

Senate Bill No. 202

(By Senators Williams, K. Facemyer, Fanning,
Helmick, Miller, Jenkins, Stollings and Wills)

[Introduced January 17, 2012; referred to
the Committee on Natural Resources.]

A BILL to amend and reenact §19-1A-4 of the Code of West Virginia, 1931, as amended, relating to permitting the Director of the Division of Forestry to enter into stewardship contracts with the United States Forest Service.

Be it enacted by the Legislature of West Virginia:

That §19-1A-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1A. DIVISION OF FORESTRY.

§19-1A-4. Additional duties of the Director of the Division of Forestry generally.

- 1 (a) The director shall:
- 2 (1) Develop, promote and advance the growth of the
- 3 forest products industries of this state;

4 (2) Cooperate with educational institutions, development
5 agencies and private and public organizations to promote the
6 expansion of the forest products industries of this state in
7 local and global markets;

8 (3) Conduct research on marketing and developing forest
9 products and forest products industries; conserving, manag-
10 ing and utilizing the state's forest land and its multiple uses;
11 and improving the forestry knowledge and practices of
12 private landowners; and

13 (4) Compile its findings and recommendations, and
14 disseminate the results of its research to the public, the
15 forest products industry, the Governor and the Legislature.

16 (b) The director has the power to carry out and effectuate
17 the purposes of this article, article one-b of this chapter and
18 article three of chapter twenty of this code, including the
19 power to:

20 (1) Accept and use gifts, donations or contributions from
21 individuals, organizations or corporations, and to acquire by
22 gift, lease or purchase real estate;

23 (2) Establish law-enforcement practices and procedures
24 to address the law-enforcement requirements of the division;

25 ~~and~~

26 (3) To promulgate rules and regulations, subject to the
27 provisions of chapter twenty-nine-a of this code; and
28 (4) Enter into stewardship end-result contract projects
29 with the United States Forest Service by written agreement
30 or contract.

(NOTE: The purpose of this bill is to permit the Division of Forestry to enter into stewardship contracts and agreements with the US Forest Service. Federal Law (Section 323 of P.L. 108-7) authorizes the US Forest Service to enter into stewardship end result contracting projects with other public or private entities to achieve land management goals for the national forests that also help meet local and rural community needs. Further, Section 323 of P.L. 108-7 permits the exchange of goods (i.e., forest projects) for services (i.e., on-the-ground conservation work).

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.

This bill is recommended for passage in the 2012 Regular Session by the Forest Management Review Commission.)