

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941



ENROLLED

HOUSE BILL No. 159

(By Mr. Hatten and Mr. Cole)



PASSED February 19 1941

In Effect ninety days from Passage

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ENROLLED

House Bill No. 159

(BY MR. HATTEN AND MR. COLE)

[Passed February 19, 1941; in effect ninety days from passage.]

AN ACT to amend and reenact section ten, article three, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as last amended by chapter sixty-four, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, relating to the sale of game, birds, fish or frogs.

Be it enacted by the Legislature of West Virginia:

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

Article 3. General Provisions Respecting Game, Birds, Fish and Frogs.

Section 10. *Sale of Game, Birds, Fish or Frogs.*—No

2 person shall purchase or offer to purchase, sell or offer to

3 sell, expose for sale, or have in his possession for the
4 purpose of sale:

5 1. Any, or any part of, elk, deer, raccoon, squirrel, rab-
6 bit, wild turkey, ruffed grouse, quail, woodcock, wild duck,
7 wild goose, wild swan, wild brant, snipe, sandpiper, or any
8 of the song or insectiverous birds of the state, except as
9 permitted by section twelve-a, article three of this
10 chapter.

11 2. Any, or any part of, trout of any species, salmon of
12 any species, pike of any species, pike, perch or wall-eyed
13 pike, bass of any species, perch of any species, pickerel of
14 any species, or any frogs, caught or captured within this
15 state, except as permitted by section thirteen, article
16 six of this chapter.

17 No person, including a common carrier, shall (except
18 as permitted by section thirteen, article six of this chap-
19 ter) transport, carry or convey, or receive for such pur-
20 pose, any of the animals or birds, or of the fish or frogs,
21 listed under (1) and (2) above, caught or killed in this
22 state, if such person knows, or has reason to believe, that

23 such animals, birds, fish or frogs have been or are to be
24 sold.

25 The selling or exposing for sale, having in possession
26 for sale, transporting or carrying in violation of this sec-
27 tion shall each constitute a separate offense.

28 The director may extend the application of this section
29 to animals, birds, fish or frogs not listed under (1) or (2)
30 above, if he finds that such additional species require the
31 protection accorded by this section.

32 The provisions of this section shall not apply to ani-
33 mals, birds, fish or frogs raised under the authority of a
34 license issued in accordance with section twelve-a of
35 this article.

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

C. H. McKeown
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the *House of Delegates*

Takes effect *ninety days from* passage.

A. J. Watt
Clerk of the Senate

J. R. Cliff
Clerk of the House of Delegates

Byron B. Randolph
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within *approved* this the *1st*
day of *March*, 1941.

Matthew M. Nease
Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 3 1941**

Wm. S. O'BRIEN,
Secretary of State