WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2011

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ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 3004

(By Delegates Morgan, Reynolds, Craig, Sobonya, C. Miller, Perdue and Stephens)

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Passed March 11, 2011

In Effect From Passage
AN ACT to repeal sections 2a, 11, 12 and 13 of chapter 26 of the Acts of the Legislature, regular session, 1925 (municipal charters), section 12 of which was amended by chapter 132, Acts of the Legislature, regular session, 1972; to repeal section 6a of chapter 194, Acts of the Legislature, regular session, 1983, as amended by chapter 110 of the Acts of the Legislature, regular session, 2003; and to amend and reenact sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 of chapter 26 of the Acts of the Legislature, regular session, 1925 (municipal charters), section 10 of which was amended by chapter 122 of the Acts of the Legislature, regular session, 1933, sections 1, 5, 6 and 9 of which were amended by chapter 194, Acts of the Legislature, regular session, 1983, section 8 of which was amended by
chapter 175, Acts of the Legislature, regular session, 1991, sections 2, 3, and 4 of which were amended by chapter 110, Acts of the Legislature, regular session, 2003, and section 7 of which was amended by chapter 131, Acts of the Legislature, regular session, 2005, all relating to the Greater Huntington Park and Recreation District; requiring a public hearing when the comprehensive plan is updated; requiring that persons employed as park rangers meet certain law-enforcement qualifications; and making technical corrections.

Be it enacted by the Legislature of West Virginia:

That sections 2a, 11, 12 and 13 of chapter 26 of the Acts of the Legislature, regular session, 1925 (municipal charters), section 12 of which was amended by chapter 132, Acts of the Legislature, regular session, 1972, be repealed; that section 6a of chapter 194, Acts of the Legislature, regular session, 1983, as amended by chapter 110 of the Acts of the Legislature, regular session, 2003, be repealed; that sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of chapter 26 of the Acts of the Legislature, regular session, 1925 (municipal charters), section 10 of which was amended by chapter 122 of the Acts of the Legislature, regular session, 1933, sections 1, 5, 6 and 9 of which were amended by chapter 194, Acts of the Legislature, regular session, 1983, section 8 of which was amended by chapter 175, Acts of the Legislature, regular session, 1991, sections 2, 3, and 4 of which were amended by chapter 110, Acts of the Legislature, regular session, 2003, and section 7 of which was amended by chapter 131, Acts of the Legislature, regular session, 2005, be amended and reenacted, all to read as follows:

GREATER HUNTINGTON PARK AND RECREATION DISTRICT

§1. Definitions.

The following terms have the following meanings:
(a) "Commissioners" or "Park Board" means the members of the Greater Huntington Park and Recreation District Board as set forth in section two of this act.

(b) "Control" means the right and authority to manage, direct, order and otherwise exercise dominion over.

(c) "Greater Huntington Park and Recreation District" or "Park District" means the geographical area within the boundaries of the county of Cabell and Westmoreland tax district in the county of Wayne established on the effective date of the initial enactment of this act.

(d) "Park system" means any and all indoor and outdoor park, recreation, and conservation areas and facilities which are or in the future may be owned, operated or leased in the Park District. The areas and facilities may include, by way of illustration and not as a limitation: Regional, community, and neighborhood parks and playgrounds; athletic facilities and play fields such as sports centers, stadiums, arenas, gymnasiums and physical fitness centers; aquatic facilities such as swimming pools, lakes, ponds, water parks, water amusements, beaches, waterfronts, boat docks, boat houses, and boat launching ramps, court areas for net games such as basketball, volleyball, badminton, tennis, handball, racquetball, squash and platform tennis; picnic facilities such as groves, shelters and lodges; golf courses, skating rinks; stables and riding paths; gardens, botanic gardens, arboretums, nature centers, zoos, aviaries and environmental interpretive centers; museums, historic landmarks and historic districts; snack bars, restaurants, lounges and gift shops, camps and overnight lodges; theaters; performing arts and crafts centers; recreation centers; mechanical and electronic games centers; dance halls, amusements; parkways and boulevards; and cemeteries, and other public parks and recreational areas and facilities.
(e) "Public office" means any elective office, whether federal, state or municipal, where the office holder is elected by the public at large and is obligated to perform duties as an office holder.

