this code and funds from any other source.  
43 Moneys in the fund shall be expended for maintenance and  
44 repairs of the capitol dome and other capital improve-  
45 ments and repairs to state-owned buildings.

46 (d) There is hereby created in the state treasury a special  
47 revenue fund to be known as the "Governor's Mansion  
48 Fund". The fund shall operate as a special revenue fund  
49 whereby all deposits and payments thereto do not expire  
50 to the general revenue fund, but shall remain in the fund  
51 and be available for expenditure in succeeding fiscal years.  
52 This fund shall consist of moneys deposited in the fund  
53 pursuant to the provisions of section two-a, article eight,  
54 chapter three of this Code as well as interest earned on  
55 investments made from moneys deposited in the fund.  
56 Moneys from this fund shall be expended by the director  
57 for enhancement of the governor's mansion subject to the  
58 direction of the secretary of administration and the  
59 discretion of the Governor: *Provided*, That any furniture,  
60 fixtures and equipment purchased with moneys from the  
61 Governor's Mansion Fund are property of the State of  
62 West Virginia.

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

*Chandy White*  
.....  
Chairman Senate Committee

*H. Rick Berry*  
.....  
Chairman House Committee

Originated in the Senate.

In effect from passage.

*Parrell Gibbs*  
.....  
Clerk of the Senate

*Bryony D. Bond*  
.....  
Clerk of the House of Delegates

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

*Robert Stiss*  
.....  
Speaker House of Delegates

The within *is approved* ..... this the *14th* .....  
Day of *February* ..... 2005.

*[Signature]*  
.....  
Governor

Requested by: \_\_\_\_\_

Date Requested: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Delivered to: \_\_\_\_\_

Date: \_\_\_\_\_

**PRESENTED TO THE  
GOVERNOR**

Date

2/7/05

Time

3:45