WEST VIRGINIA LEGISLATURE
FIRST EXTRAORDINARY SESSION, 1961

ENROLLED

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

(By Mr. Speaker, Mr. Slaughter)

PASSED JUne 15 1961

In Effect from passage

Filed in Office of the Secretary of State of West Virginia JUne 21 1961
JOE F. BURDETT
SECRETARY OF STATE
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
between the director of mental health and the state commissioner of public institutions, a patient at a state mental institution may be transferred to an institution, other than correctional, under the supervision of the state commissioner of public institutions. The director of mental health shall have all the authority vested in the divisions of the department, as hereinafter provided, and shall appoint the supervisors of those divisions. He may prescribe rules and regulations to carry out his authority. The director shall make periodic reports to the governor and to the Legislature on the condition of the state mental institutions and on other matters within his authority, and shall include recommendations for improvement of the state mental institutions and any other matters affecting the mental health of the people of the state. The director is hereby authorized and empowered to accept and use for the benefit of a state mental institution or institutions, or for any other mental health purpose specified in this chapter, any gift or devise of any property or thing which lawfully may be given. If such a gift or devise is for a specific purpose or for a particular state
mental institution or institutions, it shall be used as specified, and the director is hereby vested with the title to the property which is or may be the subject of such gift or devise. Any gift or devise of any property or thing which lawfully may be given and whatever profit may arise from its use or investment shall be deposited in a special revenue fund with the state treasurer, and shall be used only as specified by the donor or donors.

Whenever it shall become necessary, the department of mental health may condemn any interest, right or privilege, land or improvement which in its opinion may be necessary, in the manner provided by law for the acquisition by this state of property for public purposes. The state shall be under no obligation to accept and pay for any property condemned, and shall in no event pay for the same except from the funds provided; and in any proceeding to condemn, such orders shall be made by the court having jurisdiction of the suit, action or proceedings as may be just to the state and to the owners of property to be condemned, and a bond or other security may be required by the
court securing such owners against any loss or damage
to be sustained by reason of the failure of the state
to accept and pay for the property, but such bond or
security shall impose no liability or debt on or of the
state as contemplated by the provisions of the constitu-
tion of the state in relation to state debt.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor

Filed in Office of the Secretary of State of West Virginia JUN 21 1961

JOE F. BURDETT
SECRETARY OF STATE