

# **EST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

**Enrolled**

### **Senate Bill 143**

By Senators Smith, Phillips, Caputo, Woodrum,  
Jeffries, Hamilton, Trump, Maynard, Rucker, Taylor,  
and Maroney

[Passed January 30, 2023; in effect 90 days from  
passage]

1 AN ACT to amend and reenact §22-15A-3a of the Code of West Virginia, 1931, as amended,  
2 relating to the Adopt-A-Stream Program; requiring volunteers 17 years of age or younger  
3 be accompanied by an adult; changing streams eligible for participation in program;  
4 altering process for selecting stream participation in program; allowing department to  
5 approve or deny applications at its discretion; expanding sources of funding to support  
6 program; lengthening period of stream participation from one to three years; altering  
7 method of collection of stream litter; and requiring one cleanup of the river prior to road  
8 signs being erected.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 15A. THE A. JAMES MANCHIN REHABILITATION ENVIRONMENTAL  
ACTION PLAN.**

**§22-15A-3a. Creation of Adopt-A-Stream Program required.**

1 (a) The Adopt-A-Highway Program was established in the late 1980s to improve the quality  
2 of the state's environment by encouraging public involvement in the elimination of highway litter.  
3 That program is cosponsored by the Division of Highways and the Department of Environmental  
4 Protection, Rehabilitation Environmental Action Plan. Its objective is to save taxpayer money by  
5 increasing public awareness and to serve as an educational tool by focusing on the consequences  
6 of littering. The program offers volunteers the opportunity to take charge of their own environment  
7 by making a positive effort to create a cleaner, more aesthetic place in which to live.

8 In West Virginia there are currently 25,000 volunteers who regularly pick up litter on 4,000  
9 miles of highway. They have been responsible for removing more than 40 million pounds of litter  
10 since the program began.

11 (b) As with the Adopt-A-Highway Program, individuals, families, churches, businesses,  
12 schools, civic organizations, government agencies, scouting groups, fraternities, and communities  
13 may participate in an Adopt-A-Stream Program, which the department shall create and implement.

14 Participants 17 years of age or younger must be accompanied by an adult. Any stream or river  
15 within the state of West Virginia is eligible for adoption, with the exception of streams or rivers  
16 determined to be unsafe by the department. Adopted streams or river sections must be at least  
17 one mile long. Applications for adoptions will be reviewed and approved or denied at the  
18 department's discretion. The Litter Control Fund, or other sources of funding deemed appropriate  
19 by the secretary, may be used to support the Adopt-A-Stream Program.

20 (c) Adoptions are for a period of three years, during which time at least one cleanup is  
21 required per year. Collected litter will be placed at designated locations approved by the  
22 department. The department may coordinate with volunteers, local authorities, and state agencies  
23 for removal and disposal of collected litter. Garbage bags, safety training, and gloves are to be  
24 furnished by the program.

25 (d) Adopted streams or rivers may be identified by a sign at a location along the adopted  
26 section bearing the Adopt-A-Stream logo and the name of the adopter after the first cleanup has  
27 been completed. Volunteers who complete one required litter pickup within the first year of the  
28 three-year contract period shall be awarded a certificate of accomplishment signed by the  
29 secretary.

30 (e) Any stream obstruction or other cause for concern observed by volunteers may be  
31 reported to the Department of Environmental Protection, Division of Natural Resources, the State  
32 Conservation Committee, or the appropriate local county emergency manager.

33 (f) The secretary may propose rules for legislative approval in accordance with the  
34 provisions of §29A-3-1 *et seq.* of this code.