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STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1970



ENROLLED

HOUSE BILL No. 539

(By Mr. Speaker, Mr. Beiersky, and
Mr. Curo)



PASSED February 11, 1970

In Effect July 1, 1970 Passage



539

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 2-18-70

ENROLLED

House Bill No. 539

(By MR. SPEAKER, MR. BOIARSKY, and MR. OURS)

[Passed February 11, 1970; in effect July 1, 1970.]

AN ACT to amend and reenact section one, article four, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to transfer of the control, management and supervision of Berkeley Springs sanitarium from the commissioner of public institutions to the director of the department of natural resources.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 4. PARKS AND RECREATION.

§20-4-1. Duties and functions of division of parks and recreation.

1 The division of parks and recreation herein created
2 and established shall have within its jurisdiction and
3 supervision:

4 (a) All state parks and state recreation areas, in-
5 cluding all lodges, cabins, swimming pools, motorboating
6 and all other recreational facilities therein and thereat;

7 (b) Administration of all laws and regulations re-
8 lating to beautification of state highways and other pub-
9 lic areas;

10 (c) The functions and services of the following com-
11 missions which are hereby made activities of the depart-
12 ment of natural resources:

13 (1) Point Pleasant battle monument commission,
14 created by Joint Resolution No. 24 adopted by
15 the Legislature of West Virginia on the sixth day
16 of December, one thousand eight hundred seventy-
17 five;

18 (2) The Prickett's Fort state park commission, cre-
19 ated by chapter forty-eight, acts of the Legislature of

20 West Virginia, regular session, one thousand nine hun-
21 dred twenty-seven;

22 (3) Droop Mountain battlefield commission, created
23 by House Joint Resolution No. 8 adopted by the
24 Legislature of West Virginia on the twenty-fifth
25 day of January, one thousand nine hundred twenty-
26 seven;

27 (4) Philippi battlefield commission, created by House
28 Joint Resolution No. 15 adopted by the Legis-
29 lature of West Virginia on the thirtieth day of March,
30 one thousand nine hundred twenty-seven; and

31 (5) Carnifex Ferry battleground park commission,
32 created by chapter nine, acts of the Legislature of West
33 Virginia, regular session, one thousand nine hundred
34 thirty-one; and

35 (d) Administration of all laws and regulations re-
36 lating to the establishment, development, protection, use
37 and enjoyment of all state parks and state recre-
38 ational facilities consistent with the provisions of
39 this chapter.

40 Berkeley Springs sanitarium heretofore established

41 and located on the state property located at Bath Square,
42 or Berkeley Springs property, in Morgan county, shall
43 be continued as a state recreational facility under the
44 jurisdiction and supervision of the division of parks
45 and recreation and shall be managed, directed and con-
46 trolled as prescribed in articles one and four, chapter
47 twenty of the code.

48 The director shall have and is hereby granted all of
49 the powers and authority and shall perform all of the
50 functions and duties with regard to Berkeley Springs
51 sanitarium that were previously vested in and performed
52 by the state commissioner of public institutions, who
53 shall no longer have such power and authority and
54 whose power and authority with regard to Berkeley
55 Springs sanitarium is hereby abolished. The title to all
56 property consisting of or belonging to Berkeley Springs
57 sanitarium is hereby transferred to and shall be vested
58 in the director who shall be the custodian of all deeds
59 and other muniments of title to all of that property and
60 shall cause those deeds and muniments susceptible of
61 recordation to be recorded in the proper office.

62 The chief of the division shall be primarily respon-
63 sible for the execution and administration of the pro-
64 visions of this article as an integral part of the natural
65 resources program of the state and shall organize and
66 staff his division for the orderly, efficient and economical
67 accomplishment of these ends.

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

William Tompaz
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect July 1, 1970.

Howard Myers
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Stanley S. Jackson
President of the Senate

Sam F. Baugh
Speaker House of Delegates

The within approved this the 16th
day of February, 1970.

Arch. Shaver Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 2/16/70

Time 2:40 p.m.