

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977



ENROLLED

SENATE BILL NO. 479

(By Mr. Susman & Mr. Garner)



PASSED April 9, 1977

In Effect July 1, 1977 Passage

110. 719  
10. 011



**ENROLLED**

**Senate Bill No. 479**

(By MR. SUSMAN and MR. GAINER)

[Passed April 9, 1977; in effect July 1, 1977.]

AN ACT to amend article one, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty, relating to limitations on acquisition of land for state recreational facilities; limitations on construction of state recreational facilities; legislative findings and purpose; and exceptions to limitations.

*Be it enacted by the Legislature of West Virginia:*

That article one, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty, to read as follows:

**ARTICLE 1. ORGANIZATION AND ADMINISTRATION.**

**§20-1-20. Limitations on acquisition of land for state recreational facilities; limitations on construction of state recreational facilities; legislative findings and purpose; exceptions to limitations.**

1 The Legislature finds that the acquisition of land to  
2 construct new or to expand existing state recreational  
3 facilities is becoming more costly. Also, the Legislature  
4 finds that the construction of new or the expansion of  
5 existing state recreational facilities is becoming more  
6 costly. After such facilities are constructed, they must be  
7 maintained indefinitely and, in many instances, personnel  
8 must be employed to operate the facilities. This  
9 necessitates and places a continuing burden on state  
10 revenues. Furthermore, these costs are also increasing  
11 continually. The Legislature hereby declares that there is

12 an ultimate limit to how many recreational facilities this  
13 state, with its size, population and financial resources can  
14 or should support. Further, the Legislature hereby de-  
15 clares that it must establish, provide for, and maintain,  
16 limits on state recreational facilities. The Legislature  
17 hereby declares that is the purpose of this section.

18 After the effective date of this section, neither the  
19 director, nor any other officer, or employee, or agent of  
20 the department of natural resources may, without the  
21 express authorization of the Legislature:

22 (1) Acquire, or authorize the acquisition of, land for  
23 any new state park, forest, public fishing and hunting  
24 area, or other recreational facility; or

25 (2) Construct, or authorize the construction of, any  
26 new facility or building in any state park, forest, public  
27 hunting and fishing area, or other recreational facility.

28 Nothing in this section shall prohibit the director from  
29 expending any appropriations made on or before the  
30 effective date of this section to the department of natural  
31 resources for the purposes for which such appropriations  
32 were designated, including the acquisition of land or the  
33 construction of facilities or buildings.

34 Nothing in this section shall prohibit the director from  
35 expending any appropriations made at any time which  
36 are designated to complete land acquisitions for state  
37 parks, forests, public hunting and fishing areas, or other  
38 recreational areas, which are in existence on the effective  
39 date of this section. Nothing in this section shall prohibit  
40 the director from expending any appropriation made at  
41 any time which is designated to complete the construc-  
42 tion of facilities and buildings, including electric, water  
43 and sewage systems for state parks, forests, public hunt-  
44 ing and fishing areas, or other recreational areas, which  
45 are in existence on the effective date of this section.

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

James L. Davis  
Chairman Senate Committee

Clarence C. Chestnut Jr.  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1977.

J. C. Dillon, Jr.  
Clerk of the Senate

V. A. Blankenship  
Clerk of the House of Delegates

H. Brinkley  
President of the Senate

Donald L. Kopp  
Speaker House of Delegates

The within is approved this the 24  
day of April, 1977.

John D. Rhyne  
Governor



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OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date April 24, 1977

Time 2:20 p.m.

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OFFICE  
SECRETARY OF STATE