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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4581

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



Passed March 11, 2000

In Effect Ninety Days from Passage

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FOR

H. B. 4581

(BY DELEGATES ANDERSON, BORDER,
BEANE, AZINGER AND MODESITT)

[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.

1 There is continued within the bureau of commerce the
2 Blennerhassett Island historical state park commission. All
3 assets, real and personal property, debts, liabilities, duties,
4 powers and authority previously transferred to the bureau of
5 commerce from the Blennerhassett Island historical state park
6 commission are continued in the bureau of commerce. The
7 Blennerhassett Island historical state park commission is
8 maintained as an advisory commission as hereinafter provided.
9 The commission is composed of ten members who must be
10 citizens and residents of this state, appointed by the governor
11 for terms of four years, by and with the advice and consent of
12 the Senate: *Provided*, That the terms of all members previously
13 appointed to the Blennerhassett historical state park commis-
14 sion prior to any amendment and reenactment of this section
15 shall continue for the periods originally specified, and no
16 member serving as of the effective date of the amendment and
17 reenactment need be reappointed.

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

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

28 The commission shall elect a chairman from among its
29 members on the second Monday in September of each year.

30 All members are eligible for reappointment once by the
31 governor. A member shall, unless sooner removed, continue to
32 serve until his or her term expires and his or her successor has
33 been appointed and has qualified. A vacancy caused by the
34 death, resignation or removal of a member prior to the expira-
35 tion of his or her term shall be filled only for the remainder of
36 term.

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

49 The commission shall advise the bureau of commerce in all
50 matters relating to the development, establishment and mainte-
51 nance of the Blennerhassett Island historical state park.

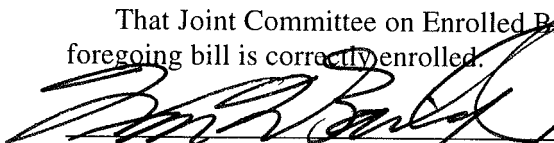
52 All employee positions in the former Blennerhassett Island
53 historical state park commission transferred to the division of
54 commerce by a previous amendment and reenactment of this
55 section are continued in the classified service of the civil
56 service system pursuant to article six of this chapter. Any
57 person included in the classified service by the provisions of
58 this section who is employed in any of these positions as of the
59 effective date of any amendment and reenactment of this
60 section shall not be required to take and pass qualifying or
61 competitive examinations upon or as a condition to being added
62 to the classified service: *Provided*, That no person included in


63 the classified service by the provisions of this section who is
64 employed in any of these positions as of the effective date of
65 any amendment and reenactment of this section, be thereafter
66 severed, removed or terminated from such employment prior to
67 his or her entry into the classified service except for cause as if
68 the person had been in the classified service when severed,
69 removed or terminated.

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

77 Notwithstanding the provisions of section fifty-eight, article
78 two, chapter twenty of this code, the natural resources commis-
79 sion shall promulgate rules pursuant to the provisions of section
80 seventeen, article one, chapter twenty and section three, article
81 one, chapter twenty-nine-a of this code to permit and regulate
82 the hunting of white-tailed deer at Blennerhassett Island
83 historical state park.


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


Chairman Senate Committee

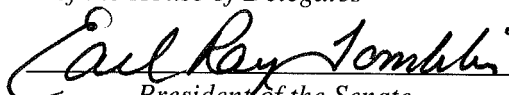

Chairman House Committee

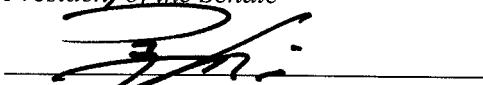
Originating in the House.

In effect ninety days from passage.

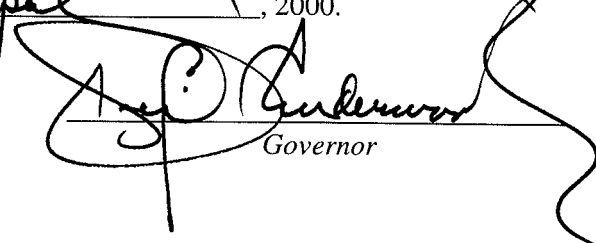

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

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


Governor

PRESENTED TO THE

GOVERNOR

Date 3/29/00

Time 3:21 pm