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APPROVED AND SIGNED BY THE GOVERNOR

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Date 3 - 3 - 83

OFFICE OF THE GOVERNOR

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

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ENROLLED

Committee Substitute for
SENATE BILL NO. 397

(By Mr. Burdette)

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PASSED February 18 1983

In Effect ninety days from Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 397
(Mr. BURDETTE, original sponsor)

[Passed February 18, 1983; in effect ninety days from passage.]

AN ACT to amend article eleven, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section two-a, relating to the authorization of county parks and recreation commissions to sell and lease property for fire training schools.

Be it enacted by the Legislature of West Virginia:

That article eleven, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section two-a, to read as follows:

ARTICLE 11. COUNTY PARKS AND RECREATION COMMISSIONS.

§7-11-2a. Authority to lease property for educational instruction in fire prevention and protection.

1 In addition to the powers and duties set forth in this
2 article, any county parks and recreation commission orga-
3 nized pursuant to the provision of this article is hereby
4 empowered and authorized: (1) to sell and convey any
5 real estate owned by it which is not contiguous to any
6 tract of land which forms a part of a park owned or
7 operated by the commission: *Provided, That such real*

8 estate shall be sold at public auction for a fair and ade-
9 quate consideration. The public auction shall be held at
10 a place designated by the commission, but before making
11 any such sale, notices of the time, terms and place of sale,
12 together with a brief description of the property to be
13 sold, shall be published as a Class II legal advertisement
14 in compliance with the provisions of article three, chapter
15 fifty-nine of the code of West Virginia, and the publica-
16 tion area for such publication shall be the county wherein
17 the commission is located,
18 and

19 (2) to lease any of its real estate or any part thereof
20 or any of its personal property or any part thereof or any
21 interest in any of the foregoing to any governmental
22 entity or nonprofit corporation for the purpose of estab-
23 lishing a fire prevention and protection or fire-fighting
24 school or educational institution. Every such lease shall
25 be for a term not to exceed forty years and shall be
26 authorized by a resolution of the commission, which reso-
27 lution shall specify the terms and conditions to be con-
28 tained in such lease: *Provided*, That before any such
29 resolution is adopted, a public hearing on such proposed
30 lease shall be held by the commission after notice of the
31 date, time, place and purpose of such public hearing has
32 been published as a Class I legal advertisement in com-
33 pliance with the provisions of article three, chapter fifty-
34 nine of the code of West Virginia, and the publication
35 area for such publication shall be the county wherein the
36 commission is located.

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

James L. Davis
Chairman Senate Committee

James L. Davis
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Isaac C. Hicks
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Warren F. McSwain
President of the Senate

W. M. Lee, Jr.
Speaker House of Delegates

The within is approved this the 3
day of March, 1983.

John I. Belcher
Governor

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SECY. OF STATE