

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time _____

No: 1722

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

— ● —

ENROLLED

HOUSE BILL No. 1722

(By Mr. Ballou)

— ● —

Passed April 11, 1981

In Effect Ninety Days From Passage



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

8 referred to in section twenty-nine of this article who are
9 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 un-
7 naturalized persons possessing the permit mentioned in sec-
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, trap-
ping 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
3 resident statewide hunting, trapping and fishing license and
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
6 frogs in all counties of the state, except as prohibited by rules
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.

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

20 A Class Q permit shall entitle the holder thereof to hunt
21 from a motor vehicle and, notwithstanding the provisions of
22 subsection (10), section five of this article, to possess a
23 loaded firearm in a motor vehicle, but only under the follow-
24 ing 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;

28 (d) The vehicle is not parked on the right-of-way of any
29 public road or highway; and

30 (e) The permittee observes all other pertinent laws and
31 regulations.

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

R. P. Baylor
Chairman Senate Committee

Jonny E. Whitlow
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Isabel C. Willis
Clerk of the Senate

Blankenship
Clerk of the House of Delegates
Mark R. Brown
President of the Senate

Charles M. Lee, Jr.
Speaker House of Delegates

The within is approved this the 20
day of April, 1981.

John S. Dwyer
Governor

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OFFICE OF THE GOVERNOR

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SECY. OF STATE