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APPROVED AND SIGNED BY THE GOVERNOR

Date 3-27-79

'9 MAR 27 P11:42

Time 8:30 a.m.

OFFICE  
ECY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1979

—•—

# ENROLLED

SENATE BILL NO. 5

(By Mr. Calamito)

—•—

PASSED March 8, 1979

In Effect ninety days from Passage



No. 5

19 MAR 27 P11:42

**ENROLLED**  
**Senate Bill No. 5**  
(By MR. COLOMBO)

[Passed March 6, 1979; in effect ninety days from passage.]

AN ACT to amend article four, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section four-a, relating to limiting to five years the time period for which the department of natural resources may contract with private concerns for operation of commissaries, restaurants, recreational facilities and similar establishments in the state parks and public recreation system; authorizing renewal of such contracts at the discretion of the director for periods not exceeding five years; and providing for termination of contracts by the director.

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

That article four, 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 four-a, to read as follows:

**ARTICLE 4. PARKS AND RECREATION.**

**§20-4-4a. Contracts for operation of commissaries, restaurants, recreational facilities and other establishments limited to five years' duration; renewal at option of director; termination of contract by the director.**

1 When it is deemed necessary by the director to  
2 enter into a contract with a person, firm or corporation  
3 for the operation of a commissary, restaurant, recreational  
4 facility or other such establishment within the state parks  
5 and public recreation system, such contract shall be for  
6 a duration not to exceed five years, but a contract so made  
7 may provide for an option to renew at the director's  
8 discretion for an additional term or terms not to exceed  
9 five years at the time of renewal.

10 Any contract entered into by the director shall provide  
11 an obligation upon the part of the operator that he  
12 maintain a level of performance satisfactory to the direc-  
13 tor, and shall further provide that any such contract may  
14 be terminated by the director in the event he determines  
15 that such performance is unsatisfactory and has given  
16 the operator reasonable notice thereof.

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

*James L. Davis*  
Chairman Senate Committee

*Clarence C. Christiansen*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*J. C. Sullivan*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*W. B. B. B. B.*  
President of the Senate

*W. M. Lee*  
Speaker House of Delegates

The within *is opposed* this the *27*

day of *March*, 1979.

*John D. Roper*  
Governor





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