

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 10.1-1107 of the Code of Virginia, relating to proceeds generated from*
3 *state forests.*

4 [H 3135]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 10.1-1107 of the Code of Virginia is amended and reenacted as follows:**8 § 10.1-1107. Purchase of lands and acceptance of gifts for forestry purposes by the State Forester;
9 management; definition of state forests.

10 A. The State Forester shall have authority to purchase in the name of the Commonwealth lands
11 suitable for state forests. He may accept for state forest purposes gifts, devises and bequests of real and
12 personal property as well as endowments, funds, and grants from any source. Unless otherwise restricted
13 by the terms of the gift, devise or bequest, the State Forester is authorized, in the name of the
14 Commonwealth, to convey or lease any such real property given to it, with the consent and approval of
15 the Governor and the General Assembly and the approval of the instrument as to form by the Attorney
16 General. Mineral and mining rights over and under land donated may be reserved by the donors.

17 B. The State Forester shall have the power and authority to accept gifts, donations and contributions
18 of land, and to enter into agreements for the acquisition by purchase, lease or otherwise with, the United
19 States, or any agency or agent thereof, of lands for state forests.

20 C. The State Forester shall have authority to provide for the management, development and
21 utilization of any lands purchased, leased or otherwise acquired, to sell or otherwise dispose of products
22 on or derived from the land, and to enforce regulations governing state forests, the care and maintenance
23 thereof, and the prevention of trespassing thereon, and such other regulations deemed necessary to carry
24 out the provisions of this section. Approval by the Governor or General Assembly shall not be required
25 for the sale or harvesting of timber on state forest lands or other lands over which the Department has
26 supervision and control.

27 D. In exercising the powers conferred by this section, the State Forester shall not obligate the
28 Commonwealth for any expenditure in excess of any funds either donated or appropriated to the
29 Department for such purpose.

30 E. One-fourth of the gross proceeds derived from any lands so acquired by the State Forester shall be
31 paid annually by the State Forester to the counties in which such lands are respectively located, and
32 shall become a part of the general funds of such counties, *except for Appomattox, Buckingham and*
33 *Cumberland Counties. For the Counties of Appomattox, Buckingham and Cumberland, one-eighth of the*
34 *gross proceeds derived from any lands acquired in these counties shall become part of the general funds*
35 *of these counties and one-eighth shall be expended annually by the Department, upon consultation with*
36 *each county, for the enhancement of recreational opportunities on those state forest lands located in the*
37 *county.*

38 F. As used in this chapter unless the context requires a different meaning, "state forest" means lands
39 acquired for the Commonwealth by purchase, gift or lease pursuant to this section. These lands shall be
40 managed and protected for scientific, recreational and educational purposes. Uses of the state forests
41 shall include, but not be limited to, research, demonstrations, tours, soil and water management and
42 protection, hunting, fishing and other recreational activities.

43 G. All acquisitions of real property under this section shall be subject to the provisions of
44 § 2.2-1149. The Attorney General shall approve the form of the instruments prior to execution.

ENROLLED

HB3135ER