

1 **Senate Bill No. 202**

2 (By Senators Williams, K. Facemyer, Fanning, Helmick, Miller,  
3 Jenkins, Stollings and Wills)

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5 [Introduced January 17, 2012; referred to the Committee on  
6 Natural Resources.]  
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10 A BILL to amend and reenact §19-1A-4 of the Code of West Virginia,  
11 1931, as amended, relating to permitting the Director of the  
12 Division of Forestry to enter into stewardship contracts with  
13 the United States Forest Service.

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

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

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

18 **§19-1A-4. Additional duties of the Director of the Division of**  
19 **Forestry generally.**

20 (a) The director shall:

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

23 (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; and

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 article  
14 three of chapter twenty of this code, including the power to:

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

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

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

22 (4) Enter into stewardship end-result contract projects with  
23 the United States Forest Service by written agreement or contract.

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(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.)