§2. Greater Huntington Park and Recreation District; composition; terms of office; political affiliation; compensation; expenses; prohibition against commissioners holding other elected offices or being personally interested in contracts or property controlled by board.

(a) The purpose of the Greater Huntington Park and Recreation District Board is to establish, own, develop and operate a park system for the benefit, health, safety, welfare, pleasure and relaxation of the inhabitants of the Greater Huntington Park and Recreation District.

(b) The Park Board shall consist of eleven commissioners, ten of whom shall be elected from Cabell County, but no more than two of whom shall be elected from any one magisterial district, and one of whom shall be elected from Westmoreland magisterial district in the county of Wayne. The commissioners shall be elected pursuant to subdivision (1) of this subsection.

(1) Commissioners of the Park District shall be nominated and elected in the general election for state officers on the first Tuesday after the first Monday in November and in the manner prescribed by law for the nomination and election of district officers, except as provided in this section.

(A) At the general election in the year 1984, there shall be elected six commissioners. One commissioner shall be elected from the Westmoreland Magisterial District in the
County of Wayne. Five commissioners shall be elected from the County of Cabell. In Westmoreland District of Wayne County, the person receiving the highest number of votes shall be elected for a term of six years. In Cabell County, the three persons receiving the highest number of votes shall be elected for a term of six years, the person receiving the next highest number of votes shall be elected for a term of four years, and the remaining elected commissioner shall be elected for a term of two years.

(B) Beginning at the general election in the year 1986 and every sixth year thereafter, there shall be elected three commissioners who shall be elected for a term of six years.

(C) Beginning at the general election in the year 1988 and every sixth year thereafter, there shall be elected three commissioners who shall be elected for a term of six years.

(D) Beginning at the general election in the year 1990 and every sixth year thereafter, there shall be elected four commissioners who shall be elected for a term of six years.

(E) Beginning at the general election in the year, 2004, and every sixth year thereafter, there shall be elected four commissioners from the county of Cabell who shall be elected for a term of six years.

(F) Beginning at the general election in the year, 2006, and every sixth year thereafter, there shall be elected three commissioners from the county of Cabell who shall be elected for a term of six years.

(G) Beginning at the general election in the year, 2008, and every sixth year thereafter, there shall be elected four commissioners who shall be elected for a term of six years. One commissioner shall be elected from the Westmoreland
magisterial district in the county of Wayne. Three commissioners shall be elected from the county of Cabell.

(2) The commissioners in office upon the effective date of this act under the authority of the acts hereby amended and reenacted, shall continue in office for the term for which they were elected.

(c) No elected commissioner shall hold any other elected or appointed public office.

(d) Commissioners shall receive no compensation for their services as commissioners, but they shall be entitled to reimbursement for all reasonable and necessary expenses actually incurred in the performance of their duties as commissioners.

(e) Commissioners may not have any personal financial interest, directly or indirectly, in any contract entered into by the Park District, or hold any remunerative position in connection with the establishment, construction, improvement, extension, development, maintenance or operation of any of the property under their control as commissioners.

§3. Vacancies in office of park commissioners.

Any vacancy which may occur in the office of an elected commissioner, by death, resignation, refusal to serve, or otherwise, shall be filled by the Park Board at its first regular meeting within sixty days after the vacancy, by appointment of a qualified person, and the person appointed shall hold office until the next election for commissioners, when a person shall be elected for the remainder of the unexpired term of commissioner.
§4. Oath of commissioners; election of officers; election of other officers; duties of officers; bond required of secretary and treasurer; secretary pro tempore.

