

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951

ENROLLED

Committee Substitute for
SENATE BILL NO. 243

(By Mr.)

PASSED *March 7* 1951

In Effect *Thirty days from* Passage



243

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 243

[Passed March 7, 1951; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article four, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to hunting deer, report to director, tagging and penalties.

Be it enacted by the Legislature of West Virginia:

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

Section 3. *Hunting Deer; Report to Director; Tagging; Penalties.*—No person shall hunt, capture or kill any deer in this state, except in open season, or as provided under section three-b of this article. A licensed person may hunt or kill deer of any type, antlerless or otherwise, during

6 the open season fixed by the conservation commission of
7 West Virginia for the counties or parts thereof. Antler-
8 less deer seasons may be established by the conservation
9 commission when deemed advisable due to over-popula-
10 tion of deer, extreme crop damage, unbalanced sex ratios,
11 or other unusual conditions in various counties or parts
12 thereof. The provisions of this section shall not apply to a
13 licensed owner of deer which are kept in a park or field
14 sufficiently enclosed to prevent escape therefrom, as pro-
15 vided by article three, section twelve-a of this chapter.

16 No person shall:

17 (1) Kill more than one deer in any one calendar year;

18 (2) Have in his possession the fresh skin or any other
19 part of an illegally killed doe, fawn or buck deer;

20 (3) Chase or hunt deer with dogs, or kill or attempt to
21 kill a deer that is being chased by, or is fleeing from
22 dogs;

23 (4) Attempt to catch or kill, or catch or kill any deer by
24 means of poison baits, salt lick, (natural or artificial) trap
25 or snare, or devices of any kind;

26 (5) Hunt, pursue, catch or kill a deer between sunset
27 on one day and sunrise of the next day;

28 (6) Kill, attempt to kill or wound a deer while the deer
29 is in a stream, lake or pond;

30 (7) Participate further in the hunt after having killed
31 the legal limit of deer if he or she has firearms of any de-
32 scription in his or her possession;

33 (8) Hunt deer with any gun other than a shot gun
34 using ammunition loaded with more than one solid ball,
35 or rifle using rim fire ammunition of less than twenty-five
36 calibre.

37 A person who kills or wounds a deer by accident, such
38 as striking it with an automobile, or has knowledge that a
39 deer is in distress for any reason whatever, shall promptly
40 notify a conservation officer or other proper officer of the
41 fact.

42 Any person who kills a legal deer during the open sea-
43 son shall deliver same for inspection and tagging to a
44 conservation officer or an official checking station set up
45 for that purpose by the commission during the open deer
46 season. The deer shall not be dressed (other than hog-

47 dressed) before it is presented to a conservation officer or
48 official checking station for inspection; nor shall such deer
49 be tagged unless the head is attached in a natural way
50 to the carcass of said deer, except as is otherwise provided
51 in this section. The checking station attendant or con-
52 servation officer upon inspecting the deer shall supply
53 the hunter with an official tag which shall be securely
54 attached to the head of the deer before the deer is re-
55 moved from said station. The official tag shall bear the
56 name and address of the hunter and such other informa-
57 tion as the director may designate and shall be counter-
58 signed by the checking station attendant or other duly
59 authorized agent of the director. The official tag shall
60 remain attached to the head of the deer until the animal
61 is dressed, and thereafter with the head or skin until the
62 close of the deer hunting season.

63 An exception to the above outlined tagging procedure
64 is made in that one deer per hunting camp may be com-
65 pletely dressed at camp for camp use, provided a deer
66 camp use permit is affixed to the head as outlined above in
67 this section before starting to skin the deer. The skin and

68 head to which the deer camp use permit is attached
69 shall be presented to either a conservation officer or to an
70 official checking station to be tagged and inspected before
71 the close of the open deer season in which the kill was
72 made.

73 The deer camp use permit shall bear the name and
74 address of the hunter who killed the deer and such other
75 information as the director may designate. Such permits
76 may be obtained on application to the director or his
77 authorized agent. The application for such permits shall
78 give a roster showing the names and addresses of all
79 licensed hunters who are to occupy the camp, the name
80 and specific location of the camp, and the name of the
81 county in which the camp is to be located.

82 Any person who violates any of the provisions of this
83 section shall be guilty of a misdemeanor, and, upon
84 conviction, shall be fined not less than one hundred nor
85 more than three hundred dollars, and confined in the
86 county jail not less than thirty days: *Provided, however,*
87 That any person who kills a deer illegally during the
88 open season thereafter, and voluntarily reports same to a

89 conservation officer or other officer, shall be fined not
90 less than fifty dollars nor more than one hundred dollars.

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

Robert C. Boyd
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *thirty days from* passage.

Thomas Deery
Clerk of the Senate

J.R. Giff
Clerk of the House of Delegates

W. Bright Beaman
President of the Senate

W.E. Flamm
Speaker House of Delegates

The within *approved* this the *14th*
day of *MARCH*, 1951.

Chas. S. Patton
Governor.

 of West Virginia **MAR 15 1951**
D. PITT O'BRIEN,
SECRETARY OF STATE