WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

HOUSE BILL No. 291

(By Mr. Myler)

PASSED March 7, 1957

In Effect 20 days from Passage
AN ACT to amend and reenact section seven, article one-a, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the powers and duties of the director of conservation.

Be it enacted by the Legislature of West Virginia:

That section seven, article one-a, 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 7. Powers and Duties of the Director.—The director in addition to the other powers granted by this chapter, shall have the sole authority to:

1. Exercise general supervision of, and make rules and regulations for the government of his commission or department;
2. Sign and execute in the name of the state by “The
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8 Conservation Commission of West Virginia" any contract
9 or agreement with the federal government or its depart-
10 ments or agencies, subdivisions of the state, corporations,
11 associations, copartnerships or individuals;
12 (3) Supervise the fiscal affairs and responsibilities of
13 the department;
14 (4) Make a general conservation plan or program for
15 the state; conduct research in improved conservation
16 methods and disseminate information matters to the resi-
17 dents of the state;
18 (5) Organize his department to give adequate treat-
19 ment to the problems of fish and game, forestry, parks
20 and playgrounds, natural resources, education in prin-
21 ciples of conservation, and publicity;
22 (6) Set and alter the open seasons and bag limits as
23 provided in this chapter;
24 (7) Designate such localities as he shall determine to
25 be necessary and desirable for the perpetuation of any
26 species of fish and for the purpose of replenishing ad-
27 jacent fishing waters;
28 (8) Designate such localities as he shall determine to
be necessary and desirable for the perpetuation of any species of game bird or animal and for the purpose of replenishing adjacent hunting grounds;

(9) Enter private lands to make surveys or inspections for conservation purposes; and

(10) Acquire by purchase, condemnation, lease, or agreement or receive by gifts or devise, lands or waters suitable for the following purposes:

(a) For state forests for the purpose of growing timber, demonstrating forestry, furnishing or protecting watersheds or providing public recreation;

(b) For state parks for the purpose of preserving scenic or historical values or natural wonders, or providing public recreation;

(c) For public shooting, trapping or fishing grounds or waters for the purpose of providing areas in which any citizen may hunt, trap or fish;

(d) For fish hatcheries and game farms;

(e) For forest nurseries and experimental stations;

(f) To extend and consolidate lands or waters suitable
for the above purposes by exchange of other lands or
waters under his supervision;

(11) Capture, propagate, transport, sell or exchange
any species of game or fish needed for stocking any lands
or waters of this state;

(12) Exercise the powers granted by this chapter for
the protection of forests;

(13) Regulate fires and smoking in the woods or in
their proximity at such times and in such localities as is
necessary to reduce the danger of forest fires;

(14) Cooperate with the state road commission in the
beautification of state highways, and establishment and
maintenance of roadside parks and planning of roadside
slopes;

(15) Cooperate with other departments and agencies
of the state and federal government;

(16) Keep a complete and accurate record of all pro-
ceedings, record and file all bonds and contracts taken
or entered into, and assume responsibility for the custody
and preservation of all papers and documents pertaining
to his office. Rules and regulations shall be recorded in
a book especially kept for that purpose, and in his discretion may be published for general circulation. All other records and entries necessary to show the official conduct of the department shall be preserved and shall be public records and open for inspection during business hours;

(17) Purchase as provided by law all equipment necessary for the conduct of his department;

(18) Report to the governor each year all information relative to the operation and functions of his department. He shall make such other reports and recommendations as may be required by the governor.

(19) Exercise any other power that may be necessary or proper for the orderly conduct of his business and the effective discharge of his duties. Invoke any legal or equitable remedies, civil or criminal, for the enforcement of his orders or the provisions of this chapter;

(20) This section shall not be construed as authorizing the director to change any penalty for violating any game law or regulation, or change the amount of any license established by the Legislature, or to extend any open
season or bag limit on migratory birds prescribed by federal law or regulation.

(21) Establish a merit system of personnel management for any division in order to insure the impartial selection of competent and qualified personnel and to accord to the employees of the commission, except the director, rights of tenure and advancement so long as they discharge their duties in a satisfactory manner. Such a merit system shall be established for the game protectors and for those employed in the division of forestry. Instead of establishing its own merit system, however, the commission may avail itself of the services of the state merit system council and for this purpose may contribute its fair share of the expenses of such council.

(22) Regulate fires in the woods or in their proximity at such times and in such localities as is necessary to reduce the danger of forest fires.

(23) Plan and conduct a program or campaign of information, advertising and publicity, which may include newspaper, magazine, outdoor, radio and television advertising both within and without the state of West Vir-
ginia, and prepare the necessary forms and literature
therefor to advertise the scenic and historic attractions,
educational and agricultural facilities, natural resources,
advantages and attractions of the state of West Virginia
with reference to conservation, and to contract for space
or time in said advertising mediums, for the printing of
such literature and for space or land at various exposi-
tions and festivals or other celebrations within and without
the state, including suitable booths, exhibits and build-
ings, for appropriate display of West Virginia's said re-
sources, attractions and facilities. To expedite and facili-
tate such work the director may appoint an assistant in
charge of advertising and publicity, and such additional
help as may be necessary and shall fix the compensation
and actual expenses of such assistant director and addi-
tional help, which compensation and expenses shall be
paid from the amount appropriated in the budget for the
conservation commission. Said assistant director shall
coordinate and cooperate with public and private institu-
tions, departments, officials, organizations, societies and
other groups and individuals engaged in publicizing the
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133 scenic and historic attractions and natural resources and
134 advantages relating to conservation in the state of West
135 Virginia.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. H. McCourt
Chairman Senate Committee

W. E. Keyser
Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage.

J. Schoenely
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Ralph J. Bever
President of the Senate

W. C. Rees
Speaker, House of Delegates

The within vetoed this the 15th day of March, 1957.

Governor

Filed in the Office of the Secretary of State of West Virginia.
MAR 15, 1957
D. PITT O'BRIEN
SECRETARY OF STATE