(a) After appointment or election, and before entering upon his or her duties as commissioner, each new commissioner shall take the following oath as administered by the county clerk of Cabell or Wayne County as appropriate and convenient:

"I.......................... do solemnly swear that I will faithfully perform the duties as a member of the Greater Huntington Park and Recreation District Board during the term for which I was elected, to the best of my ability according to law."

(b) At the Park Board’s first meeting and every year thereafter, it shall elect one of its members as president, and another member as vice-president. The Park Board shall elect a secretary who need not be a member of the Park Board, as well as elect a member of the Park Board who shall serve as treasurer. The Park Board shall have the power to appoint from among its members such other officers as it considers necessary and to delegate duties and authority to the officers consistent with the purposes of this act. Any officer may be removed from office, upon adequate notice and hearing, although not relieved of his or her duties as a commissioner, by a vote of the majority of commissioners present and voting.

(c) The officers of the Park Board shall have the following specified duties and any duty which is reasonably inferred therefrom and which is consistent with carrying out the purposes of this act.

(1) The President shall perform the duties that ordinarily devolve upon the presiding officer of a deliberative body, and
shall have one vote upon each question, as every other commissioner, and shall:

(A) Act as chief administrative officer and legal representative of the Park Board;

(B) Represent and speak for the Park Board to other organizations and to the public;

(C) Appoint committees and delegate duties; and

(D) Sign letters or documents necessary to carry out the will of the Park Board.

(2) The Vice-President shall assume the duties of the President in case of the absence or incapacity of the President and shall become President on the death, resignation or permanent incapacity of the President as determined by the Park Board.

(3) The Secretary shall be the chief recording and corresponding officer and the custodian of the records of the Park Board, and shall:

(A) Take notes of the proceedings of the meetings;

(B) Prepare and certify the correctness of the minutes and enter them in the official minute book;

(C) Read or circulate the minutes to the commissioners for correction and approval;

(D) Enter any corrections approved by the commissioners in the minute book and initial them;
(E) Record and attest by his or her signature the approved minutes as the official minutes of the Park Board, with the date of approval;

(F) Provide the presiding officer of the assembly with the exact wording of a pending motion or of one previously acted on when directed by the presiding officer;

(G) Prepare a list of members and call the roll when directed by the presiding officer;

(H) Read all papers, documents or communications as directed by the presiding officer;

(I) Bring to each meeting the minute book or its electronic equivalent, a copy of ordinances, rules and policies, a list of the members, a list of standing and special committees, and a copy of the parliamentary authority adopted by the organization;

(J) Search the minutes for information requested by officers or members;

(K) Assist the presiding officer before each meeting in preparing a detailed agenda;

(L) Preserve all records, reports and official documents of the Park Board except those specifically assigned to the custody of others as well as preserve all papers containing evidence of title, contracts and obligations;

(M) Prepare and send required notices of meetings and proposals;

(N) Provide the chairman of each special committee with a list of his or her committee members, a copy of the motion
referring the subject to the committee, and instructions and
other documents that may be useful;

(O) Provide the chairman of each standing committee
with a copy of all proposals referred to it, instructions, or
material that may be useful;

(P) Authenticate official documents by his or her
signature;

(Q) Carry on the official correspondence of the Park
Board as directed, except correspondence assigned to other
officers;

(R) Make available the minute book or its electronic
equivalent for public inspection as a public record; and

(S) Codify and preserve all ordinances enacted by the
Park Board.

For this service the secretary, who is not a commissioner,
may receive such compensation as the Park Board may allow.
Before entering upon the duties of his or her office, the
secretary shall enter into a bond with one or more sureties
considered sufficient by the Park Board and approved by the
Park Board, conditioned upon the faithful performance of his
or her duties. The bond shall be payable to the Greater
Huntington Park and Recreation District Board in such sum
as the Park Board determines, and shall be filed with the Park
Board for safekeeping. In the secretary's absence, the Park
Board may appoint a secretary pro tempore.

