WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1979

ENROLLED
Committee Substitute for
SENATE BILL NO. 260

(By Mr. Hamilton & Mr. Williams)

PASSED March 19, 1979

In Effect ninety days from Passage
AN ACT to amend and reenact section one, article thirteen, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to amend article four, chapter twenty of said code by adding thereto a new section, designated section thirteen; and to amend article one, chapter twenty-nine of said code by adding thereto a new section, designated section thirteen, all relating to transferring title in a portion of the Washington-Carver Camp from the board of regents to the department of culture and history; directing that certain development thereof be made; directing that the department make the camp available to other governmental agencies in certain instances; transferring title to the remaining portion of the camp to the department of natural resources; directing that the board of regents act promptly; reserving to the board of regents certain interests in deeds; and prohibiting disposition or removal of minerals without authorization by the Legislature.

Be it enacted by the Legislature of West Virginia:

That section one, article thirteen, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; that article four, chapter twenty of said code be amended by adding thereto a new section, designated section thirteen; and that article one, chapter twenty-nine of said code be amended by adding thereto a new section, designated section thirteen, all to read as follows:
CHAPTER 18. EDUCATION.

ARTICLE 13. WEST VIRGINIA STATE COLLEGE.

§18-13-1. Continuation and management; courses and degrees; rules and regulations.

The institution for the instruction of students heretofore established and located at Institute, in Kanawha County, shall be continued and shall be known as the "West Virginia State College." The business and educational affairs of said college shall be under the control, supervision and management of the state board of education, as provided in section thirteen, article two of this chapter.

The state board of education shall establish and maintain in the West Virginia State College, in addition to the courses of study leading to a bachelor of science or bachelor of arts degree, such professional and preprofessional courses of study as may be expedient and practicable, and shall prescribe the conditions for graduation therefrom and make rules for the conferring of degrees and for issuing the proper diplomas to those who successfully complete such courses.

The rules and regulations made by the president and faculty of said college for its general government, for the admission of students thereto, the standards of scholarship to be maintained therein and the graduation of students therefrom, shall be submitted to the state board of education for its approval.

CHAPTER 20. NATURAL RESOURCES.

ARTICLE 4. PARKS AND RECREATION.

§20-4-13. Transfer of portions of Washington-Carver Camp to department of natural resources; board of regents to act promptly; reservation of interests by the board of regents; prohibition of disposition or removal of minerals without authorization by the Legislature.

The board of regents shall transfer to the department of natural resources the title and all interests, not herein excepted, to that portion of the Washington-Carver Camp...
in Fayette County which is not transferred to the public land corporation of West Virginia under section thirteen, article one, chapter twenty-nine of this code. Such property transferred to the department of natural resources shall be used to expand recreational activities at Babcock State Park. The board of regents shall have the necessary documents prepared and executed promptly and shall cooperate fully to expedite the transfer and the improvement of the property. The deed shall contain a provision to reserve unto the board of regents all rights and interests in the timber, and all minerals together with the right of ingress and egress to mine, remove and take away the timber and minerals from the property. The board of regents shall not assign, lease, or otherwise encumber, sell, mine, remove, or permit removal of, any mineral or minerals from the property without specific authorization by the Legislature.

CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.

ARTICLE 1. DEPARTMENT OF CULTURE AND HISTORY.

§29-1-13. Transfer of portions of Washington-Carver Camp to public land corporation for department; development; board of regents to act promptly; reservation of interests by the board of regents; prohibition of disposition or removal of minerals without authorization by the Legislature.

1 The board of regents shall transfer to the public land corporation of West Virginia for control, administration, and supervision by the department the title and all interests, not herein excepted, to the Washington-Carver Camp in Fayette County: Provided, That such transfer shall be at least thirty acres and such additional acreage, subject to the approval of the governor, that the commissioner of the department of culture and history may determine necessary to adequately operate and maintain such a camp and facilities related thereto and shall also include that portion of the camp upon which capital improvements, including roads, have been made. All remaining property shall be transferred to the department of natural resources as provided in section thirteen, article four, chapter twenty of this code. The department shall
undertake to develop such cultural and multicultural, artistic, humanistic and educational programs at the camp as will serve and benefit the citizens of the state and the many cultures represented therein. In order to ensure the maximum reasonable utilization of that portion of the camp under its jurisdiction, the department, during times it is not being used for its purposes, make it available, under such terms as it deems proper, to any other agency of government or nonprofit group desiring to use it. The camp shall retain the name “Washington-Carver Camp” as indicative of its heritage of serving the black citizens of the state. The department is authorized to provide necessary and suitable equipment and other resources for implementing the provisions of this section. The board of regents shall have the necessary documents prepared and executed promptly and shall cooperate fully to expedite the transfer and the development of the property. The deed shall contain a provision to reserve unto the board of regents all rights and interests in the timber, and all minerals together with the right of ingress and egress to mine, remove and take away the timber and minerals from the property. The board of regents shall not assign, lease, or otherwise encumber, sell, mine, remove, or permit removal of, any mineral or minerals from the property without specific authorization by the Legislature.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Clarence L. Chestnut, Jr.
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

J. Thomas Jr.
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

J. Paul Daniel
President of the Senate

J. L. See, Jr.
Speaker House of Delegates

The within is approved this the 27

day of March, 1979.

John R. Butler
Governor