WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1951

ENROLLED
Committee Substitute for
SENATE BILL NO. 243

(By Mr. ..........................................................)

PASSED March 7 ................................................................1951

In Effect Ninety days from Passage
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;

2 Penalties.—No person shall hunt, capture or kill any deer
3 in this state, except in open season, or as provided under
4 section three-b of this article. A licensed person may hunt
5 or kill deer of any type, antlerless or otherwise, during
the open season fixed by the conservation commission of
West Virginia for the counties or parts thereof. Antler-
less deer seasons may be established by the conservation
commission when deemed advisable due to over-popula-
tion of deer, extreme crop damage, unbalanced sex ratios,
or other unusual conditions in various counties or parts
thereof. The provisions of this section shall not apply to a
licensed owner of deer which are kept in a park or field
sufficiently enclosed to prevent escape therefrom, as pro-
vided by article three, section twelve-a of this chapter.

No person shall:

(1) Kill more than one deer in any one calendar year;
(2) Have in his possession the fresh skin or any other
part of an illegally killed doe, fawn or buck deer;
(3) Chase or hunt deer with dogs, or kill or attempt to
kill a deer that is being chased by, or is fleeing from
dogs;
(4) Attempt to catch or kill, or catch or kill any deer by
means of poison baits, salt lick, (natural or artificial) trap
or snare, or devices of any kind;
(5) Hunt, pursue, catch or kill a deer between sunset on one day and sunrise of the next day;
(6) Kill, attempt to kill or wound a deer while the deer is in a stream, lake or pond;
(7) Participate further in the hunt after having killed the legal limit of deer if he or she has firearms of any description in his or her possession;
(8) Hunt deer with any gun other than a shot gun using ammunition loaded with more than one solid ball, or rifle using rim fire ammunition of less than twenty-five calibre.

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

Any person who kills a legal deer during the open season shall deliver same for inspection and tagging to a conservation officer or an official checking station set up for that purpose by the commission during the open deer season. The deer shall not be dressed (other than hog-
dressed) before it is presented to a conservation officer or official checking station for inspection; nor shall such deer be tagged unless the head is attached in a natural way to the carcass of said deer, except as is otherwise provided in this section. The checking station attendant or conservation officer upon inspecting the deer shall supply the hunter with an official tag which shall be securely attached to the head of the deer before the deer is removed from said station. The official tag shall bear the name and address of the hunter and such other information as the director may designate and shall be countersigned by the checking station attendant or other duly authorized agent of the director. The official tag shall remain attached to the head of the deer until the animal is dressed, and thereafter with the head or skin until the close of the deer hunting season.

An exception to the above outlined tagging procedure is made in that one deer per hunting camp may be completely dressed at camp for camp use, provided a deer camp use permit is affixed to the head as outlined above in this section before starting to skin the deer. The skin and
head to which the deer camp use permit is attached shall be presented to either a conservation officer or to an official checking station to be tagged and inspected before the close of the open deer season in which the kill was made.

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

Any person who violates any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than one hundred nor more than three hundred dollars, and confined in the county jail not less than thirty days: Provided, however, That any person who kills a deer illegally during the open season thereafter, and voluntarily reports same to a
conservation officer or other officer, shall be fined not 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.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect Ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the day of March, 1951.

Governor.

D. Pitt O'Brien, Secretary of State of West Virginia, MAR 15 1951