

RECEIVED

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-27-79

79 MAR 27 P11:45

Time 9:25 AM.

OFFICE
OF THE
COMPTROLLER
OF THE
TREASURY

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1979



ENROLLED

Committee Substitute for
SENATE BILL NO. 260

(By Mr. *Hamilton & Mr. Williams*)



PASSED March 10, 1979

In Effect ninety days from Passage



No. 260



79 MAR 27 P11:45

ENROLLED
COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 260

(MR. HAMILTON and MR. WILLIAMS, *original sponsors*)

[Passed March 10, 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.

1 The institution for the instruction of students hereto-
2 fore established and located at Institute, in Kanawha
3 County, shall be continued and shall be known as the
4 "West Virginia State College." The business and educa-
5 tional affairs of said college shall be under the control,
6 supervision and management of the state board of edu-
7 cation, as provided in section thirteen, article two of this
8 chapter.

9 The state board of education shall establish and main-
10 tain in the West Virginia State College, in addition to
11 the courses of study leading to a bachelor of science or
12 bachelor of arts degree, such professional and preprofes-
13 sional courses of study as may be expedient and prac-
14 ticable, and shall prescribe the conditions for graduation
15 therefrom and make rules for the conferring of degrees
16 and for issuing the proper diplomas to those who success-
17 fully complete such courses.

18 The rules and regulations made by the president and
19 faculty of said college for its general government, for the
20 admission of students thereto, the standards of scholar-
21 ship to be maintained therein and the graduation of
22 students therefrom, shall be submitted to the state board
23 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.

1 The board of regents shall transfer to the department of
2 natural resources the title and all interests, not herein
3 excepted, to that portion of the Washington-Carver Camp

4 in Fayette County which is not transferred to the public
5 land corporation of West Virginia under section thirteen,
6 article one, chapter twenty-nine of this code. **Such prop-**
7 **erty transferred to the department of natural resources**
8 **shall be used to expand recreational activities at Babcock**
9 **State Park. The board of regents shall have the necessary**
10 **documents prepared and executed promptly and shall**
11 **cooperate fully to expedite the transfer and the improve-**
12 **ment of the property. The deed shall contain a provision**
13 **to reserve unto the board of regents all rights and in-**
14 **terests in the timber, and all minerals together with the**
15 **right of ingress and egress to mine, remove and take**
16 **away the timber and minerals from the property. The**
17 **board of regents shall not assign, lease, or otherwise**
18 **encumber, sell, mine, remove, or permit removal of, any**
19 **mineral or minerals from the property without specific**
20 **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; develop-
ment; board of regents to act promptly; reserva-
tion of interests by the board of regents; prohibi-
tion of disposition or removal of minerals without
authorization by the Legislature.**

1 The board of regents shall transfer to the public land
2 corporation of West Virginia for control, administration,
3 and supervision by the department the title and all in-
4 terests, not herein excepted, to the Washington-Carver
5 Camp in Fayette County: *Provided*, That such transfer
6 shall be at least thirty acres and such additional acreage,
7 subject to the approval of the governor, that the commis-
8 sioner of the department of culture and history may
9 determine necessary to adequately operate and maintain
10 such a camp and facilities related thereto and shall also
11 include that portion of the camp upon which capital im-
12 provements, including roads, have been made. All re-
13 maining property shall be transferred to the department
14 of natural resources as provided in section thirteen, article
15 four, chapter twenty of this code. The department shall

16 undertake to develop such cultural and multicultural,
17 artistic, humanistic and educational programs at the camp
18 as will serve and benefit the citizens of the state and the
19 many cultures represented therein. In order to ensure
20 the maximum reasonable utilization of that portion of
21 the camp under its jurisdiction, the department, during
22 times it is not being used for its purposes, make it avail-
23 able, under such terms as it deems proper, to any other
24 agency of government or nonprofit group desiring to use
25 it. The camp shall retain the name "Washington-Carver
26 Camp" as indicative of its heritage of serving the black
27 citizens of the state. The department is authorized to
28 provide necessary and suitable equipment and other re-
29 sources for implementing the provisions of this section.
30 The board of regents shall have the necessary documents
31 prepared and executed promptly and shall cooperate fully
32 to expedite the transfer and the development of the
33 property. The deed shall contain a provision to reserve
34 unto the board of regents all rights and interests in the
35 timber, and all minerals together with the right of ingress
36 and egress to mine, remove and take away the timber and
37 minerals from the property. The board of regents shall
38 not assign, lease, or otherwise encumber, sell, mine, re-
39 move, or permit removal of, any mineral or minerals
40 from the property without specific authorization by the
41 Legislature.

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

James L. Davis
Chairman Senate Committee

Clarence C. Chester, Jr.
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

J. A. Johnson
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

W. G. B. [Signature]
President of the Senate

W. G. Lee, Jr.
Speaker House of Delegates

The within is approved this the 27

day of March, 1979.

John D. Raley
Governor



RECEIVED

MAR 19 3 43 PM '79

OFFICE OF THE GOVERNOR