

Rec., June 3

107

ENROLLED BILL

(EXTRAORDINARY SESSION, 1933)

House Bill No. 107

(By Mr. Smith, of Utah)

Passed June 3, 1933

In Effect from Passage

Originated in the.....Takes effect.....Passage

Clerk House of Delegates.

CORRECTLY ENROLLED

Clerk.

Chairman Senate Committee.

Chairman House Committee.

ENROLLED BILL

(H. B. No. 107)

[Passed June 3, 1933; in effect from passage.]

AN ACT relating to public lands; to create a public land corporation of West Virginia with the right to hold title to all public lands; to designate such lands for public purposes and rehabilitate and reforest the same; creating a fund for the purpose of lands; regulating the use of lands so purchased; providing for securing loans from the federal government; and granting power to obtain lands by gift or otherwise.

Be it enacted by the Legislature of West Virginia:

Section 1. There shall be a public land corporation to be known as the "Public Land Corporation of West Virginia" which shall be a corporation and as such may sue and be sued, contract and be contracted with, may plead and be impleaded and have and use a common seal. The corporation shall consist of the governor as chairman, the commissioner of agriculture

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James L. Smith
Chairman House Committee.

Wm. D. Hyatt
Chairman Senate Committee.

2

[Enrolled H. B. No. 107

7 as secretary, the auditor as state commissioner of forfeited lands,
8 the attorney-general, and the director of the engineering experi-
9 ment station at West Virginia university. They shall receive
10 no additional compensation as members of the corporation.

Sec. 2. The corporation shall be vested with the title of the
2 state in public lands, the title to which now is or may hereafter
3 become absolutely vested in the state of West Virginia by reason
4 of any law governing the title of lands within the state.

Sec. 3. The corporation may acquire from individuals or the
2 state commissioner of forfeited lands by purchase, lease or
3 agreement any lands that may be necessary for the public use.

Sec. 4. The corporation shall likewise have the authority to ac-
2 quire by purchase, condemnation, lease or agreement, or ex-
3 change and to receive by gifts or devise lands, rights of way or
4 easements, waters and minerals suitable for any public purpose.

Sec. 5. For the purpose of consolidating lands under either
2 state or federal administration, the corporation may sell, pur-
3 chase, or exchange lands or stumpage.

Sec. 6. All income received from the use and development of
2 public lands shall be used solely for the purpose of the liquida-
3 tion of obligations incurred for the acquisition, development and

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James L. Smith
Chairman House Committee.
James A. Rogers
Chairman Senate Committee.

Enrolled H. B. No. 107]

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4 administration of such lands, until all indebtedness or other
5 obligations have been discharged. Funds shall then be paid into
6 the general school funds.

Sec. 7. The corporation may in the name of the public land
2 corporation of West Virginia negotiate loans from the govern-
3 ment of the United States, or any proper agency thereof, for the
4 purchase as provided by law of such lands as may be necessary
5 for the public use and the acquisition of which has been au-
6 thorized by law.

Sec. 8. The corporation shall have the authority to designate
2 lands to which it has title for development and administration
3 for the public use including forestation, stock grazing, agricul-
4 tural rehabilitation and homesteading and may contract or lease
5 for the proper development of oil, gas, mineral and water rights,
6 within or upon the lands or property under its control. It shall
7 convey, assign, or allot lands to the title or custody of proper
8 departments or other agencies of state government for admin-
9 istration and control within the functions of such departments
10 or other agencies as provided by law. The corporation shall
11 make proper lands available for the purpose of cooperating with

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James L. Smith

Chairman House Committee.

Frederic D. Hoyle

Chairman Senate Committee.

12 the government of the United States in the relief of unemploy-
13 ment and hardship.

Sec. 9. The corporation shall report biennially recommenda-
2 tions to the legislature concerning any and all public lands.

Sec. 10. Should any part of this act be, by judicial decision,
2 held to be unconstitutional such decision shall not invalidate any
3 other provisions of the same.

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James L. Smith
Chairman Senate Committee.

James L. Smith
Chairman House Committee.

William Stiner
Speaker of the House of Delegates.

Geo. L. Hance
Clerk of the House of Delegates.

W. G. M. ...
President of the Senate.

Amos ...
Clerk of the Senate.

The within is.....

this.....day of....., 1933.

.....
Governor.

Filed in the office of the Secretary of State
of West Virginia. JUN 12 1933
Wm. S. O'BRIEN,
Secretary of State