

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 224

By Senator Woodrum

[Introduced February 12, 2025; referred
to the Committee on Natural Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §20-3-4a, relating to authorizing the Director of the Division of Forestry and the
3 Director of the Division of Natural Resources to contract for the management of state-
4 owned and -leased forests and wooded lands for purposes of preventing forest fires;
5 providing for procedures and requirements to enter into land management contract;
6 establishing competitive bidding process; providing for proceeds from contracts to be paid
7 to Treasurer and credited to the appropriate division for certain purposes; and authorizing
8 either director to directly award a contract under certain circumstances when necessary for
9 an economic development project.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. FORESTS AND WILDLIFE AREAS.

§20-3-4a. Authority of Director of the Division of Forestry and Director of the Division of Natural Resources to contract and manage forest land.

1 (a) The Director of the Division of Forestry and the Director of the Division of Natural
2 Resources may, with the approval in writing of the Secretary of Commerce, contract for the
3 management of state-owned or -leased forests, natural and scenic areas, wildlife management
4 areas, and other lands under their respective jurisdiction and control of the directors for the limited
5 purposes of protecting, preserving, and maintaining such lands from wildfires. Before entering into
6 a contract, the directors shall receive sealed bids therefor, after notice by publication as a Class I
7 legal advertisement in compliance with the provisions of §59-3-1 et seq., and the publication area
8 for such publication shall be each county in which the affected lands are located, and on the
9 respective division's main website for a period of at least 14 days prior to entering into any contract
10 pursuant to this section. Any such contract shall be awarded to the highest responsible bidder with
11 experience managing forested and mountainous terrain, who shall give bond for the proper
12 performance of the contract as either director shall designate; but either director may reject any
13 and all bids and re-advertise for bids. Nothing in this section prohibits either division from including

14 provisions in any such land management contract for the disposition of any and all forest
15 biomasses. The proceeds arising from any such contract shall be paid to the State Treasurer and
16 shall be credited to the appropriate division and used exclusively for the purposes of this chapter.

17 (b) Notwithstanding the competitive bidding process established in subsection (a) of this
18 section, either director may, with the approval in writing of the Secretary of the Department of
19 Commerce, directly award such a contract when the Secretary of the Department of Commerce
20 and the Secretary of the Department of Economic Development certify in writing to the respective
21 director that the contract is a necessary component of an economic development project:
22 *Provided*, That the contract shall be based on market value.

NOTE: The purpose of this bill is to authorize the Director of the Division of Forestry and the Director of the Division of Natural Resources to contract for the management of state-owned and -leased forests and wooded lands for purposes of preventing forest fires; provide for procedures and requirements to enter into land management contract; establish competitive bidding process; provide for proceeds from contracts to be paid to treasurer and credited to the appropriate division for certain purposes; and authorize either director to directly award a contract under certain circumstances when necessary for an economic development project.

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