

SB 79

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SENATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999



ENROLLED

SENATE BILL NO. 79

(By Senator ATTIWAR)



PASSED MAR. CH 11, 1999

In Effect NINETY DAYS FROM Passage

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OFFICE OF THE CLERK
SECRETARY OF STATE

ENROLLED

Senate Bill No. 79

(BY SENATOR DITTMAR)

[Passed March 11, 1999; in effect ninety days from passage.]

AN ACT to amend and reenact section thirty-three, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to issuance of hunting, trapping and fishing licenses; providing that certain hunting, trapping and fishing licenses may be purchased and issued electronically; director of natural resources may prescribe fee for electronic purchase and issuance; removal of one thousand dollar bonding requirement for agents issuing licenses; and promulgation of rules.

Be it enacted by the Legislature of West Virginia:

That section thirty-three, 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.

§20-2-33. Authority of director to designate agents to issue licenses; bonds; fees.

1 (a) The director may appoint, in addition to the clerk of
2 the county commission, agents to issue licenses under the
3 provisions of this article to serve the convenience of the
4 public. Each person appointed, shall, before issuing any
5 license, file with the director a bond payable to the state of
6 West Virginia, in the amount to be fixed by the director,
7 conditioned upon the faithful performance of his or her
8 obligation to issue licenses only in conformity with the
9 provisions of this article and to account for all license fees
10 received by him or her. The form of the bond shall be
11 prescribed by the attorney general. No person, other than
12 those designated as issuing agents by the director, shall
13 sell licenses or buy the licenses for the purposes of resale.

14 (b) Except when a license is purchased from a state
15 official, every person making application for a license shall
16 pay, in addition to the license fee prescribed for it in this
17 article, an additional fee of seventy-five cents to any
18 county official issuing the license and all fees collected by
19 county officials shall be paid by them into the general fund
20 of the county treasury or, in the case of an agent issuing
21 the license, an additional fee of one dollar as compensa-
22 tion: *Provided*, That only one fee of seventy-five cents or
23 one dollar shall be collected by county officials or autho-
24 rized agents, respectively, for issuing two or more licenses
25 at the same time for use by the same person or for issuing
26 combination resident statewide hunting, trapping and
27 fishing licenses: *Provided, however*, That licenses may be
28 issued electronically in a manner prescribed by the
29 director, and persons purchasing electronically issued
30 licenses may be assessed, in addition to the license fee
31 prescribed in this article, an electronic issuance fee to be
32 prescribed by the director.

33 (c) In lieu of the license issuance fee prescribed in
34 subsection (b) of this section, the director shall propose
35 rules for legislative approval in accordance with the
36 provisions of article three, chapter twenty-nine-a of this
37 code, governing the application for and issuance of
38 licenses by telephone and other electronic methods.

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

Randy McQueen
.....

Chairman Senate Committee

Joe F. Pruitt
.....
Chairman House Committee

Originating in the Senate.

In effect ninety days from passage.

David E. Elkins
.....
Clerk of the Senate

Bryan A. Burd
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

Willis
.....
Speaker House of Delegates

The within *approved* this the *24th*
March
Day of, 1999

Jim Anderson
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/23/99

Time 10:05 am