WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

Senate Bill 481

BY SENATORS SMITH, PHILLIPS, CAPUTO, STOLLINGS,

LINDSAY, WOODRUM, AND JEFFRIES

[Introduced January 25, 2022; referred

to the Committee on Natural Resources]

1   A BILL to amend and reenact §22-15A-3a of the Code of West Virginia, 1931, as amended,

2   relating to the Adopt-A-Stream Program; requiring volunteers 17 years of age or younger

3   be accompanied by an adult; allowing department to approve or deny applications at its

4   discretion; lengthening period of adoptions from one to three years; and requiring one

5   cleanup of the river prior to road signs being erected.

Be it enacted by the Legislature of West Virginia:

ARTICLE 15A. THE A. JAMES MANCHIN REHABILITATION ENVIRONMENTAL ACTION PLAN.

§22-15A-3a. Creation of Adopt-A-Stream Program required.

1   (a) The Adopt-A-Highway Program was established in the late 1980s to improve the

2   quality of the state's environment by encouraging public involvement in the elimination of highway

3   litter. That program is cosponsored by the Division of Highways and the Department of

4   Environmental Protection, Rehabilitation Environmental Action Plan. Its objective is to save

5   taxpayer money by increasing public awareness and to serve as an educational tool by focusing

6   on the consequences of littering. The program offers volunteers the opportunity to take charge of

7   their own environment by making a positive effort to create a cleaner, more aesthetic place in

8   which to live.

9   In West Virginia there are currently 25,000 volunteers who regularly pick up litter on 4,000

10   miles of highway. They have been responsible for removing more than 40 million pounds of litter

11   since the program began.

12   (b) As with the Adopt-A-Highway Program, individuals, families, churches, businesses,

13   schools, civic organizations, government agencies, scouting groups, fraternities, and

14   communities may participate in an Adopt-A-Stream Program, which the department shall create

15   and implement. ~~Anyone who is at least 12 years old may participate~~ <u>Participants 17 years of age</u>

16   <u>or younger must be accompanied by an adult.</u> Any stream or river ~~that is a part of the West Virginia~~

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17 ~~Stream Partners Program~~ within the state of West Virginia is eligible for adoption, with the

18 exception of streams or rivers ~~considered~~ <u>determined to be</u> unsafe <u>by the department.</u> ~~Volunteers~~

19 ~~may select a stream or river to adopt and then have it approved by the department, or they may~~

20 ~~ask the department to suggest an adoptable stream or river~~ <u>Adopted streams</u> <u>or river sections</u>

21 must be at least one mile long. <u>Applications for adoptions will be reviewed and approved or denied</u>

22 <u>at the department's discretion.</u> The Litter Control Fund, <u>or other sources of funding deemed</u>

23 <u>appropriate by the secretary,</u> may be used to support the Adopt-A-Stream Program.

24   (c) Adoptions are for a period of ~~one year~~ <u>three years,</u> during which time <u>at least</u> one

25 cleanup is required per year. ~~As volunteers pick up litter, bags that have been filled are placed on~~

26 ~~stream sides~~ <u>Collected litter will be placed at designated locations approved by the department.</u>

27 <u>The department may coordinate with volunteers, local authorities, and state agencies</u> for removal

28 and disposal ~~by the program~~ <u>of collected litter.</u> Garbage bags, ~~safety vests,~~ safety training, ~~traffic~~

29 ~~warning signs,~~ and gloves are to be furnished by the program.

30   (d) Adopted streams <u>or rivers</u> may be identified by a sign at ~~each end of the~~ <u>a location</u>

31 <u>along the adopted</u> section bearing the Adopt-A-Stream logo and the name of the adopter <u>after</u>

32 <u>the first cleanup has been completed.</u> Volunteers who complete one required litter pickup within

33 the one-year contract period shall be awarded a certificate of accomplishment signed by the

34 secretary.

35   (e) The secretary may propose legislative rules pursuant to §29A-3-1 *et seq.* of this code.

NOTE: The purpose of this bill is to ensure that the Adopt-A-Stream program is able to function in compliance with the intent of this article.

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