

SB 501

FILED

2008 MAR 20 AM 11:19

WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2008

COMMITTEE SUBSTITUTE

FOR

ENROLLED

Senate Bill No. 501

(SENATORS FANNING, KESSLER, FOSTER, BAILEY,
WELLS AND MCKENZIE, *original sponsors*)

[Passed March 6, 2008; in effect ninety days from passage.]

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OF DEW. STATE
SECRETARY OF STATE

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[Passed March 6, 2008; in effect ninety days from passage.]

AN ACT to amend and reenact §20-13-3, §20-13-4, §20-13-5 and §20-13-6 of the Code of West Virginia, 1931, as amended, all relating to the Stream Partners Program; and eliminating provisions relating to the Stream Partners Program Fund.

Be it enacted by the Legislature of West Virginia:

That §20-13-3, §20-13-4, §20-13-5 and §20-13-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 13. WEST VIRGINIA STREAM PARTNERS PROGRAM.

§20-13-3. West Virginia Stream Partners Program created; executive committee identified; program coordination.

1 Subject to annual appropriation of the Legislature,
2 the program shall be jointly administered by the
3 Division of Natural Resources, the Department of
4 Environmental Protection, the Division of Forestry and
5 the West Virginia State Soil Conservation Agency. The
6 director, secretary or commissioner of each of these
7 administering agencies, or his or her designee,
8 collectively constitute an executive committee to
9 oversee the program. The Governor shall designate a
10 member of the executive committee to serve as chair.
11 The committee may designate a staff member from the
12 existing staff of one of the administering agencies to
13 coordinate the program on behalf of the executive
14 committee.

§20-13-4. Stream Partners Program.

1 The West Virginia Stream Partners Program shall
2 provide grants to groups comprised of representatives
3 located in the immediate area of the stream or streams
4 being addressed that are dedicated to achieving the
5 purpose stated in section two of this article. The grants
6 shall be awarded by consensus of the executive
7 committee in accordance with legislative rules
8 promulgated by the Department of Environmental
9 Protection pursuant to article three, chapter twenty-

10 nine-a of this code. Each grant shall be matched by the
11 group of representatives with cash or in-kind services
12 in, at least, an amount equal to twenty percent of the
13 grant: *Provided*, That no grant shall exceed the amount
14 of five thousand dollars.

§20-13-5. Grant qualifications.

1 In order to qualify for grants from the West Virginia
2 Stream Partners Program, a group of representatives
3 located in the immediate area of a stream or streams
4 which qualify under section two of this article shall
5 apply to the executive committee in accordance with
6 the following requirements and in accordance with any
7 other provision of this article or any applicable rule.
8 The application shall:

9 (a) Identify the stream or streams to be restored,
10 protected, utilized or enhanced;

11 (b) Identify the representatives of groups applying for
12 funds and the financially responsible entity to receive
13 funds, all from the geographic area immediately
14 surrounding the stream or streams. These identified
15 individuals shall represent the general public, industry,
16 environmental groups, sportsmen, forestry, agriculture,
17 local government, tourism, recreation and affected
18 landowners, all located in the geographic area
19 immediately surrounding the stream or streams;

20 (c) Demonstrate an ability to achieve, within the
21 grant, year a specific improvement project that
22 enhances the identified stream or streams; and

23 (d) Evidence a commitment to educate the citizens in

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24 the area of the identified stream or streams about the
25 benefits of restoring, protecting and enhancing the
26 stream or streams in a responsible manner.

§20-13-6. Administering agency support.

1 The administering agencies may provide staff and
2 other resources as necessary to address the technical
3 assistance and administrative needs of the West
4 Virginia Stream Partners Program . This support may
5 include the utilization of resources and formulation of
6 policies to achieve the purpose set forth in section two
7 of this article.

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

Chandy White
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Parrell E. White
.....
Clerk of the Senate

Gregg M. Smith
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this
the *20th* Day of *March*, 2008.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 14 2008

Time 11:25 Am