WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

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ENROLLED
Committee Substitute for
SENATE BILL NO. 342

(By Senator Tomlin, Jr., President, et al.)

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PASSED March 8, 1986
In Effect 90 days from Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 342
(SENATORS TONKOVICH, MR. PRESIDENT (BY REQUEST) AND
HARMAN, original sponsors)

[Passed March 8, 1986; in effect ninety days from passage.]

AN ACT to amend and reenact section five, article one, chapter
five-b of the code of West Virginia, one thousand nine
hundred thirty-one, as amended, all relating to powers of
the department of commerce.

Be it enacted by the Legislature of West Virginia:

That section five, article one, chapter five-b of the code of
West Virginia, one thousand nine hundred thirty-one, as
amended, be amended and reenacted, all to read as follows:

ARTICLE 1. DEPARTMENT OF COMMERCE.

§5B-1-5. General powers of the department.

1 (a) The department of commerce shall have the author-
ity and duty to:

3 (1) Promote, encourage and facilitate the expansion
and development of markets for West Virginia products
and services and the state's national and international
image and prestige by any and all reasonable methods;

7 (2) Promote and encourage the location and develop-
ment of new business in the state and the maintenance
and expansion of existing business;
(3) Investigate and study conditions affecting West Virginia business, industry and commerce; collect and disseminate information, and engage in technical studies, scientific investigations, statistical research and educational activities necessary or useful for the proper execution of the powers and duties of the department;

(4) Plan and develop an effective economic information service that will directly assist business, education and labor and also encourage businesses outside the state to use industrial office facilities, professional, labor, financial and recreational facilities, services and products from within the state;

(5) Encourage and develop commerce with other states and nations and devise methods of removing trade barriers that hamper the free flow of commerce between this and other states and nations and for these purposes cooperate with governmental, quasi-public and private organizations in formulating and promoting the adoption of compacts and agreements helpful to commerce and labor;

(6) Conduct or encourage research designed to further new and more extensive uses of the natural, human, professional, technical and other resources of the state with a view to the development of new products, industrial processes, services and markets;

(7) Compile periodically a census of business and industry in the state, in cooperation with other agencies, and analyze and publish the information in such form as to be most valuable to business and industry;

(8) Compile periodically a census of the crafts, trades, skills and occupations of all adult persons in the state, in cooperation with other agencies, and analyze and publish the information in such form as to be most valuable to business and industry;

(9) Study long-range trends and developments in the industries, commerce and economic health of the state, and analyze the reasons underlying such trends; study costs and other factors affecting successful operation and location of businesses within the state;
(10) Advertise and publicize the material, economic quality of life, recreational and other advantages of the state which render it a desirable place for commerce and residence;

(11) Collect, compile and distribute information and literature concerning the advantages and attractions of the state, its historic and scenic points of interest and the highway, transportation and other facilities of the state;

(12) Plan and carry out a program of information and publicity designed to attract to West Virginia tourists, visitors and other interested persons from outside the state;

(13) Initiate, promote and conduct, or cause to be conducted, research designed to further new and more extensive uses and consumption of natural and other resources and their by-products; and for such purposes, to enter into contracts and agreements with research laboratories maintained by educational or endowed institutions in this state;

(14) Manage the state's park and recreation system for the benefit of the people of this state, and effectively promote and advertise the same to increase public knowledge and use thereof;

(15) To acquire for the state in the name of the department of commerce by purchase, lease or agreement, or accept or reject for the state, in the name of the department of commerce, gifts, donations, contributions, bequests or devises of money, security or property, both real and personal, and any interest in such property, including lands and water, for state park or recreational areas for the purpose of providing public recreation: Provided, That any sale, exchange or transfer of such property shall be subject to the procedures of article one, chapter twenty of this code: Provided, however, That no lands or waters which, on or before December thirty-first, one thousand nine hundred eighty-five, were part of the state's system of parks, or which were held or used for recreational purposes, shall be subject to such sale, exchange or transfer, by the department of commerce.
Provided further, That nothing herein contained shall be construed to prevent the department of commerce from selling, transferring or conveying to any other department or agency of this state any lands or waters to which it has title and which was sold, conveyed or transferred to the department of commerce from the department or agency to which it is being sold, conveyed or transferred.

(16) Make recommendations to the governor and the Legislature of any legislation deemed necessary to facilitate the carrying out of any of the foregoing powers and duties, and to exercise any other power that may be necessary or proper for the orderly conduct of the business of the department and the effective discharge of the duties of the department; and

(17) To cooperate and assist in the production of motion pictures and television and other communications.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce C. Williams
Chairman Senate Committee

Floyd Full
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Jed L. White
Clerk of the Senate

Randal L. Logg
Clerk of the House of Delegates

Dan Tomblin
President of the Senate

Joseph P. Albritt
Speaker House of Delegates

The within approved this the 25th day of March, 1986.

Robert B. Rheams, Jr.
Governor