(4) The treasurer shall be responsible for the collection,
safekeeping, investing and expenditure of all funds and assets
of the Park Board, and for keeping an accurate financial
record which shall be available for public inspection. Before
entering upon the duties of his or her office, the treasurer shall enter into a bond with one or more sureties considered sufficient by the Park Board, and approved by the Park Board, conditioned upon the faithful discharge of his or her duties and the accounting for and paying over, as may be required, all moneys which may come into his or her possession by virtue of his or her office. The bond shall be in such sum as the Park Board may require, payable to the Greater Huntington Park and Recreation District Board and filed with the Park Board for safekeeping.

§5. Meetings; quorum; parliamentary authority; office.

(a) The commissioners shall select a regular time and place for meetings of the Park Board which shall be open to the public. Minutes of commission meetings shall be open to the public upon request. Six members constitute a quorum to transact business. Additional or special meetings, also open to the public, may be called by the president, or at the request of four members, by the secretary. The concurrence of six members of the Park Board is required to decide all questions involving the expenditure of money.

(b) All meetings of the Park Board shall be conducted under the rules of parliamentary procedure as established by the Sturgis Standard Code of Parliamentary Procedure.

(c) The Park Board shall maintain an office in a location of its choosing which shall be open to the public during normal business hours.

§6. Park Board established as a public corporate body; perpetual existence; seal; powers.

(a) The Greater Huntington Park and Recreation Park District Board is a public corporate body, although not a

3 municipal corporation, and shall have perpetual existence and
4 a common seal.

5 (b) In addition to the powers set forth in section seven of
6 this act, the Park Board may:

7 (1) Appropriate and expend funds from the sources of
8 income derived from the enactment of this act for the
9 purposes of establishing, constructing, improving, extending,
10 developing, maintaining and operating, or any combination
11 of the foregoing, a public park system for the Park District:
12 Provided, That it may not expend funds on or appropriate
13 funds to external agencies, public or private, for any purpose
14 whatsoever: Provided, however, That in accordance with this
15 section, the Park Board may contract with other agencies for
16 direct services received or for joint endeavors in which the
17 Park Board is an active participant;

18 (2) Purchase, hold, own, sell, convey or lease or take
19 lease of real or personal property;

20 (3) Receive any gift, grant, donation, bequest, devise or
21 trust funds;

22 (4) Sue and be sued;

23 (5) Contract and be contracted with;

24 (6) Do any and all things and acts which may be
25 necessary, appropriate, convenient or incidental to carry out
26 and effectuate the purposes and provisions of this act;

27 (7) Retain complete and exclusive control and management
28 of all of the properties owned by the Park Board and dispose of
29 the same as in the Park Board’s opinion will best serve the
30 purposes of this act and the interests of the public;
(8) Acquire in the Park Board's name by purchase, lease, 
or by exercise of the power of eminent domain, or otherwise, 
such lands, structures or bodies of water, located anywhere 
within the Park District as the Park Board shall determine to 
be necessary, appropriate, convenient or incidental to the 
establishment, construction, improvement, extension, 
development, maintenance or operation of a park system;

(9) Establish, construct, improve, extend, develop, 
maintain and operate a park system;

(10) Employ persons as, in its opinion, may be necessary 
for the establishment, construction, improvement, extension, 
development, maintenance, operation or management of the 
property under its control, at wages, salaries or fees as it 
considers proper, and the Park Board shall have full control 
of all employees;

(11) Promulgate ordinances, rules and regulations 
necessary to maintain the property belonging to the Park 
Board as places of beauty, education and recreation or 
necessary to promote the health, property, lives, decency, 
morality and good order of the Park District, its inhabitants 
and members of the general public making use of property 
owned or controlled by the Park Board, or necessary to 
regulate the use of or driving upon the property owned or 
controlled by the Park Board;

(12) Abate, or cause to be abated, all nuisances affecting 
the Park Board's property or persons on the property;

(13) Regulate or prohibit the placing of signs, billboards, 
posters and advertisements upon the Park Board's property;

