

WEST VIRGINIA LEGISLATURE

FIRST EXTRAORDINARY SESSION, 1961

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ENROLLED

HOUSE BILL No...!!.....

(By Mr. Speaker Mr. Singletary)

—●—

PASSED June 15 1961

In Effect from Passage

Filed in Office of the Secretary of State
of West Virginia

JUN 21 1961
JOE F. BURDETT
SECRETARY OF STATE

ENROLLED

House Bill No. 11

(By MR. SPEAKER, MR. SINGLETON)

[Passed June 15, 1961; in effect from passage.]

AN ACT to amend and reenact section four, article one-a, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to powers and duties of the director of mental health.

Be it enacted by the Legislature of West Virginia:

That section four, article one-a, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 4. *Powers and Duties of Director.*—The director shall appoint the superintendents of the institutions named in section two hereof, and of any other state mental institutions hereafter created; shall supervise and coordinate their medical and fiscal administration, and may establish uniform policies for those institutions. He may transfer a patient from any state mental institution to any other institution or clinic under his control. By agreement

9 between the director of mental health and the state com-
10 missioner of public institutions, a patient at a state mental
11 institution may be transferred to an institution, other than
12 correctional, under the supervision of the state commis-
13 sioner of public institutions. The director of mental
14 health shall have all the authority vested in the divisions
15 of the department, as hereinafter provided, and shall
16 appoint the supervisors of those divisions. He may pre-
17 scribe rules and regulations to carry out his authority.
18 The director shall make periodic reports to the governor
19 and to the Legislature on the condition of the state mental
20 institutions and on other matters within his authority,
21 and shall include recommendations for improvement of
22 the state mental institutions and any other matters affect-
23 ing the mental health of the people of the state.

24 The director is hereby authorized and empowered to
25 accept and use for the benefit of a state mental institution
26 or institutions, or for any other mental health purpose
27 specified in this chapter, any gift or devise of any property
28 or thing which lawfully may be given. If such a gift or
29 devise is for a specific purpose or for a particular state

38 Whenever it shall become necessary, the department
39 of mental health may condemn any interest, right or
40 privilege, land or improvement which ^{its} ~~in~~ opinion
41 may be necessary, in the manner provided by law for
42 the acquisition by this state of property for public
43 purposes. The state shall be under no obligation to
44 accept and pay for any property condemned, and shall
45 in no event pay for the same except from the funds
46 provided; and in any proceeding to condemn, such
47 orders shall be made by the court having jurisdiction
48 of the suit, action or proceedings as may be just to
49 the state and to the owners of property to be condemned,
50 and a bond or other security may be required by the

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51 court securing such owners against any loss or damage
52 to be sustained by reason of the failure of the state
53 to accept and pay for the property, but such bond or
54 security shall impose no liability or debt on or of the
55 state as contemplated by the provisions of the constitu-
56 tion of the state in relation to state debt.

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

Howard Davis, Jr.
Chairman Senate Committee

Mrs. H. H. Withrow
Chairman House Committee

Originated in the House.

Takes effect from passage.

William H. Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Lewis W. Singleton Jr.
Speaker House of Delegates

The within approved this the 21st
day of June, 1961.

W. W. Bann
Governor

Filed in Office of the Secretary of State
of West Virginia JUN 21 1961
JOE F. BURDETT
SECRETARY OF STATE