

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951

ENROLLED

SENATE BILL NO. 159

(By Mr. Bowling)

PASSED March 5 1951

In Effect Thirty days from Passage



151

ENROLLED

Senate Bill No. 159

(By MR. BOWLING)

[Passed March 5, 1951; in effect ninety days from passage.]

AN ACT to amend article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto two new sections, to be designated sections two-j and two-k, and to amend and reenact sections three and eleven, article seven, and section ten, article nine of said chapter twenty, all relating to licenses to hunt and fish on national forest lands in West Virginia.

Be it enacted by the Legislature of West Virginia:

That article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto two new sections to be designated sections two-j and two-k, and that sections three and eleven,

article seven, and section ten, article nine of said chapter twenty be amended and reenacted, all to read as follows:

Article 7. Hunting and Fishing Licenses.

Section 2-j. *Class I; National Forest Hunting and Trapping License.*—A class I license shall be a national forest hunting and trapping license and shall entitle the licensee to hunt all game animals and game birds and trap all fur bearing animals in season excepting beaver, on all national forest land in West Virginia. It shall be issued only to a non-resident holding a class E license or to a resident holding a class A or AB license. The fee therefor shall be one dollar. The revenue derived from the sale of this license shall be used for management and propagation of game and fish on national forest land and for no other purpose. The conservation commission of West Virginia shall enter into a cooperative agreement with the United States forest service, such agreement to define the means and methods to be taken to improve the wildlife and fish resources and to program the expenditure of all funds derived from this license.

Sec. 2-k. *Class J. National Forest Fishing License.*—

2 A Class J license shall be a national forest fishing license
3 and shall entitle the licensee to fish in waters within
4 national forest land in West Virginia. It shall be issued
5 only to a non-resident holding a Class E or Class F license,
6 or to a resident holding a Class B or Class AB license.
7 The fee therefor shall be one dollar. The revenue derived
8 from the sale of this license shall be used only for
9 management and propagation of game and fish on
10 national forest land and for no other purpose. The
11 conservation commission of West Virginia shall enter
12 into a cooperative agreement with the United States
13 Forest Service, and such agreement to define the means
14 and methods to be taken to improve the wildlife and
15 fish resources and to program the expenditure of all
16 funds derived from this license.

Sec. 3. *Where License Applications Made; Alien Per-*

2 *mits.*—Persons eligible for any class license shall make
3 application therefor, either in person or by agent, in writ-
4 ing or orally, as follows:

5 (i) For Class A, B, E, F, H, I and J license, to any
6 county clerk.

7 (ii) For class D license, to the county clerk of any
8 county bordering the Ohio River.

9 (iii) For Class C license, to the commission; and for
10 Class G license, to the commission, or its administrative
11 employees at state parks or state forests.

12 Aliens desiring to procure licenses shall first apply to
13 the director for a permit to secure such license. If the
14 director satisfies himself that the applicant is legally
15 entitled to such license, and will observe the laws of this
16 state, and particularly the provisions of this chapter,
17 he may issue the permit. Permits, once issued, shall
18 remain in force until revoked. No issuing officer shall be
19 required to issue or deliver any license unless the ap-
20 plicant informs him that the licensee is duly qualified and
21 eligible to receive the class of license applied for, and
22 payment of the required fee is made to such officer.

Sec. II. *Funds Allocated for Forests and Refuges.*—

2 The director shall, each year, allocate ten per cent of
3 the total revenue obtained from all classes of hunting
4 and fishing license, excepting classes I and J, for the
5 purchase of lands and the maintenance of state forests,

6 and game and fish refuges. Not more than fifty per cent
7 of the amount so allocated may be expended for patrol-
8 ling such lands, protecting wild game and fish thereon,
9 the improvement of wildlife habitat, and other necessary
10 maintenance and operation.

Article 9. Forests.

Section 10. *Financial Assistance from Owners of Forest
2 Lands; Expenditures by Commission.*—The commission
3 may cooperate with the owners of forest lands and re-
4 ceive financial assistance from them for the purposes
5 aforesaid and do any and all things necessary therefor,
6 including the establishment and maintenance of patrol and
7 lookout stations: *Provided, however,* That the commission
8 shall expend for forestry purposes only such moneys as
9 shall be appropriated therefor by the state, and such
10 moneys as may be contributed therefor by the private
11 owners, and such moneys as may be recovered from per-
12 sons giving origin to forest fires, and such moneys as may
13 be received from the federal government by appropria-
14 tion under the Weeks and Clarke-McNary laws, or oth-
15 erwise; and in addition for the aforementioned purposes,

16 shall provide twenty per cent of the funds derived an-
17 nually from the sale of game and fish licenses, excepting
18 classes I and J.

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

James M. Loop
Chairman Senate Committee

James M. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *Ninety days from* passage.

Shannon Keyser
Clerk of the Senate

R. Cliff
Clerk of the House of Delegates

W. Douglas Houston
President of the Senate

W. E. Ham
Speaker House of Delegates

The within *approved* this the *10th*
day of *March*, 1951.

Chas. L. Patton
Governor.



Filed in the Office of the Secretary of State
of West Virginia **MAR 10 1951**
D. PITT O'BRIEN,
SECRETARY OF STATE