(14) Keep the Park Board's property in good order and 
free from obstruction for the use and benefit of the public;
(15) Construct, improve, maintain, repair, operate, curb or recurb, pave or repave, grade or regrade, surface or resurface roads, bridges, sewers, culverts, sidewalks, public ways, easements and other public works upon lands controlled or owned by the Park Board;

(16) Enter into contracts, agreements, leases and other legal obligations extending beyond a period of one fiscal year: Provided, That the contract, agreement, lease or other legal obligation does not require the expenditure of tax revenues;

(17) Enter into intergovernmental agreements as any municipal corporation would be entitled to enter into according to law and under conditions as are required by law of municipal corporations before they enter intergovernmental agreements: Provided, That every intergovernmental agreement shall, prior to and as a condition precedent to its becoming effective, be submitted to the Attorney General of the state of West Virginia who shall determine whether the agreement is in proper form and is compatible with the laws of this state;

(18) Provide by contract with the City of Huntington, Town of Milton, Village of Barboursville, and the counties of Cabell and Wayne for the joint construction of sewers and other public works upon property owned or controlled by the board, to be paid for by joint funds;

(19) Spend moneys of the Park Board to effectuate the purposes set forth in this act; and

(20) Prepare, update at least every five years, and make public a comprehensive plan as to the ongoing development of the Park District: Provided, That the Park Board shall conduct at least one public hearing in the Park District for the
purpose of obtaining citizen input prior to developing or updating the comprehensive plan.

§7. Charges, revenues, fees, levies, assessments and bonds for the support, maintenance and operation of parks.

(a) The Park Board may:

(1) Charge the public for services offered or goods sold by the Park Board, as follows:

(A) Charges for services may be in the form of, but not limited to, admission and entrance fees, exclusive use and rental fees, user fees, license and permit fees, equipment rental, program maintenance fees, instructor fees, special accommodation fees, amusement fees, restricted membership fees, and cemetery service fees;

(B) Charges for goods sold may be in the forms of, but not limited to, beverages and foods, novelties and gifts, clothing, athletic equipment and supplies, cemetery plots, crypts, monuments, memorials, markers, vaults and any other forms of merchandise sold in connection with the burial of the dead, and other items that may pertain to the operation and maintenance of the Park District.

(2) Impose upon the users of the park system reasonable service fees in addition to the service fees authorized by paragraph (A), subdivision (1) of this subsection. As used in this section, “users” means any persons to whom the park system is made available.

(A) The board of directors of the Park District may adopt one or more resolutions establishing the amount and manner of collection of the fees and providing for reasonable penalties for failure to pay service fees. No resolution
imposing a service fee is effective until it is ratified by a majority of the legal votes cast by the qualified voters of the district at a primary or general election.

(B) In addition to meeting the ballot and election requirements set forth in subdivision (3) of this subsection, the ballot question must set forth the service fee, the manner in which it will be imposed and the general use to which the proceeds of the service fee shall be put. From time to time, the board may submit additional resolutions imposing additional service fees to the district's electors for approval pursuant to this section.

(3) Issue revenue bonds or refunding revenue bonds for the district, in the manner prescribed by sections seven, ten, twelve and sixteen, article sixteen, chapter eight of this code. No revenue bonds, except for refunding revenue bonds, may be issued under this section until all questions connected with the bonds are first submitted to a vote of the qualified electors of the district for which the bonds are to be issued, and receive a majority of all the votes cast for and against the issuance. The ballot question must set forth:

(A) The necessity for issuing the bonds;

(B) Purpose or purposes for which the proceeds of bonds are to be expended;

(C) Total indebtedness, bonded or otherwise;

(D) Amount of the proposed bond issue;

(E) Maximum term of bonds and series;

(F) Maximum rate of interest;
(G) Date of election; and

(H) That the Park District is authorized to collect fees to provide funds for the payment of the interest upon the bonds and the principal at maturity, and the approximate amount of fees necessary for this purpose.

