

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

HOUSE BILL No. 304

(By Mr. Speaker, Mr. Amos)



PASSED March 3, 1947

In Effect from Passage



304

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(By MR. SPEAKER, MR. AMOS)

[Passed March 3, 1947; in effect from passage.]

AN ACT to amend and reenact section ten, article seven, and sections four and nine, article nine, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the disposition and expenditure of moneys appropriated for or collected by the conservation commission for the authorized purposes of the commission, including their expenditure for the prevention or suppression of forest fires.

Be it enacted by the Legislature of West Virginia:

That section ten, article seven, and sections four and nine, article nine, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Article 7. Hunting and Fishing Licenses.

Section 10. *Disposition of License Fees.*—All moneys

2 received by or paid to any officer or other person of this
3 State for licenses as aforesaid shall be paid to the com-
4 mission, in the manner and at the times as hereinafter
5 provided, and the commission shall, on receipt of the
6 same, forthwith pay over to the state treasurer such
7 money so received, accompanying it with a statement
8 showing in detail the sources of such money and the pur-
9 pose for which the same was originally paid, and the
10 same shall be credited forthwith to the game, fish and
11 forestry fund. Such officers and other persons so receiv-
12 ing such money shall, on the first day of each month, pay
13 over to the commission all moneys so paid to them during
14 the preceding month, and each officer and person shall
15 accompany such payment with a report showing, in the
16 case of license money, the name of the county, the class of
17 licenses sold, the name and addresses of the persons pay-
18 ing the same, and the date of the receipt thereof. All
19 such money so paid for licenses shall be credited to the
20 commission, as hereinbefore provided, and shall be fur-
21 ther credited to and kept in a separate fund designated
22 "License fund—game, fish and forestry," and shall be used

23 and paid out, upon the order of the commission, solely for
24 the conservation, protection, propagation and distribution
25 of the fish, frogs, wild game and wild birds and fowls in
26 this State, in the enforcement of the fish and game laws
27 of this State, for any of the purposes in this chapter pro-
28 vided; for the operation of the commission, and as pro-
29 vided for by section ten of article nine of this chapter.

30 All money so credited to and kept separately in "Li-
31 cense fund—game, fish and forestry," and applicable as
32 aforesaid, and also all other moneys to the credit of the
33 commission in the state treasury, whether derived from
34 the seventy-five thousand dollar annual appropriation
35 from the general revenue of the state or from financial
36 assistance received from the owners of forest land, or
37 from recoveries against persons giving origin to forest
38 fires, or from the federal government, by appropriation
39 under the Weeks and the Clarke-McNary laws or other-
40 wise, shall be withdrawn from the state treasury and ex-
41 pended at the sole discretion of the Commission in accor-
42 dance with the provisions hereof, only upon the written
43 requisition of the commission, duly authorized by it at a

44 meeting duly held, and signed by the chairman of such
45 commission, but the unused portion, if any, of said funds
46 or credits derived from said seventy-five thousand dollar
47 annual appropriation from the general revenues of the
48 State, remaining unexpended or undraw at the end of the
49 year for which made, shall be carried over as a balance
50 to the next year, and from year to year thereafter, and
51 the appropriation therefor shall not be deemed to have
52 expired at the end of the year.

Article 9. Forests.

Section 4. *Payment for Services Rendered at Forest*
2 *Fires.*—Compensation for all services rendered in con-
3 fining, extinguishing or suppressing forest fires, except
4 compensation for services rendered by the chief forester,
5 district foresters and forest protectors, shall be charged
6 against the State of West Virginia, and shall be paid out
7 of the sum of seventy-five thousand dollars annually
8 appropriated under the provisions of section nine, ar-
9 ticle nine, chapter twenty of the code of West Virginia,
10 one thousand nine hundred thirty-one, as amended by
11 chapter twenty-nine, acts of the Legislature, regular ses-

12 sion, one thousand nine hundred thirty-one. Each forest
13 protector shall render to the commission at Charleston,
14 within twenty days after the occurrence of a fire requir-
15 ing payment for services above mentioned out of said
16 fund, a sworn statement with the name or names of all
17 persons who were summoned and assisted in the confin-
18 ing, extinguishing or suppressing of any such forest fire,
19 the time spent by each, as well as the names of persons
20 who furnished subsistence or supplies, or transportation
21 therefor, and the amount of money due each for such
22 services, subsistence, supplies or transportation. Requi-
23 sitions shall be issued and payment of the sums due for the
24 sums due services above mentioned shall be made in the
25 same manner as is provided for the making of other ex-
26 penditures by the commission under section ten, article
27 seven, chapter twenty of the code of West Virginia, one
28 thousand nine hundred thirty-one.

Sec. 9. *Commission Authorized to Secure Federal Co-*
2 *operation; Annual Appropriation.*—The commission may
3 do all things required to meet the conditions and re-
4 quirements of the federal government in securing federal

5 cooperation under the provisions of the Weeks law and
6 the Clarke-McNary law, and any law amendatory thereof
7 or supplemental thereto, for the purpose of preventing
8 forest fires and the advancement of forestry practices.
9 The sum of seventy-five thousand dollars is hereby ap-
10 propriated annually and the Board of Public Works shall
11 include said sum of seventy-five thousand dollars for said
12 purpose in its biennial budget to the Legislature as pro-
13 vided in section fifty-one, article six of the constitution of
14 this state and/or in such other budgets as it may present
15 to the Legislature as may be necessary to provide the
16 said sum of seventy-five thousand dollars for the purposes
17 of this section, which sum of seventy-five thousand dol-
18 lars annually shall be paid into the state treasury to the
19 credit of game, fish and forestry commission and be ex-
20 pended and drawn upon by it for the aforesaid purposes,
21 in the manner herein elsewhere provided.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Forest L. McNeil
Chairman Senate Committee

R. F. Frazer
Chairman House Committee

Originated in the House of Delegates

Takes effect from _____ passage.

Howard Meyer
Clerk of the Senate

J. K. Huff
Clerk of the House of Delegates

Donald M. Dickers
President of the Senate

John E. Amos
Speaker House of Delegates

The within Approved this the 9th
day of March, 1947.

Clarence Medsker
Governor.



Filed in the Office of the Secretary of State
of West Virginia.....

MAR 8 1947
SECRETARY OF STATE