

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 1004

(By Mr. GOODWIN AND
MR. WHITE OF BOONE)



PASSED MARCH 11, 1971

In Effect NINETY DAYS FROM Passage



1004

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House Bill No. 1004
(By MR. GOODWIN and MR. WHITE, of Boone)

[Passed March 11, 1971; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to chief conservation officer; conservation officers; special and emergency conservation officers.

Be it enacted by the Legislature of West Virginia:

That section one, article seven, 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. LAW ENFORCEMENT, PROCEDURES AND PENALTIES; MOTORBOATING.

PART I. LAW ENFORCEMENT, PROCEDURES AND PENALTIES.

§20-7-1. Chief conservation officer; conservation officers; special and emergency conservation officers.

- 1 The department's law-enforcement policies, practices
- 2 and program shall be under the immediate supervision

3 and direction of the department law-enforcement officer
4 selected by the director and designated as chief conserva-
5 tion officer as provided in article one hereof.

6 Under the supervision of the director, the chief con-
7 servation officer shall organize, develop and maintain
8 law-enforcement practices, means and methods geared,
9 timed and adjustable to seasonal, emergency and other
10 needs and requirements of the department's compre-
11 hensive natural resources program. All department per-
12 sonnel detailed and assigned to law-enforcement duties
13 and services hereunder shall be known and designated
14 as conservation officers and shall be under the imme-
15 diate supervision and direction of the chief conservation
16 officer. All such conservation officers shall be trained,
17 equipped and conditioned for duty and services wherever
18 and whenever required by department law-enforcement
19 needs.

20 The chief conservation officer, acting under super-
21 vision of the director, is authorized to select and appoint
22 emergency conservation officers for a limited period of
23 time for effective enforcement of the provisions of this

24 chapter when considered necessary because of emer-
25 gency or other unusual circumstances. The emergency
26 conservation officers shall be selected from qualified civil
27 service personnel of the department, except in emer-
28 gency situations and circumstances when the director
29 may designate such officers, without regard to such re-
30 quirements and qualifications, to meet law-enforcement
31 needs. Emergency conservation officers shall exercise
32 all powers and duties prescribed in section four of this
33 article for full-time salaried conservation officers except
34 the provisions of subdivision (8).

35 The chief conservation officer, acting under supervi-
36 sion of the director, is also authorized to select and ap-
37 point as special conservation officers any full-time civil
38 service employee of the department who is assigned to,
39 and has direct responsibility for management of an area
40 owned, leased or under the control of the department
41 and who has satisfactorily completed a course of train-
42 ing established and administered by the chief conser-
43 vation officer, when such action is deemed necessary be-
44 cause of law-enforcement needs. The powers and duties

45 of a special conservation officer, appointed under this
46 provision, shall be the same within his assigned area as
47 prescribed for full-time salaried conservation officers.
48 The jurisdiction of such persons appointed as a special
49 conservation officer, under this provision, shall be limited
50 to the department area or areas to which he is assigned,
51 resides on and directly manages.

52 The chief conservation officer, acting under supervi-
53 sion of the director, is also authorized to appoint as
54 special conservation officers any full-time civil service
55 forest fire control personnel who have satisfactorily com-
56 pleted a course of training established and administered
57 by the chief conservation officer. The jurisdiction of
58 forest fire control personnel appointed as special con-
59 servation officers shall be limited to the enforcement of
60 the provisions of article three of this chapter.

61 The chief conservation officer, with the approval of
62 the director, shall have the power and authority to re-
63 voke any such appointment of an emergency conserva-
64 tion officer or of a special conservation officer at any time.

65 Conservation officers shall be subject to seasonal or

66 other assignment and detail to duty whenever and
67 wherever required by the functions, services and needs
68 of the department.

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

Russell G. Beall
Chairman Senate Committee

Phyllis J. Rutledge
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Meyers
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

G. Proffert
President of the Senate

Lewis H. McManus
Speaker House of Delegates

The within approved this the 31st
day of March, 1971.

Archie Shaw Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/16/71

Time 1:25 p.m.