(4) Notice of any election shall be given by publication, within fourteen consecutive days next preceding the date of the election, of the resolution imposing the service fee as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code and the publication area for publication shall be the district. All of the provisions of the general election laws of this State concerning primary or general elections, when not in conflict with the provisions of this section, shall apply to elections hereunder, insofar as practicable.

(5) Annually levy on each $100 of the assessed valuation of the property taxable in the Park District, within the corporate boundaries of the City of Huntington according to the last assessment for state and county purposes, as follows:

(A) On Class I property, 1.5¢; on Class II property, 3¢; on Class IV property, 6¢. The Park Board may levy a lesser amount, in which case the above levies shall be reduced proportionately. The levies shall be made at the time and in the manner provided by article eight, chapter eleven of this code, except that the levies shall be included in the maximum rates for the City of Huntington as established by law.

(B) After the Park Board has made the levy, it shall certify to the Finance Director of the City of Huntington the amount of the levy, and the Finance Director shall extend the levy upon the tax tickets. All levies made by the Park Board shall be collected by the Finance Director who shall occupy
a fiduciary relationship with the Park Board. Levy funds shall be paid to the Park Board upon written order of the Park Board, signed by the President of the Park Board and countersigned by the Secretary of the Park Board.

(6) Assess the cost of improvements to or construction of streets, sidewalks, sewers, curbs, alleys, public ways or easements, or portions thereof, upon the abutting property owners whose property lies within the Park District. The assessments require approval of a majority of the commissioners present and voting, and shall be commenced and conducted in the manner prescribed by article eighteen, chapter eight of this code.

(7) Sue and be sued; make contracts and guarantees; incur liabilities; borrow or lend money for any time period considered advisable by the commission; sell, mortgage, lease, exchange, transfer or otherwise dispose of its property; or pledge its property as collateral or security for any time period considered advisable by the commission.

(8) Create trusts as will expedite the efficient management of the property and other assets owned or controlled by the Park Board. The trustee, whether individual or corporate, has a fiduciary relationship with the Park Board and may be removed by the Park Board for good cause shown or for a breach of the fiduciary relationship with the Park Board.

(b) In order to ensure adequate support for the maintenance and operation of the Park District, the following governing authorities shall, upon written request by the Park Board, levy annually as follows within the respective taxing districts of the governing authorities, on each $100 of assessed valuation of the property taxable in the area served by it according to the last assessment for state and county
purposes, amounts not exceeding the following amounts for fiscal year beginning July 1, 1983:

(1) The county commission of Cabell County, for the first year of the act and annually thereafter: Class I, 0.433¢; Class II, 0.866¢; Class III and Class IV, 1.73¢.

(2) The county commission of Wayne County, for the first year of the act and annually thereafter; Class I, 0.0066¢; Class II, 0.0132¢; Class III and Class IV, 0.0266¢.

(3) The board of education of the county of Cabell shall provide funds available to the board through special and excess levies for the first year of the act and annually thereafter: Class I, 0.433¢; Class II, 0.866¢; Class III and Class IV, 1.73¢.

(4) The city of Huntington, for the first year of the act and annually thereafter: Class I, 1.3¢; Class II, 2.6 cents; Class III and Class IV, 5.2¢.

(5) The town of Milton, for the first year of the act and annually thereafter: Class I, 1.3¢; Class II, 2.6¢; Class III and Class IV, 5.2¢.

(c) In addition to the amounts set forth in subsection (b) of this section, which, upon written request by the board, the governing authorities shall levy, each governing authority may support the Park District with any other general or special revenues or excess levies.

(1) All income realized by the operation of the Park Board from any sources other than the levies shall be used by the board of directors for support of the Park District.
(2) All money collected or appropriated by the foregoing governing authorities for Park District purposes shall be deposited in a special account of the Park Board and shall be disbursed by that board for the purpose of operating Park Board.

