WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2006

ENROLLED
COMMITTEE SUBSTITUTE
FOR
House Bill No. 3119

(By Mr. Speaker, Mr. Kiss, and Delegates Varner, Williams, Crosier, Kominar, Stemple, Beane, Perry, H. White, Michael and Campbell)

Passed March 11, 2006
In Effect Ninety Days from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 3119

(By Mr. Speaker, Mr. Kiss, and Delegates Varner, Williams, Crosier, Kominar, Stemple, Beane, Perry, H. White, Michael and Campbell)

[Passed March 11, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §20-1-10 of the Code of West Virginia, 1931, as amended, relating to wildlife management areas; revising areas subject to property management requirements; altering reporting requirements; establishing requirements of land use for recreational hunting and shooting; preserving net habitat for hunting and shooting; and establishing reporting requirements for the division of natural resources.

Be it enacted by the Legislature of West Virginia:

That §20-1-10 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1. ORGANIZATION AND ADMINISTRATION.
Enr. Com. Sub. for H. B. 3119] 2

§20-1-10. Property management.

(a) The division shall maintain at all times an accurate record of all of its lands, interests in lands, buildings, structures, equipment and other tangible properties and assets. The record shall reflect the location, utility, condition and estimated value of all such properties and assets. The division shall provide for the maintenance, preservation and custody of all such properties and assets, and when any item or items thereof become obsolete or are no longer needed, the division shall report thereon to the Public Lands Corporation for disposition thereof.

(b) The Director shall select and designate a competent and qualified person as division property officer, who shall be responsible for the division’s records relating to its properties and assets and for the maintenance, preservation, custody and disposition of all such properties and assets as herein provided.

(c) Subject to valid existing rights, division owned wildlife management area lands shall be open to access and use for recreational hunting and shooting except as limited by the division for reasons of public safety, fish and wildlife management or homeland security or as otherwise limited by law.

(d) The division shall exercise its authority consistent with subsection (c) to support, promote and enhance recreational hunting and shooting opportunities, to the extent authorized by statute. The division shall give preference to hunting and shooting over other uses of division owned wildlife management area lands.

(e) Division land management decisions and actions may not result in a net loss of habitat land acreage available for hunting and shooting opportunities on division owned wildlife management area lands that exists on the effective date of this section.
(f) On or before the first day of December, the division shall submit an annual report to the Governor and to the Joint Committee on Government and Finance, including the following:

(1) The acreage administered by the division that has been closed during the previous year to recreational hunting and the reasons for the closures; and'

(2) The acreage administered by the division that, in order to comply with the provisions of subsection (e) was opened to recreational hunting to compensate for that acreage.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 30th
day of March 2006.

Governor