

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4516

BY DELEGATES HOWELL, HILL, ARVON, STANSBURY,
CADLE, IHLE, HAMRICK, FAIRCLOTH, R. SMITH, ATKINSON
AND BLAIR

[Introduced February 11, 2016; Referred
to the Committee on the Judiciary then Finance.]

1 A BILL to amend and reenact §5A-4-2 of the Code of West Virginia, 1931, as amended, relating
2 to defining what constitutes capitol dome and capitol improvements; clarifying the intent
3 of the Legislature as it relates to the use of the "Capitol Dome and Capitol Improvements
4 Fund"; and providing that this fund may not be expended for operating expenses of the
5 Department of Administration, the purchase or construction of buildings that stand alone,
6 to repair properties that are leased by the state or for debt service payments.

Be it enacted by the Legislature of West Virginia:

1 That §5A-4-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted
2 to read as follows:

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, control and custody of the capitol
2 buildings and in this connection he or she shall:

3 (1) Furnish janitorial services, which are to be provided by employees of the Department
4 of Administration for the main capitol building, including east and west wings, together with all the
5 departments in the building, or connected with the building, regardless of the budget or budgets,
6 departmental or otherwise, from which the janitorial services are paid, and shall furnish janitorial
7 supplies, light, heat and ventilation for all the rooms and corridors of the buildings: *Provided*, That
8 nothing in this section shall be construed to prohibit contracts for janitorial services with sheltered
9 workshops. The President of the Senate and Speaker of the House of Delegates, or their
10 respective designees, have charge of the halls and committee rooms of their respective houses
11 and any other quarters at the state Capitol provided for the use of the Legislature or its staff and
12 shall keep the areas properly cleaned, warmed and in good order and shall do and perform any
13 other duties in relation to the areas as either house may require;

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

15 (3) Direct the making of all minor repairs to and alterations of the capitol buildings and

16 Governor's mansion and the grounds of the buildings and mansion. Major repairs and alterations
17 shall be made under the supervision of the director, subject to the direction of the secretary.

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

23 (c) There is created in the State Treasury a special revenue account to be named the
24 "Capitol Dome and Capitol Improvements Fund". The fund shall consist of moneys received under
25 section ten, article twenty-two-a, chapter twenty-nine of this code and funds from any other
26 source. Moneys in the fund shall be expended for maintenance and repairs of the capitol dome
27 and other capital improvements and repairs to state-owned buildings. In order to clarify the
28 purposes for which the moneys in the "Capitol Dome and Capitol Improvements Fund" may be
29 expended, it is the intent of the Legislature that these funds, which are maintained in Fund 2257:
30 (1) May not be expended for operating expenses of the Department of Administration; (2) may
31 only be expended for maintenance and repairs of the capitol dome and other capital
32 improvements and repairs to existing state-owned buildings; (3) may not be expended for the
33 purchase or construction of buildings that stand alone; (4) may not be expended to repair
34 properties that are leased by the state; and (5) may not be expended for debt service payments.

35 (d) There is hereby created in the State Treasury a special revenue fund to be known as
36 the "Governor's Mansion Fund". The fund shall operate as a special revenue fund whereby all
37 deposits and payments thereto do not expire to the General Revenue Fund, but shall remain in
38 the fund and be available for expenditure in succeeding fiscal years. This Fund shall consist of
39 moneys deposited in the fund pursuant to the provisions of section two-a, article eight, chapter
40 three of this code as well as interest earned on investments made from moneys deposited in the
41 fund. Moneys from this fund shall be expended by the director for enhancement of the Governor's

- 42 mansion subject to the direction of the secretary of administration and the discretion of the
- 43 Governor: *Provided*, That any furniture, fixtures and equipment purchased with moneys from the
- 44 Governor's Mansion Fund are property of the State of West Virginia.

NOTE: The purpose of this bill is to define what constitutes capitol dome and capitol improvements by clarifying the intent of the Legislature as it relates to the use of the "Capitol Dome and Capitol Improvements Fund". The bill provides that this fund may not be expended for operating expenses of the Department of Administration, the purchase or construction of buildings that stand alone, to repair properties that are leased by the state or for debt service payments.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.