(d) The municipalities of Huntington and Milton and the counties of Cabell and Wayne may issue, in the manner prescribed by law, revenue bonds or general obligation bonds, for the purpose of raising funds to establish, construct, improve, extend, develop, maintain or operate, a system of public parks and recreational facilities for the city or counties, or to refund any bonds of the city or counties, the proceeds of which were expended in the establishing, constructing, improving, extending, developing, maintaining or operating of any part of all of the public park and recreation system.

(1) Any bonds issued pursuant to this subsection shall contain in the title or subtitle the words "public park and recreation bonds," in order to identify the same, and shall be of the form, denomination and maturity and shall bear the rate of interest as fixed by ordinance of the governing body of the city or counties.

(2) The governing body may provide for the issuance of bonds for other lawful purposes of the city or counties in the same ordinance in which provision shall be made for the issuance of bonds under the provisions of this section.

(3) The Park Board shall pay all of the costs and expenses of any election which shall be held to authorize the issuance of public park and recreation bonds only.

(4) The costs and expenses of holding an election to authorize the issuance of public park and recreation bonds
and bonds for other city or county purposes shall be paid by the Park Board and the city or counties respectively, in the proportion that the public park and recreation bonds bear to the total amount of bonds authorized.

(5) The bonds issued pursuant to this subsection shall be delivered to the Park Board to be sold in the manner prescribed by law, and the proceeds shall be paid into the treasury of the Park Board, and shall be applied and utilized by the Park Board for the purposes prescribed by the ordinance authorizing the issuance of such bonds.

(6) In any ordinance for the issuance of bonds pursuant to this subsection, it shall be a sufficient statement of the purposes for creating the debt to specify that the same is for the purpose of establishing, constructing, improving, extending, developing, maintaining or operating, or any combination of the foregoing, a public park and recreation system for the city or counties, without specifying the particular establishment, construction, improvement, extension, development, maintenance or operation contemplated; but an ordinance for refunding bonds shall designate the issue and the number of bonds which it is proposed to refund.

§8. Law enforcement.

(a) The Park District may employ park rangers to make arrests for violations of ordinances promulgated by the Park District upon the property under the jurisdiction of the Park District: Provided, That any person so employed as a park ranger must be certified or certifiable as having met the minimum entry level law enforcement qualification and training program requirements pursuant to the provisions of article twenty-nine, chapter thirty of this code. Park rangers may not carry a gun without obtaining a license as required by law.
(b) Police officers employed by the city of Huntington, town of Milton, members of the West Virginia State Police and sheriff's deputies in Cabell and Wayne counties or other law-enforcement agency authorized by law may make arrests for violations of ordinances promulgated by the Park Board on property within the Park District which is under the jurisdiction of the Park Board. All of the foregoing officers of the law, except members of the Huntington police department, may make arrests for violations of ordinances promulgated by the Park Board on property under the jurisdiction of the Park District which is outside of the Park Board.

(c) For violations of Park District ordinances, jurisdiction of all warrants is granted to the courts which have criminal jurisdiction of misdemeanors committed on property which is owned or controlled by the Park Board.

§9. Title to property.

(a) The title of all parks, parkways, playgrounds, athletic fields, cemeteries, boulevards and other property, real, personal and mixed, vested in the board of park commissioners under the powers and authority of the acts hereby amended and reenacted shall be and remain vested in the Greater Huntington Park and Recreation District Board as herein defined.

(b) Notwithstanding any provisions of this act to the contrary, the Park Board may grant and convey to any municipality, town, village, county or to the State of West Virginia, all right, title, control and interest, jurisdiction and maintenance of any streets or boulevards owned by the Park Board, whenever the Park Board considers such action to be necessary or convenient and proper and in the best interests of the inhabitants of the Park District.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

To take effect from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

Acting President of the Senate

The within is approved this the 5th day of __________, 2011.

Governor
PRESENTED TO THE GOVERNOR

MAR 28 2011

Time__10:05AM__