

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 184

(By Mr. Bean)

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

3 and govern the West Virginia children's home, West Vir-
4 ginia home for aged and infirm colored men and women,
5 Andrew S. Rowan home, Hopemont sanitarium, Pinecrest
6 sanitarium, Rutherford sanitarium, Denmar sanitarium,
7 Berkeley Springs sanitarium, Welch emergency hospital,
8 Fairmont emergency hospital, West Virginia industrial
9 school for boys, West Virginia industrial home for girls,
10 West Virginia penitentiary, and such other state institu-
11 tions, other than mental or educational, as now are or
12 may hereafter be created by law.

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

Sec. 7. Condemnation or Sale of Property.—The state
2 board of control shall have power to acquire by condem-

3 nation land or buildings for the use and benefit of any of
4 the state institutions subject to its control and manage-
5 ment, and, by and with the consent of the governor, to
6 sell or exchange any property held by or for such institu-
7 tions. All condemnation proceedings had hereunder shall
8 be governed by chapter fifty-four of this code.

Sec. 11. *Officers and Employees of Certain State In-*
2 *stitutions.*—The governor shall, by and with the advice and
3 consent of the senate, appoint a superintendent for the
4 West Virginia children's home, a superintendent for the
5 West Virginia home for aged and infirm colored men and
6 women, a superintendent for Hopemont sanitarium, a
7 superintendent for Denmar sanitarium, a superintendent
8 for Pinecrest sanitarium, a superintendent for Berkeley
9 Springs sanitarium, a superintendent for Welch emer-
10 gency hospital, a superintendent for Fairmont emergency
11 hospital, a superintendent for the West Virginia industrial
12 school for boys, a superintendent for the West Virginia
13 industrial home for girls, and a warden for the West Vir-
14 ginia penitentiary: *Provided, however,* That, as to the
15 institutions named in this section which are maintained

16 solely for members of the negro race, the executive officer
17 of such institutions, respectively, shall be a member of
18 such race. In the case of a hospital or sanitarium, or of
19 any institution the superintendent of which is required
20 by law to be a physician, the governor, before making
21 such appointment shall request the public health council
22 to furnish a full and complete report concerning the
23 qualifications and suitability of the proposed appointee
24 for this position, and it shall be the duty of the public
25 health council to furnish such report.

26 The warden of the penitentiary and the superintendent
27 of each institution named in this section shall have the
28 power to appoint all assistants and employees required
29 for the management of the institution in his charge; but
30 the number of such assistants and employees, and their
31 compensation, shall first be fixed by the state board of
32 control. The warden of the penitentiary and the superin-
33 tendent of any institution may, at his pleasure, discharge
34 any person therein employed. It shall be the duty of the
35 board of control to investigate any complaint made
36 against the chief executive officer of any institution, and

37 also against any other officer or employee thereof, if the
38 same has not been investigated. The board shall have the
39 power to recommend to the governor the removal of any
40 such chief executive officer, or other officer or employee,
41 setting forth in such recommendation the reasons for the
42 same.

43 The board shall fix the salaries or compensation of the
44 officers and employees of the institutions named in sec-
45 tion three of this article. The salaries or compensation of
46 all officers and employees of the several institutions named
47 in sections three and four of this article shall be paid
48 monthly, to include the last day of each month. The chief
49 officer of each of the institutions named in section three
50 shall be furnished living quarters, household furniture,
51 board, fuel and light for himself and his family. Living
52 quarters, household furniture, board, fuel and light shall
53 be furnished to such other officers as is made necessary
54 by the character of their service, and the board of control
55 shall designate those who shall receive the foregoing in
56 addition to their salary.

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

E. H. McCourt
Chairman Senate Committee

Robertson
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Thomas H. Meyer
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

Ralph J. Bean
President of the Senate

W. C. Hammy
Speaker House of Delegates

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

Geoff. Hudewood
Governor



Filed In the Office of the Secretary of State
of West Virginia. MAR 15 1957
D. PITT O'BRIEN
SECRETARY OF STATE