WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2008

ENROLLED

Senate Bill No. 775

(By Senators Fanning, Barnes, Bowman, Deem, Facemyer, Green, McKenzie, Prezioso, Unger and White)

[Passed March 5, 2008; in effect ninety days from passage.]
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(BY SENATORS FANNING, BARNES, BOWMAN, DEEM, FACEMYER, GREEN, MCKENZIE, PREZIOSO, UNGER AND WHITE)

[Passed March 5, 2008; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-1-19; and to amend and reenact §20-1-20 of said code, all relating to the state parks and state forests of West Virginia; designating the state parks and state forests; requiring statutory approval to close, change the name or change the designated use of a state park or state forest; and clarifying limitations on acquiring land or constructing new buildings on a state park or state forest.

Be it enacted by the Legislature of West Virginia:
That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §20-1-19; and that §20-1-20 of said code be amended and reenacted, all to read as follows:

ARTICLE 1. ORGANIZATION AND ADMINISTRATION.

§20-1-19. West Virginia state parks and state forests.

(a) The state parks of West Virginia are:

(1) Audra; (2) Babcock; (3) Beartown; (4) Beech Fork; (5) Berkeley Springs; (6) Blackwater Falls; (7) Blennerhassett Island Historical; (8) Bluestone; (9) Cacapon Resort; (10) Camp Creek; (11) Canaan Valley Resort; (12) Carnifex Ferry Battlefield; (13) Cass Scenic Railroad; (14) Cathedral; (15) Cedar Creek; (16) Chief Logan; (17) Droop Mountain Battlefield; (18) Fairfax Stone Historical Monument; (19) Hawks Nest; (20) Holly River; (21) Little Beaver; (22) Lost River; (23) Moncove Lake; (24) North Bend; (25) Pinnacle Rock; (26) Pipestem Resort; (27) Prickett's Fort; (28) Stonewall Resort; (29) Tomlinson Run; (30) Tu-Endie-Wei (Point Pleasant Battle Monument); (31) Twin Falls Resort; (32) Tygart Lake; (33) Valley Falls; (34) Watoga; and (35) Watters Smith Memorial.

(b) The state forests of West Virginia are:

(1) Cabwaylingo; (2) Calvin Price; (3) Camp Creek; (4) Coopers Rock; (5) Greenbrier; (6) Kanawha; (7) Kumbrabow; (8) Panther Forest/WMA, consisting of approximately twenty-six acres containing park facilities; and (9) Seneca.

(c) Neither the director nor any officer, employee or
agent of the Division of Natural Resources may close,
change the name or the designated use of a state park
or state forest without statutory authorization.

§20-1-20. Limitations on state parks and state forests; exceptions.

(a)(1) The Legislature finds that the acquisition of
land to construct new or expand existing state parks
and state forests is costly. After these areas are
constructed, they must be maintained and personnel
must be employed to operate the facilities. These costs
continue to increase and place a burden on state
revenues.

(2) The Legislature declares that there is an ultimate
limit to how many state parks and state forests, based
upon its size, population and financial resources, the
State of West Virginia can support. Further, the
Legislature hereby declares that it is within its
authority to establish, provide for and maintain limits
on state parks and state forests.

(b) Without written notice to the Joint Committee on
Government and Finance, neither the director nor an
officer, employee or agent of the Division of Natural
Resources may:

(1) Acquire, or authorize the acquisition of, land for
any new state park or state forest; or

(2) Construct, or authorize the construction of, any
new facility or building in any state park or state forest.

(c) Notice to the Joint Committee on Government and
Finance is not required for the following acquisitions and construction projects:

1. The director may authorize the construction of any new facility or building that is constructed with donated funds, materials and labor in an existing state park or state forest; and

2. The director may construct or authorize the construction of any new facility or building built by state employees when the total cost of materials does not exceed twenty-five thousand dollars.

(d) Nothing in this section shall prohibit the director from expending any appropriations that are designated to complete land acquisitions or the construction of facilities and buildings, including electric, water and sewage systems for state parks and state forests.

(e) The director shall require that any new building has a roof of sufficient slope in accordance with the current state building code.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]  
Chairman Senate Committee

[Signature]  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Signature]  
Clerk of the Senate

[Signature]  
Clerk of the House of Delegates

[Signature]  
President of the Senate

[Signature]  
Speaker House of Delegates

The within is approved this the 27th Day of _

[Signature]  
Governor