

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



ENROLLED

House Bill No. 4418

(By Delegates Williams, Stemple, Collins,
Beach, Michael and Proudfoot)



Passed March 14, 1998

In Effect Ninety Days from Passage



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H. B. 4418

(BY DELEGATES WILLIAMS, STEMPLE, COLLINS,
BEACH, MICHAEL AND PROUDFOOT)

[Passed March 14, 1998; in effect ninety days from passage.]

AN ACT to amend and reenact section fifty-four, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to license for privately-owned commercial shooting preserves; permits an additional month of hunting; requires operators to furnish numbered tags; and removes the exemption of nonresidents purchasing required state hunting licenses.

Be it enacted by the Legislature of West Virginia:

That section fifty-four, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-54. License for privately-owned commercial shooting preserves.

- 1 (1) The director may issue a license for privately-
- 2 owned commercial shooting preserves to any person who
- 3 meets the following requirements:
 - 4 (a) Each commercial shooting preserve shall contain a
 - 5 minimum of three hundred acres in one tract of leased or
 - 6 owned land (including water area, if any) and shall be
 - 7 restricted to no more than three thousand contiguous acres

8 (including water area, if any), except that preserves
9 confined to the releasing of ducks only shall be
10 authorized to operate with a minimum of fifty contiguous
11 acres (including water area); and

12 (b) The exterior boundaries of each commercial
13 shooting preserve shall be clearly defined and posted with
14 signs erected around the extremity at intervals of one
15 hundred fifty yards or less.

16 (2) The director shall designate the game which may
17 be hunted under this section on which a more liberal
18 season may be allowed.

19 (3) The operating licenses or permits issued by the
20 director shall entitle holders thereof, and their guests or
21 customers, to recover not more than eighty percent of the
22 total number of each species of game bird released on the
23 premises each year, except mallard, black duck,
24 ringnecked pheasant, chukar partridge and other
25 nonnative game species upon which a one hundred
26 percent recovery may be allowed.

27 (4) Except for the required compliance with the
28 restriction on the maximum number of released birds that
29 may be recovered from each preserve each year, as
30 provided in subsections (3) and (8) of this section,
31 shooting preserve operators may establish their own
32 shooting limitations and restrictions on the age, sex and
33 number of birds that may be taken by each person.

34 (5) In order to give a reasonable opportunity for a fair
35 return on a sizeable investment, a liberal season shall be
36 designated by the director during the nine-month period,
37 beginning the first day of August first and ending the
38 thirtieth day of April.

39 (6) All harvested game shall be tagged with a
40 numbered tag prior to being either consumed on the
41 premises or removed therefrom, such tags to remain
42 affixed until the game actually is delivered to the point of
43 consumption.

44 (7) Each shooting preserve operator shall maintain a
45 registration book listing all names, addresses and hunting

46 license numbers of all shooters; the date on which they
47 hunted; the amount of game and the species taken; and
48 the tag numbers affixed to each carcass. An accurate
49 record likewise must be maintained of the total number,
50 by species, of game birds and ducks raised and/or
51 purchased, and the date and number of all species
52 released. These records shall be open to inspection by a
53 delegated representative of the director at any reasonable
54 time, and shall be the basis upon which the game recovery
55 limits in subsection (3) of this section shall be determined.

56 (8) Any wild game found on commercial shooting
57 preserves may be harvested in accordance with applicable
58 game and hunting laws pertaining to open seasons, bag
59 and possession limits, and so forth, as are established
60 regularly by the director and the United States fish and
61 wildlife service.

62 (9) State hunting licenses shall be required of all
63 persons hunting or shooting on shooting preserves.

64 (10) The fee for such commercial shooting preserve
65 license shall be fifty dollars per fiscal year for the first
66 three hundred acres of the shooting preserve area, plus
67 twenty-five dollars per fiscal year for each additional three
68 hundred acres or part thereof.

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

Ray Johnson
Chairman Senate Committee

Mike Santard
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Darrell E. Robles
Clerk of the Senate

Gregory M. King
Clerk of the House of Delegates

Earl Ray Tomblin
President of the Senate

Jeff
Speaker of the House of Delegates

The within *approved* this the *1st*
day of *April*, 1998.

[Signature]
Governor

PRESENTED TO THE

GOVERNOR

Date 3/31/98

Time 2:41 pm