

H. B. 4095

(By Delegates Michael, Hartman, Caputo,  
Romine and Williams)

[Introduced January 17, 2012; referred to the  
Committee on Government Organization then the Judiciary.]

**Interim  
Bill**

A BILL to amend and reenact §19-1A-4 of the Code of West Virginia,  
1931, as amended, relating to permitting the Director of the  
Division of Forestry to enter into stewardship contracts with  
the United States Forest Service.

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

That §§19-1A-4 of the Code of West Virginia, 1931, as amended,  
be amended and reenacted to read as follows:

**ARTICLE 1A. DIVISION OF FORESTRY.**

**§19-1A-4. Additional duties of the Director of the Division of  
Forestry generally.**

(a) The director shall:

(1) Develop, promote and advance the growth of the forest  
products industries of this state;

(2) Cooperate with educational institutions, development

1 agencies, and private and public organizations to promote the  
2 expansion of the forest products industries of this state in local  
3 and global markets;

4 (3) Conduct research on marketing and developing forest  
5 products and forest products industries; conserving, managing, and  
6 utilizing the state's forest land and its multiple uses; and  
7 improving the forestry knowledge and practices of private  
8 landowners.

9 (4) Compile its findings and recommendations, and disseminate  
10 the results of its research to the public, the forest products  
11 industry, the Governor and the Legislature.

12 (b) The director has the power to carry out and effectuate the  
13 purposes of this article, article one-b of this chapter, and  
14 article three of chapter twenty of this code, including the power  
15 to:

16 (1) Accept and use gifts, donations or contributions from  
17 individuals, organizations or corporations, and to acquire by gift,  
18 lease or purchase real estate;

19 (2) Establish law enforcement practices and procedures to  
20 address the law enforcement requirements of the division; ~~and~~

21 (3) To promulgate rules and regulations, subject to the  
22 provisions of chapter twenty-nine-a of this code; and

23 (4) Enter into stewardship end result contract projects with

1 the United States Forest Service by written agreement or contract.

NOTE: The purpose of this bill is to permit the Division of Forestry to enter into stewardship contracts and agreements with the US Forest Service. Federal Law (Section 323 of P.L. 108-7) authorizes the US Forest Service to enter into stewardship end result contracting projects with other public or private entities to achieve land management goals for the national forests that also help meet local and rural community needs. Further, Section 323 of P.L. 108-7 permits the exchange of goods (i.e., forest projects) for services (i.e., on-the-ground conservation work).

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.

This bill is recommended for passage in the 2012 Regular Session by the Forest Management Review Commission.