

# WEST VIRGINIA LEGISLATURE

## 2022 REGULAR SESSION

Introduced

### Senate Bill 562

FISCAL  
NOTE

BY SENATORS MAYNARD, WOODRUM, AND RUCKER

[Introduced February 02, 2022; referred  
to the Committee on Natural Resources; and then to  
the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §20-5-23, relating to authorizing Adopt-A-Trail volunteer programs for public  
3 lands under the jurisdiction of the Division of Natural Resources; requiring volunteer  
4 project agreements with the division; providing that volunteer trail services shall not  
5 replace work that is ordinarily performed by state personnel; providing for project  
6 coordination; and establishing minimum requirements for volunteer organizations.

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

## **ARTICLE 5. PARKS AND RECREATION.**

### **§20-5-23. Establishment of Adopt-A-Trail programs for paths and trails.**

7 (a) The West Virginia Division of Natural Resources shall establish an Adopt-A-Trail  
8 program that will allow volunteer groups to assist in maintaining and enhancing trails on state  
9 owned land.

10 (b) Subject to subsection (d) of this section, volunteer groups in the Adopt-A-Trail program  
11 may adopt any available trail or trail segment and may choose any one or more of the following  
12 volunteer activities:

13 (1) Spring cleanups;

14 (2) Accessibility projects;

15 (3) Special events;

16 (4) Trail maintenance, enhancement, or realignment;

17 (5) Public information and assistance; or

18 (6) Training.

19 (c) The Division shall review and approve specific activities to be performed by a volunteer  
20 group in the Adopt-A-Trail program which shall be executed with an approved Adopt-A-Trail  
21 agreement. Volunteer services shall not include work historically performed by department or  
22 division employees, including services that result in a reduction of hours or compensation or that  
23 may be performed by an employee on layoff; nor shall volunteer services be inconsistent with the

24 terms of a collective bargaining agreement. The division may provide for more than one volunteer  
25 group to adopt an eligible trail or trail segment.

26 (d) If the division operates other programs in the vicinity of the trail that allows volunteers  
27 to participate in similar programs, the division shall coordinate these programs to provide for  
28 efficient and effective volunteer programs in the area.

29 (e) A volunteer group that wishes to participate in the Adopt-A-Trail program shall apply  
30 to the division on a form provided by the division. Volunteer groups shall agree to the following:

31 (1) Volunteer groups participate in the program for at least a 2-year period;

32 (2) Volunteer groups shall consist of at least 6 people who are 18 years of age or older,  
33 unless the volunteer group is a school, scout organization, or a religious youth group, in which  
34 case the volunteers may be under 18 years of age, but supervised by someone over the age of  
35 18;

36 (3) Volunteer groups shall contribute a total of at least 200 service hours over a 2-year  
37 period;

38 (4) Volunteer groups shall only execute Adopt-A-Trail projects and activities after a  
39 volunteer project agreement has been completed and approved by the division;

40 (5) Volunteer groups shall comply with all reasonable requirements of the division; and

41 (6) Volunteer groups shall, when applicable, help provide maintenance on the trail or path.

42 (f) The division shall allow the volunteer group to coordinate with the closest solid waste  
43 authority so that any tires, appliances, televisions, and trash may be properly disposed of with the  
44 proper documentation.

NOTE: The purpose of this bill is to authorize Adopt-A-Trail programs for volunteers to clean up and maintain trails on public lands in this state.

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