

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975



ENROLLED

HOUSE BILL No. 602

(By Mr. Ballou.....)



PASSED February 10,..... 1975 ¹⁹⁷⁵ FEB 14 PM 1 19

In Effect ninety days from..... Passage



FILED

FILED IN THE OFFICE
EDGAR P. HEISHELL III
SECRETARY OF STATE
THIS DATE 2/14/75

602

ENROLLED

H. B. 602

(By MR. BALLOUZ)

[Passed February 10, 1975; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article three, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to acquisition of areas and lands for forest culture, state forests, wildlife refuges, public hunting and fishing areas and other similar areas and lands by the director of the department of natural resources, with the approval of the governor, and removing the prohibition that the director cannot acquire such areas and lands which cost more than twenty-five dollars per acre without the governor's approval.

Be it enacted by the Legislature of West Virginia:

That section two, article three, 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 3. FORESTS AND WILDLIFE AREAS.

§20-3-2. Acquisition of suitable lands by director; maintenance thereof as state forests or wildlife areas; relinquishment of construction and maintenance of roads to the commissioner of highways.

- 1 The director may with the consent of the governor purchase,
- 2 in the name of the state, out of funds set aside for the purpose,
- 3 or out of any unused funds in his hands, lands suitable for

4 forest culture, state forests or wildlife refuges, public hunting
5 areas, public fishing areas, public hunting and fishing areas,
6 public access sites and other lands for the purposes set forth
7 in this article. Such funds may also be used for the construc-
8 tion of dams for fish refuges on lands so acquired. Purchase
9 may be made on terms requiring not less than one third of the
10 purchase price to be paid at the time of the conveyance with
11 the residue to be paid in not less than one or two years after
12 date. The director may also receive the gift, in the name of the
13 state, of such lands by deed or bequest. In all cases of transfer
14 to the state, the fee simple title shall pass to the state, except
15 minerals and mining rights to remove such minerals may be
16 excepted or reserved.

17 The director shall protect, preserve and maintain lands so
18 acquired as forest culture areas, state forests, wildlife areas,
19 public hunting areas, public fishing areas, public hunting and
20 fishing areas, public access sites and other such lands for the
21 propagation and distribution of forest trees and for the pro-
22 tection, management, propagation and distribution of the fish,
23 wild animals and birds thereon. He may prescribe and enforce
24 rules and regulations consistent with the laws of the state to
25 carry out that objective. The director may prescribe and
26 enforce rules prohibiting all hunting and fishing, pursuing,
27 catching, trapping, capturing and killing of fish, wild animals
28 and birds upon such areas and lands for such length of time
29 as he may deem proper.

30 The director may provide special regulations and open sea-
31 sons for the taking of any wild birds, wild animals or fish upon
32 such areas and lands in the manner provided in this chapter.

33 Except for the authority and responsibility to do the neces-
34 sary cutting and planting of vegetation along road rights-
35 of-way in state parks, state forests and public hunting and
36 fishing areas, the director of the department of natural re-
37 sources shall, upon the effective date of this section, relinquish
38 to the commissioner of highways his authority over publicly
39 owned roads in state parks, state forests and public hunting
40 and fishing areas, and shall thereafter neither construct, re-
41 construct nor maintain any road or vehicular bridge for public
42 usage in such areas except as is specifically authorized by this

43 chapter. This relinquishment shall not be construed to alter the
44 responsibilities assigned to the director of the department of
45 natural resources in section eleven, article four, chapter twenty
46 of the code of West Virginia.

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

James L. Davis
Chairman Senate Committee

Lawrence C. Crutcher
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. J. Seelons
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

W. T. Bratherton Jr.
President of the Senate

Lewis T. McManus
Speaker House of Delegates

The within approved this the 14th
day of February, 1975.

Aruba Thayer
Governor

PRESENTED TO THE
GOVERNOR

Date 2/12/75

Time 2:05 p.m.