

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 143

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

[Introduced January 11, 2023]

1 A BILL 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 ~~Anyone who is at least 12 years old may participate~~ Participants 17 years of age or younger must
15 be accompanied by an adult. Any stream or river that is a part of the West Virginia Stream Partners
16 Program within the state of West Virginia is eligible for adoption, with the exception of streams or
17 rivers considered determined to be unsafe by the department. ~~Volunteers may select a stream or~~
18 ~~river to adopt and then have it approved by the department, or they may ask the department to~~
19 ~~suggest an adoptable stream or river~~ Adopted streams or river sections must be at least one mile
20 long. Applications for adoptions will be reviewed and approved or denied at the department's
21 discretion. The Litter Control Fund, or other sources of funding deemed appropriate by the
22 secretary, may be used to support the Adopt-A-Stream Program.

23 (c) Adoptions are for a period of ~~one year~~ three years, during which time at least one
24 cleanup is required per year. ~~As volunteers pick up litter, bags that have been filled are placed on~~
25 ~~stream sides~~ Collected litter will be placed at designated locations approved by the department.
26 The department may coordinate with volunteers, local authorities, and state agencies for removal
27 and disposal ~~by the program~~ of collected litter. Garbage bags, ~~safety vests,~~ safety training, traffic
28 ~~warning signs,~~ and gloves are to be furnished by the program.

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

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

37 (e) (f) The secretary may propose ~~legislative~~ rules for legislative approval in accordance
38 with the provisions of pursuant to §29A-3-1 et seq. of this code.