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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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.

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


The West Virginia Stream Partners Program shall provide grants to groups comprised of representatives located in the immediate area of the stream or streams being addressed that are dedicated to achieving the purpose stated in section two of this article. The grants shall be awarded by consensus of the executive committee in accordance with legislative rules promulgated by the Department of Environmental Protection pursuant to article three, chapter twenty-
nine-a of this code. Each grant shall be matched by the
group of representatives with cash or in-kind services
in, at least, an amount equal to twenty percent of the
grant: Provided, That no grant shall exceed the amount
of five thousand dollars.

§20-13-5. Grant qualifications.

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

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

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

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

(d) Evidence a commitment to educate the citizens in
the area of the identified stream or streams about the
benefits of restoring, protecting and enhancing the
stream or streams in a responsible manner.

§20-13-6. Administering agency support.

The administering agencies may provide staff and
other resources as necessary to address the technical
assistance and administrative needs of the West
Virginia Stream Partners Program. This support may
include the utilization of resources and formulation of
policies to achieve the purpose set forth in section two
of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor