WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1947

ENROLLED

HOUSE BILL No. 304

(By Mr. Speaker, Mr. Amos)

PASSED March 3, 1947

In Effect from Passage
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[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:


Section 10. Disposition of License Fees.—All moneys
received by or paid to any officer or other person of this
State for licenses as aforesaid shall be paid to the com-
mission, in the manner and at the times as hereinafter
provided, and the commission shall, on receipt of the
same, forthwith pay over to the state treasurer such
money so received, accompanying it with a statement
showing in detail the sources of such money and the pur-
pose for which the same was originally paid, and the
same shall be credited forthwith to the game, fish and
forestry fund. Such officers and other persons so receiv-
ing such money shall, on the first day of each month, pay
over to the commission all moneys so paid to them during
the preceding month, and each officer and person shall
accompany such payment with a report showing, in the
case of license money, the name of the county, the class of
licenses sold, the name and addresses of the persons pay-
ing the same, and the date of the receipt thereof. All
such money so paid for licenses shall be credited to the
commission, as hereinbefore provided, and shall be fur-
ther credited to and kept in a separate fund designated
“License fund—game, fish and forestry,” and shall be used
and paid out, upon the order of the commission, solely for
the conservation, protection, propagation and distribution
of the fish, frogs, wild game and wild birds and fowls in
this State, in the enforcement of the fish and game laws
of this State, for any of the purposes in this chapter pro-
vided; for the operation of the commission, and as pro-
vided for by section ten of article nine of this chapter.

All money so credited to and kept separately in "Li-
cense fund—game, fish and forestry," and applicable as
aforesaid, and also all other moneys to the credit of the
commission in the state treasury, whether derived from
the seventy-five thousand dollar annual appropriation
from the general revenue of the state or from financial
assistance received from the owners of forest land, or
from recoveries against persons giving origin to forest
fires, or from the federal government, by appropriation
under the Weeks and the Clarke-McNary laws or other-
wise, shall be withdrawn from the state treasury and ex-
pended at the sole discretion of the Commission in acaccor-
dance with the provisions hereof, only upon the written
requisition of the commission, duly authorized by it at a
meeting duly held, and signed by the chairman of such commission, but the unused portion, if any, of said funds or credits derived from said seventy-five thousand dollar annual appropriation from the general revenues of the State, remaining unexpended or undraw at the end of the year for which made, shall be carried over as a balance to the next year, and from year to year thereafter, and the appropriation therefor shall not be deemed to have expired at the end of the year.

**Article 9. Forests.**

Section 4. *Payment for Services Rendered at Forest Fires.*—Compensation for all services rendered in confining, extinguishing or suppressing forest fires, except compensation for services rendered by the chief forester, district foresters and forest protectors, shall be charged against the State of West Virginia, and shall be paid out of the sum of seventy-five thousand dollars annually appropriated under the provisions of section nine, article nine, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter twenty-nine, acts of the Legislature, regular ses-
sion, one thousand nine hundred thirty-one. Each forest protector shall render to the commission at Charleston, within twenty days after the occurrence of a fire requiring payment for services above mentioned out of said fund, a sworn statement with the name or names of all persons who were summoned and assisted in the confining, extinguishing or suppressing of any such forest fire, the time spent by each, as well as the names of persons who furnished subsistence or supplies, or transportation therefor, and the amount of money due each for such services, subsistence, supplies or transportation. Requisitions shall be issued and payment of the sums due for the sums due services above mentioned shall be made in the same manner as is provided for the making of other expenditures by the commission under section ten, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one.

Sec. 9. Commission Authorized to Secure Federal Co-operation; Annual Appropriation.—The commission may do all things required to meet the conditions and requirements of the federal government in securing federal
cooperation under the provisions of the Weeks law and
the Clarke-McNary law, and any law amendatory thereof
or supplemental thereto, for the purpose of preventing
forest fires and the advancement of forestry practices.
The sum of seventy-five thousand dollars is hereby ap-
propriated annually and the Board of Public Works shall
include said sum of seventy-five thousand dollars for said
purpose in its biennial budget to the Legislature as pro-
vided in section fifty-one, article six of the constitution of
this state and/or in such other budgets as it may present
to the Legislature as may be necessary to provide the
said sum of seventy-five thousand dollars for the purposes
of this section, which sum of seventy-five thousand dol-
ars annually shall be paid into the state treasury to the
credit of game, fish and forestry commission and be ex-
pended and drawn upon by it for the aforesaid purposes,
in the manner herein elsewhere provided.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor.