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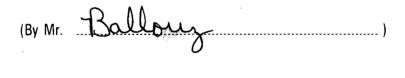
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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

ENROLLED

HOUSE BILL No. 1722



In Effect Minety Days From Passage C.641

ENROLLED H. B. 1722

(By MR. BALLOUZ)

[Passed April 11, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact sections thirty-nine, forty, forty-a, forty-six-c and forty-six-e, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to Class A, Class B, Class AB and Class Q licenses for residents and Class O licenses for residents and non-residents; increasing the fee of a Class A, Class B and Class AB resident license; requiring a trout stamp be affixed to Class AB, B, F, G and K license and assessing a fee thereof; changing the requirements of Class Q special resident license; and specifying effective date.

Be it enacted by the Legislature of West Virginia:

That sections thirty-nine, forty, forty-a, forty-six-c and forty-six-e, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-39. Class A resident statewide hunting and trapping license.

1 On and after the first day of January, one thousand nine 2 hundred eighty-two, a Class A license shall be a resident state-3 wide hunting and trapping license and shall entitle the licensee 4 to hunt and trap all legal species of game in all counties of the 5 state, except as prohibited by rules or regulations of the 6 director. It shall be issued only to citizens of the United 7 States and to unnaturalized persons who possess the permit Enr. H. B. 1722]

8 referred to in section twenty-nine of this article who are9 residents of this state. The fee therefor shall be eight dollars.

§20-2-40. Class B resident statewide fishing license.

1 On and after the first day of January, one thousand nine 2 hundred eighty-two, a Class B license shall be a resident state-3 wide fishing license and shall entitle the licensee to fish for all 4 legal fish, except trout, in all counties of the state, except as 5 prohibited by rules or regulations of the director. It shall 6 be issued only to citizens of the United States, and unnaturalized persons possessing the permit mentioned in sec-7 8 tion twenty-nine of this article, who are residents of this state. 9 The fee therefor shall be eight dollars.

10 Trout fishing is not permitted with a Class B license unless 11 such license has affixed thereto an appropriate trout stamp 12 as prescribed by the department of natural resources. The 13 fee for a trout stamp shall be five dollars. The trout stamp 14 is in addition to a Class B license.

§20-2-40a. Class AB combination resident statewide hunting, trapping and fishing license.

1 On and after the first day of January, one thousand nine 2 hundred eighty-two, a Class AB combination license shall be a resident statewide hunting, trapping and fishing license and 3 4 shall entitle the licensee to hunt and trap for all legal species 5 of game, and fish for all legal species of fish, except trout, and frogs in all counties of the state, except as prohibited by rules 6 7 or regulations of the director. It shall be issued only to 8 citizens of the United States and to unnaturalized persons 9 who possess the permit referred to in section twenty-nine 10 of this article who are residents of this state. The fee therefor 11 shall be fourteen dollars.

12 Trout fishing is not permitted with a Class AB license
13 unless such license has affixed thereto an appropriate trout
14 stamp as prescribed by the department of natural resources.
15 The fee for a trout stamp shall be five dollars. The trout
16 stamp is in addition to a Class AB license.

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§20-2-46c. Class O resident and nonresident trout fishing license.

1 On and after the first day of January, one thousand nine 2 hundred eighty-two, a Class O license shall be a resident and 3 nonresident statewide trout fishing license and shall entitle the 4 licensee to fish for trout in all counties of the state, except as 5 prohibited by rules or regulations of the director.

6 The fee shall be five dollars. The revenue derived from 7 the sale of this license shall be deposited in the state treasury 8 and credited to the department of natural resources and 9 shall be used and paid out, upon order of the director, for 10 state trout hatchery production.

11 This license shall be issued in the form of a stamp prescribed 12 by the director, shall be in addition to a Class AB, B, F, G 13 or K license and shall be valid only when affixed thereto.

§20-2-46e. Class Q special resident hunting permit for disabled; fee; authority of director.

1 On and after the first day of January, one thousand nine 2 hundred eighty-two, a Class Q permit shall be a special state-3 wide hunting permit and shall entitle the permittee to hunt all 4 legal species of game during the designated hunting seasons.

5 A form for such permit shall be furnished by the director 6 to any applicant who meets the following requirements:

7 (1) He is a resident of this state;

8 (2) He is permanently disabled in the lower extremities;9 and

10 (3) He holds a Class A or AB resident statewide hunting 11 license or a senior citizens license.

12 The form when properly filled out by a licensed physician shall attest to the disability of the applicant and shall, from 13 the date of signing by the physician, constitute a Class Q 14 15 permit which the permittee shall have in his possession when 16 hunting during any hunting season for which permittee holds a valid license as provided herein. The director shall establish 17 such rules and regulations as he deems necessary to administer 18 19 the qualifications and permitting of applicants.

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A Class Q permit shall entitle the holder thereof to hunt from a motor vehicle and, notwithstanding the provisions of subsection (10), section five of this article, to possess a loaded firearm in a motor vehicle, but only under the following circumstances:

- 25 (a) The motor vehicle is stationary;
- 26 (b) The engine of the motor vehicle is not operating;
- 27 (c) The permittee is the only occupant of the vehicle;
- (d) The vehicle is not parked on the right-of-way of anypublic road or highway; and
- 30 (e) The permittee observes all other pertinent laws and 31 regulations.

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee Jony E. Whitlow

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Milles Joedd C

Clerk of the Senate

allonken Clerk of the House of Deles President the Speaker House of Delegates The within MONANE this the **P** day of , 1981. Governor

C-641

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