

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-14-81

Time _____

No: 1184

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981



ENROLLED

HOUSE BILL No. 1184

(By Mr. Burdette & Miss Shuman)



Passed April 3, 1981

In Effect Ninety Days From Passage



ENROLLED

H. B. 1184

(By MR. BURDETTE and MISS SHUMAN)

[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article five, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that section one, article four, chapter twenty of said code be amended and reenacted, all to read as follows: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.

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

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

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

16 (c) Administration of all laws and regulations relating to
17 the establishment, development, protection, use and enjoy-
18 ment of all state parks and state recreational facilities consistent
19 with the provisions of this chapter.

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

25 The director shall have and is hereby granted all of the
26 powers and authority and shall perform all of the functions
27 and duties with regard to Berkeley Springs sanitarium that
28 were previously vested in and performed by the state com-
29 missioner of public institutions, who shall no longer have
30 such power and authority and whose power and authority
31 with regard to Berkeley Springs sanitarium is hereby abolished.
32 The title to all property consisting of or belonging to Berkeley
33 Springs sanitarium is hereby transferred to and shall be vested
34 in the director who shall be the custodian of all deeds and
35 other muniments of title to all of that property and shall

36 cause those deeds and muniments susceptible of recordation
37 to be recorded in the proper office.

38 The chief of the division shall be primarily responsible for
39 the execution and administration of the provisions of this
40 article as an integral part of the natural resources program
41 of the state and shall organize and staff his division for the
42 orderly, efficient and economical accomplishment of these ends.

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

L. P. Baylor
Chairman Senate Committee

Tony E. Whitlow
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Todd C. Willis
Clerk of the Senate

V. Blankenship
Clerk of the House of Delegates

President of the Senate

Walter G. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *14*
day of *April*, 1981.

John R. Dyer
Governor

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