WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981

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ENROLLED

HOUSE BILL No. 1184

(By Mr. Bundlette & Miss Shuman)

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Passed April 3, 1981

In Effect Ninety Days From Passage
AN ACT to repeal sections one, two, three, four, five, six, seven, eight and nine, article seventeen, chapter five; section two, article six-b, chapter twenty; sections one, two, three and four, article five, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section one, article four, chapter twenty of said code, all relating to repealing the code sections creating and governing the West Virginia commission on energy, economy and environment; repealing the code sections continuing and governing the bureau of Negro welfare and statistics; repealing the code section creating and governing the mining council; and removing references to the Point Pleasant battle monument commission, the Prickett's Fort state park commission, the Droop Mountain battlefield commission, the Phillipi battlefield commission and the Carnifex Ferry battleground park commission, and the responsibility of the division of parks and recreation therefor.

Be it enacted by the Legislature of West Virginia:

That sections one, two, three, four, five, six, seven, eight and nine, article seventeen, chapter five; section two, article six-b, chapter twenty; and sections one, two, three and four, article five, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that section one, article four, chapter twenty of said code be amended and reenacted, all to read as follows:
ARTICLE 4. PARKS AND RECREATION.

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

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

(a) All state parks and state recreation areas, including all lodges, cabins, swimming pools, motorboating and all other recreational facilities therein, except the roads therein which, by reason of section one, article four, chapter seventeen, are transferred to the state road system and to the responsibility of the commissioner of highways with respect to the construction, reconstruction and maintenance of the roads or any future roads for public usage on publicly owned lands in future state parks, state forests and public hunting and fishing areas;

(b) The authority and responsibility to do the necessary cutting and planting of vegetation along road rights-of-way in state parks and recreational areas;

(c) Administration of all laws and regulations relating to the establishment, development, protection, use and enjoyment of all state parks and state recreational facilities consistent with the provisions of this chapter.

Berkeley Springs sanitarium in Morgan county shall be continued as a state recreational facility under the jurisdiction and supervision of the division of parks and recreation and shall be managed, directed and controlled as prescribed in articles one and four, chapter twenty of the code.

The director shall have and is hereby granted all of the powers and authority and shall perform all of the functions and duties with regard to Berkeley Springs sanitarium that were previously vested in and performed by the state commissioner of public institutions, who shall no longer have such power and authority and whose power and authority with regard to Berkeley Springs sanitarium is hereby abolished.

The title to all property consisting of or belonging to Berkeley Springs sanitarium is hereby transferred to and shall be vested in the director who shall be the custodian of all deeds and other muniments of title to all of that property and shall
cause those deeds and muniments susceptible of recordation to be recorded in the proper office.

The chief of the division shall be primarily responsible for the execution and administration of the provisions of this article as an integral part of the natural resources program of the state and shall organize and staff his division for the orderly, efficient and economical accomplishment of these ends.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within _____________________ this the ______ day of _____________, 1981.

[Signature]
Governor