WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2000

ENROLLED

House Bill No. 4132
(By Mr. Speaker, Mr. Kiss, and Delegate Trump)
[By Request of the Executive]

Passed March 11, 2000
In Effect Ninety Days from Passage
ENROLLED

H. B. 4132

(By Mr. Speaker, Mr. Kiss, and Delegate Trump)
[By Request of the Executive]

[Passed March 11, 2000; in effect ninety days from passage.]

AN ACT to amend and reenact section sixteen, article five, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the division of natural resources; construction of recreational facilities at certain state parks; authorizing contracts with third parties for construction of cabins at any state park or forest; providing that title to the cabins immediately vests in the state and are to be operated by the parks and recreation section; and promulgation of emergency and legislative rules.

Be it enacted by the Legislature of West Virginia.

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

ARTICLE 5. PARKS AND RECREATION.

§20-5-16. Authority to enter into contracts with third parties to construct recreational facilities and cabins; public comment.
(a) Notwithstanding any other provision of this code to the contrary, in addition to all other powers and authority vested in the director, he or she is hereby authorized and empowered to:

(1) Enter into contracts with third parties for the construction and operation of recreational facilities at Chief Logan State Park, Beech Fork State Park, Tomlinson Run State Park, Stonewall Jackson Lake State Park and Lost River State Park. The term of the contracts may not exceed a period of twenty-five years, at which time the full title to the recreational facilities shall vest in the state;

(2) Enter into contracts with third parties for the construction, but not the operation, of cabins at any state park or forest. Upon completion of the construction of the cabins, full title to the cabins shall immediately vest in the state and the cabins shall be operated by the parks and recreation section;

(3) Authorize the construction of at least five cabins by any single third party, in state parks and state forests which do not offer such facilities on the effective date of this subsection; and

(4) Propose emergency and legislative rules, in accordance with the provisions of article three, chapter twenty-nine-a of this code, that set the conditions upon which the director may enter into a contract with a single third party proposing to construct cabins.

(b) All contracts shall be presented to the joint committee on government and finance for review and comment prior to execution.

(c) A contract may provide for renewal for the purpose of permitting continued operation of the facilities at the option of the director for a term or terms not to exceed ten years.

(d) No extension or renewal beyond the original twenty-five-year term may be executed by the director absent the approval of the joint committee on government and finance.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within approved this the 2nd day of ______, 2000.

Governor