WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2000

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ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4581

(By Delegates Anderson, Border, Beane, Azinger and Modesitt)

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Passed March 11, 2000

In Effect Ninety Days from Passage
AN ACT to amend and reenact section two, article eight, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the Blennerhassett Island historical park; authorizing the natural resources commission to permit and regulate the hunting of white-tailed deer at the park; and promulgation of rules.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 8. BLENNERHASSETT ISLAND HISTORICAL STATE PARK COMMISSION.
§29-8-2. Blennerhassett Island historical state park commission established; members; terms; meeting; quorum; compensation; expenses.

There is continued within the bureau of commerce the Blennerhassett Island historical state park commission. All assets, real and personal property, debts, liabilities, duties, powers and authority previously transferred to the bureau of commerce from the Blennerhassett Island historical state park commission are continued in the bureau of commerce. The Blennerhassett Island historical state park commission is maintained as an advisory commission as hereinafter provided. The commission is composed of ten members who must be citizens and residents of this state, appointed by the governor for terms of four years, by and with the advice and consent of the Senate: Provided, That the terms of all members previously appointed to the Blennerhassett historical state park commission prior to any amendment and reenactment of this section shall continue for the periods originally specified, and no member serving as of the effective date of the amendment and reenactment need be reappointed.

Each member must be qualified to carry out the functions of the commission under this article by reason of his or her special interest, training, education or experience.

No person may be eligible to appointment as a member who is an officer or member of any political party executive committee; or the holder of any other public office or public employment under the United States government or the government of this state or a political subdivision of this state. Not more than six members may belong to the same political party.

The commission shall elect a chairman from among its members on the second Monday in September of each year.
All members are eligible for reappointment once by the governor. A member shall, unless sooner removed, continue to serve until his or her term expires and his or her successor has been appointed and has qualified. A vacancy caused by the death, resignation or removal of a member prior to the expiration of his or her term shall be filled only for the remainder of term.

For the purpose of carrying out its powers, duties and responsibilities under this article, six members of the commission constitute a quorum for the transaction of business. Each member is entitled to one vote. The commission shall meet at a time and place designated by the chairman at least four times each fiscal year. Additional meetings may be held when called by the chairman or when requested by five members of the commission or by the governor. All meetings shall comply with the provisions of article nine-a, chapter six of this code. Each member shall be reimbursed for all reasonable and necessary expenses actually incurred in the performance of his or her duties under this article.

The commission shall advise the bureau of commerce in all matters relating to the development, establishment and maintenance of the Blennerhassett Island historical state park.

All employee positions in the former Blennerhassett Island historical state park commission transferred to the division of commerce by a previous amendment and reenactment of this section are continued in the classified service of the civil service system pursuant to article six of this chapter. Any person included in the classified service by the provisions of this section who is employed in any of these positions as of the effective date of any amendment and reenactment of this section shall not be required to take and pass qualifying or competitive examinations upon or as a condition to being added to the classified service: Provided, That no person included in
the classified service by the provisions of this section who is employed in any of these positions as of the effective date of any amendment and reenactment of this section, be thereafter severed, removed or terminated from such employment prior to his or her entry into the classified service except for cause as if the person had been in the classified service when severed, removed or terminated.

Notwithstanding any provision of this code to the contrary, the bureau of commerce is vested with exclusive regulatory authority over watercraft transport of visitors to the Blennerhassett Island portion of the Blennerhassett Island historical state park, and the watercraft transport of these visitors is not subject to the provisions of article eighteen, chapter seventeen of this code.

Notwithstanding the provisions of section fifty-eight, article two, chapter twenty of this code, the natural resources commission shall promulgate rules pursuant to the provisions of section seventeen, article one, chapter twenty and section three, article one, chapter twenty-nine-a of this code to permit and regulate the hunting of white-tailed deer at Blennerhassett Island historical state park.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correct and 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 day of April, 2000.

Governor
PRESENTED TO THE
GOVERNOR

Date: 3/29/00
Time: 3:24 PM