WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 184

(By Mr. Burr)

PASSED March 6, 1957

In Effect 90 days from Passage
ENROLLED

Senate Bill No. 184
(By Mr. Bean, Mr. President)

[Passed March 6, 1957; in effect ninety days from passage.]

AN ACT to amend and reenact sections three, six, seven and eleven, article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the powers and duties of the board of control as to mental institutions.

Be it enacted by the Legislature of West Virginia:

That sections three, six, seven and eleven, article one, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 3. Institutions Managed by Board of Control.—

2 The state board of control shall manage, direct, control
and govern the West Virginia children's home, West Virginia home for aged and infirm colored men and women, Andrew S. Rowan home, Hopemont sanitarium, Pinecrest sanitarium, Rutherford sanitarium, Denmar sanitarium, Berkeley Springs sanitarium, Welch emergency hospital, Fairmont emergency hospital, West Virginia industrial school for boys, West Virginia industrial home for girls, West Virginia penitentiary, and such other state institutions, other than mental or educational, as now are or may hereafter be created by law.

Sec. 6. Title to Property of State Institutions; Custody of Deeds and Other Muniments of Title.—The title to all property constituting or belonging to the several institutions named in sections three and four of this article shall be vested in the state board of control. The board of control shall be custodian of all deeds and other muniments of title to all property owned by the state and shall cause such as are susceptible of recordation to be recorded in the proper offices.

Sec. 7. Condemnation or Sale of Property.—The state board of control shall have power to acquire by condem-
nation land or buildings for the use and benefit of any of
the state institutions subject to its control and manage-
ment, and, by and with the consent of the governor, to
sell or exchange any property held by or for such institu-
tions. All condemnation proceedings had hereunder shall
be governed by chapter fifty-four of this code.

Sec. 11. Officers and Employees of Certain State In-
stitutions.—The governor shall, by and with the advice and
consent of the senate, appoint a superintendent for the
West Virginia children's home, a superintendent for the
West Virginia home for aged and infirm colored men and
women, a superintendent for Hopemont sanitarium, a
superintendent for Denmar sanitarium, a superintendent
for Pinecrest sanitarium, a superintendent for Berkeley
Springs sanitarium, a superintendent for Welch emer-
gency hospital, a superintendent for Fairmont emergency
hospital, a superintendent for the West Virginia industrial
school for boys, a superintendent for the West Virginia
industrial home for girls, and a warden for the West Vir-
ginia penitentiary: Provided, however, That, as to the
institutions named in this section which are maintained
solely for members of the negro race, the executive officer
of such institutions, respectively, shall be a member of
such race. In the case of a hospital or sanitarium, or of
any institution the superintendent of which is required
by law to be a physician, the governor, before making
such appointment shall request the public health council
to furnish a full and complete report concerning the
qualifications and suitability of the proposed appointee
for this position, and it shall be the duty of the public
health council to furnish such report.

The warden of the penitentiary and the superintendent
of each institution named in this section shall have the
power to appoint all assistants and employees required
for the management of the institution in his charge; but
the number of such assistants and employees, and their
compensation, shall first be fixed by the state board of
control. The warden of the penitentiary and the superin-
tendent of any institution may, at his pleasure, discharge
any person therein employed. It shall be the duty of the
board of control to investigate any complaint made
against the chief executive officer of any institution, and
also against any other officer or employee thereof, if the
same has not been investigated. The board shall have the
power to recommend to the governor the removal of any
such chief executive officer, or other officer or employee,
setting forth in such recommendation the reasons for the
same.

The board shall fix the salaries or compensation of the
officers and employees of the institutions named in sec-
tion three of this article. The salaries or compensation of
all officers and employees of the several institutions named
in sections three and four of this article shall be paid
monthly, to include the last day of each month. The chief
officer of each of the institutions named in section three
shall be furnished living quarters, household furniture,
board, fuel and light for himself and his family. Living
quarters, household furniture, board, fuel and light shall
be furnished to such other officers as is made necessary
by the character of their service, and the board of control
shall designate those who shall receive the foregoing in
addition to their salary.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

Ralph J. Beamer
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 15th day of March, 1957.

[Signature]
Governor

Filed in the Office of the Secretary of State of West Virginia.

MAR 15 1957
D. Pitt O'Brien
Secretary of State