

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Enrolled

Senate Bill 161

BY SENATORS BLAIR (MR. PRESIDENT), AZINGER,
BARRETT, BOLEY, CAPUTO, CHAPMAN, CLEMENTS,
DEEDS, GRADY, HAMILTON, HUNT, JEFFRIES, KARNES,
MARONEY, MARTIN, MAYNARD, NELSON, OLIVERIO,
PHILLIPS, PLYMALE, QUEEN, ROBERTS, RUCKER, SMITH,
STOVER, STUART, SWOPE, TAKUBO, TARR, TAYLOR,
TRUMP, WELD, WOELFEL, AND WOODRUM

[Passed January 20, 2023; in effect from passage]

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2023 JAN 24 P 4: 08

FILED

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1 AN ACT to amend and reenact §20-1-10 of the Code of West Virginia, 1931, as amended, relating
2 to the authority of the Division of Natural Resources to manage and dispose of property;
3 repealing the requirement to report items to the Public Land Corporation; and authorizing
4 the division to dispose of certain property under the jurisdiction and control of the director.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. ORGANIZATION AND ADMINISTRATION.

§20-1-10. Property management.

1 (a) The division shall maintain at all times an accurate record of all of its lands, interests
2 in lands, buildings, structures, equipment and other tangible properties and assets. The record
3 shall reflect the location, utility, condition and estimated value of all such properties and assets.
4 The division shall provide for the maintenance, preservation and custody of all such properties
5 and assets.

6 (b) Subject to the provisions of §20-1-19 of this code, when any item or items or lands are
7 deemed obsolete or are no longer needed the division shall have the authority, with the approval
8 in writing of the Secretary of Commerce, to sell, lease, or otherwise dispose of property that is
9 under the jurisdiction and control of the director. The director may convey property in exchange
10 for money, security or property, both real and personal, and any interest in such property,
11 including lands and waters, which he or she deems suitable for the purposes of the division.

12 (c) The director shall select and designate a competent and qualified person as division
13 property officer, who shall be responsible for the division's records relating to its properties and
14 assets and for the maintenance, preservation, custody and disposition of all such properties and
15 assets as herein provided.

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

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

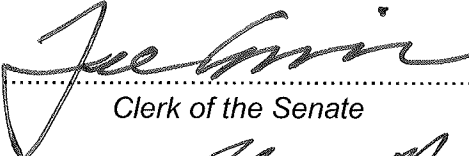
24 (f) Division land management decisions and actions may not result in a net loss of habitat
25 land acreage available for hunting and shooting opportunities on division owned wildlife
26 management area lands that exists on the effective date of this section.

27 (g) On or before December 1, the division shall submit an annual report to the Governor
28 and to the Joint Committee on Government and Finance, including the following:

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

31 (2) The acreage administered by the division that, in order to comply with the provisions
32 of subsection (f) was opened to recreational hunting to compensate for that acreage.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.


.....
Clerk of the Senate


.....
Clerk of the House of Delegates

2023 JAN 24 P 4: 08
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

FILED


Originated in the Senate.

In effect from passage.


.....
President of the Senate


.....
Speaker of the House of Delegates

The within is *is approved* this the *24th*
Day of *January* 2023.


.....
Governor

PRESENTED TO THE GOVERNOR

JAN 23 2023

Time 1:31 pm