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OFFICE OF THE GOVERNOR

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984



ENROLLED

SENATE BILL NO. 188

(By Mr. Williams)



PASSED March 10, 1984

In Effect ninety days from Passage



ENROLLED
Senate Bill No. 188

(BY MR. WILLIAMS)

[Passed March 10, 1984; in effect ninety days from passage.]

AN ACT to amend article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section one-b, relating to the certification and appointment of federal law-enforcement officers as special conservation officers; powers and duties of special conservation officers; written agreement between the director of the department of natural resources and a federal agency regarding the appointment of federal employees as special conservation officers; terms, conditions and limitations of the exercise of powers and duties by special conservation officers; qualifications for certification and appointment; and compensation of special conservation officers by the state or its political subdivisions not permitted.

Be it enacted by the Legislature of West Virginia:

That article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section one-b, to read as follows:

**ARTICLE 7. LAW ENFORCEMENT, PROCEDURES AND PENALTIES;
MOTORBOATING.**

§20-7-1b. Designation of certain federal law-enforcement officers as special conservation officers.

1 The Legislature finds that it is in the mutual interest of

2 the department and certain land management agencies of
3 the United States to cooperate in the enforcement of state
4 statutes and regulations within and adjacent to units of the
5 National Park System, National Forests, and U. S. Army
6 Corps of Engineers' projects located within the state of
7 West Virginia.

8 Accordingly, the director of the department of natural
9 resources may enter into a written agreement with a federal
10 agency providing for the appointment of employees of the
11 federal agency as special conservation officers and setting
12 forth the terms and conditions within which such federal
13 employees may exercise the powers and duties of special
14 conservation officers. The terms and conditions in the
15 agreement shall grant a special conservation officer
16 appointed pursuant to the agreement the same powers and
17 duties as prescribed for a full-time salaried conservation
18 officer of the department, but shall limit a special
19 conservation officer in the exercise of his or her powers and
20 duties to areas within the boundaries of the federal units to
21 which such officer is assigned in his or her federal
22 employment and to situations outside the boundaries of
23 such federal units where such exercise is for the mutual aid
24 of conservation officers as set forth in the agreement.

25 Any federal employee whose duties involve the
26 enforcement of the criminal laws of the United States and
27 who possesses a valid law-enforcement certification issued
28 by a federal land management agency which certifies the
29 meeting of requirements at least equivalent to the law-
30 enforcement officer training requirements promulgated
31 pursuant to article twenty-nine, chapter thirty of this code,
32 may be certified under the provisions of said article twenty-
33 nine and appointed as a special conservation officer under
34 the provisions of this section. Any special conservation
35 officer so appointed may not receive compensation or
36 benefits from the state or any political subdivisions thereof
37 for the performance of his or her duties as a special
38 conservation officer.

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

Harold E. Ables
.....
Chairman Senate Committee

Donald Anello
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Todd C. Willis
.....
Clerk of the Senate

Donald L. Hogg
.....
Clerk of the House of Delegates

Walter P. McLean
.....
President of the Senate

Walter H. Lee, Jr.
.....
Speaker House of Delegates

The within *is approved* this the *30*
day of *March* 1984.

John R. Ryan
.....
Governor

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SECY. OF STATE