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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

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3 APR -9 12:11:19

CLERK OF THE HOUSE
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3 MAR 31 11:10:14

CLERK OF THE SENATE
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CHARLESTON, W. VA.

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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.

1 (a) Notwithstanding any other provision of this code to the
2 contrary, in addition to all other powers and authority vested in
3 the director, he or she is hereby authorized and empowered to:

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

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

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

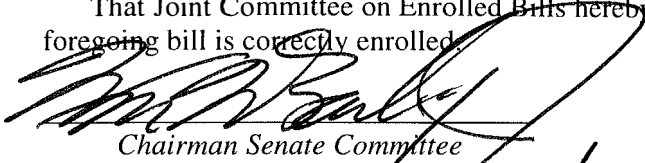
19 (4) Propose emergency and legislative rules, in accordance
20 with the provisions of article three, chapter twenty-nine-a of
21 this code, that set the conditions upon which the director may
22 enter into a contract with a single third party proposing to
23 construct cabins.

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

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

30 (d) No extension or renewal beyond the original twenty-
31 five-year term may be executed by the director absent the
32 approval of the joint committee on government and finance.

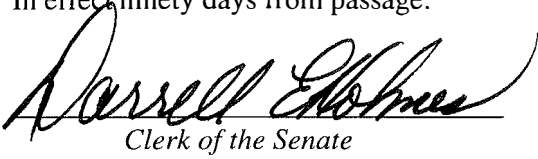
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

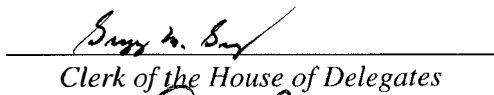

Chairman Senate Committee

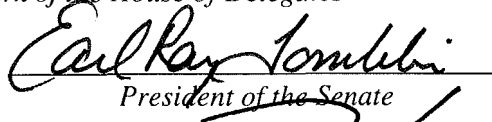

Chairman House Committee

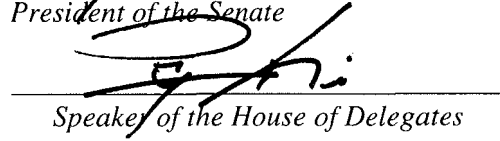
Originating in the House.

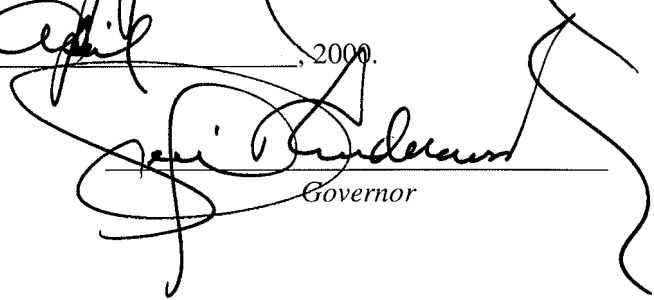
In effect ninety days from passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within appeared this the 2nd
day of April, 2000.

Governor

PRESENTED TO THE

GOVERNOR

Date 3/24/00

Time 3:05 pm