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
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
and direction of the department law-enforcement officer selected by the director and designated as chief conservation officer as provided in article one hereof.

Under the supervision of the director, the chief conservation officer shall organize, develop and maintain law-enforcement practices, means and methods geared, timed and adjustable to seasonal, emergency and other needs and requirements of the department's comprehensive natural resources program. All department personnel detailed and assigned to law-enforcement duties and services hereunder shall be known and designated as conservation officers and shall be under the immediate supervision and direction of the chief conservation officer. All such conservation officers shall be trained, equipped and conditioned for duty and services wherever and whenever required by department law-enforcement needs.

The chief conservation officer, acting under supervision of the director, is authorized to select and appoint emergency conservation officers for a limited period of time for effective enforcement of the provisions of this
chapter when considered necessary because of emergency or other unusual circumstances. The emergency conservation officers shall be selected from qualified civil service personnel of the department, except in emergency situations and circumstances when the director may designate such officers, without regard to such requirements and qualifications, to meet law-enforcement needs. Emergency conservation officers shall exercise all powers and duties prescribed in section four of this article for full-time salaried conservation officers except the provisions of subdivision (8).

The chief conservation officer, acting under supervision of the director, is also authorized to select and appoint as special conservation officers any full-time civil service employee of the department who is assigned to, and has direct responsibility for management of an area owned, leased or under the control of the department and who has satisfactorily completed a course of training established and administered by the chief conservation officer, when such action is deemed necessary because of law-enforcement needs. The powers and duties
of a special conservation officer, appointed under this
provision, shall be the same within his assigned area as
prescribed for full-time salaried conservation officers.
The jurisdiction of such persons appointed as a special
conservation officer, under this provision, shall be limited
to the department area or areas to which he is assigned,
resides on and directly manages.
The chief conservation officer, acting under supervi-
sion of the director, is also authorized to appoint as
special conservation officers any full-time civil service
forest fire control personnel who have satisfactorily com-
pleted a course of training established and administered
by the chief conservation officer. The jurisdiction of
forest fire control personnel appointed as special con-
servation officers shall be limited to the enforcement of
the provisions of article three of this chapter.
The chief conservation officer, with the approval of
the director, shall have the power and authority to re-
voke any such appointment of an emergency conserva-
tion officer or of a special conservation officer at any time.
Conservation officers shall be subject to seasonal or
other assignment and detail to duty whenever and wherever required by the functions, services and needs of the department.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Russell E. Beall
Chairman Senate Committee

Lykes J. Reulage
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Herman Neuner
Clerk of the Senate

W. A. Blankenship
Clerk of the House of Delegates

Christian
President of the Senate

Lewis H. McManus
Speaker House of Delegates

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

Aubrey Kerr
Governor
PRESENTED TO THE GOVERNOR

Date 3/16/71

Time 1:25 p.m.