

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 708

FISCAL
NOTE

BY SENATORS MAYNARD, STOLLINGS, UNGER, AND

ROMANO

[Introduced March 22, 2021; referred
to the Committee on Government Organization; and
then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §20-19-1, §20-19-2, and §20-19-3, all relating to the County Cleanup
3 Committee; stating legislative findings; establishing the committee within the Division of
4 Natural Resources; and establishing the County Cleanup Committee Fund.

Be it enacted by the Legislature of West Virginia:

ARTICLE 19. COUNTY CLEAN UP ACT.

§20-19-1. Legislative findings.

1 This Legislature finds that counties throughout the State of West Virginia are suffering
2 from an increasing problem with litter and trash to the detriment of the natural resources and
3 natural beauty of the state. Therefore, the Legislature finds it necessary to establish and fund the
4 county clean up initiative to place trash receptacles throughout counties in the state to support
5 cleanup efforts.

§20-19-2. County Cleanup Committee established.

1 (a) The West Virginia Division of Natural Resources shall establish the "County Cleanup
2 Committee" consisting of members from the Division of Natural Resources, the Solid Waste
3 Authority, the West Virginia Department of Environmental Protection, the West Virginia
4 Conservation Agency, and other persons which the division finds pertinent and necessary
5 contributors, up to 10 members.

6 (b) The Clean Up Committee shall evaluate the needs of the West Virginia Counties based
7 upon their population and an evaluation of the trash and litter problem within the counties. The
8 commission shall then provide for the placement and maintenance of dumpsters and other large
9 trash receptacles within the counties based upon need. The committee may contract with a private
10 contractor or private contractors to perform necessary placement and trash collection of those
11 receptacles. The receptables shall be open for use by the public to encourage proper disposal of
12 discarded items. Signage shall be places around the receptable iterating its public use and
13 purpose.

14 (c) The committee shall meet quarterly unless a special meeting is called by its chairman.
15 During the first meeting of each fiscal year beginning in an odd-numbered year, or as soon as
16 feasible thereafter, the board shall elect a chairman, secretary, and treasurer from among its own
17 members to serve for two-year terms.

18 (d) The committee shall accept testimony of political subdivisions, including local
19 governments, county commissions, and municipalities, in evaluating county needs for
20 receptables.

21 (e) The administering agencies may provide staff and other resources as necessary to
22 address the technical assistance and administrative needs of the County Cleanup Committee.
23 This support may include the utilization of resources and formulation of policies to achieve the
24 purpose set forth in this article.

25 (f) The committee shall report annually to the Joint Committee on Government and
26 Finance by December 30th. The report shall include an evaluation of county cleanup efforts, a list
27 of receptables under the care of the committee, and an accounting of funds.

§20-19-3. Creation of County Cleanup Fund.

1 (a) The special fund designated the County Cleanup Fund, hereinafter referred to as “the
2 fund”, shall be established in the State Treasury.

3 (b) This fund shall consist of appropriations made by the Legislature, funds derived from
4 and any funds or other property donated to the fund. These funds shall be expended for receptacle
5 placement, maintenance, and collection. The special revenue revolving account shall be part of
6 the annual state budget.

NOTE: The purpose of this bill is to establish the County Cleanup Committee within the Division of Natural Resources.

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