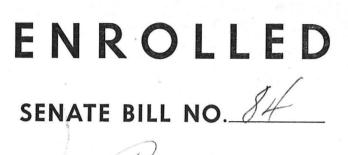
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



(By Mr.

PASSED February 28, 1951

In Effective ty days from Passage



ENROLLED Senate Bill No. 84

(By Mr. Bean)

[Passed February 28, 1951; in effect ninety days from passage.]

AN ACT to amend and reenact section five, article six, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to unlawful fishing and permitting the snaring through the ice of suckers, carp, fallfish and creek chubs.

Be it enacted by the Legislature of West Virginia:

That section five, article six, 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 5. Unlawful Fishing.—No person shall kill, 2 catch, or attempt to kill or catch any fish at any time 3 by:

4 (1) The use of seines, nets, or traps, or devices of like 5 nature without the written consent of the director. A Enr. S. B. No. 84]

6 person may use a seine not more than six feet in length, nor more than four feet in depth for securing minnows 7 for angling, other than game fish or protected non-game 8 fish; except any person may use a minnow trap, for the 9 10 purpose of securing bait, provided the opening is not larger than one inch in diameter. A dip net so used 11 12 shall not exceed thirty-six square feet in over-all area, 13 and its mesh shall not be smaller than one-quarter inch; 14 (2) Draining water out of any pool, pond, or stream with intent to take or injure fish, except from privately 15 owned farm ponds. 16

17 (3) The use of dynamite, or any like explosive or ex-18 plosive mixture;

19 (4) The use of a poisonous drug or substance;

20 (5) The use of electricity or lime;

21 (6) The use of firearms;

(7) Gigging, spearing, gaffing, snaring or grappling,
except the director may permit gigging of non-game
fish in a stream under the supervision of a representative
of the director, other than during the months of April,
May and June; however, the snaring of any species of

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27 suckers, carp, fallfish and creek chubs through the ice28 shall at all times be lawful;

29 (8) Any other means other than by rod, line and30 hooks, with natural or artificial lures;

A person shall not sell or purchase a seine more than
six feet in length without the prior written permission
of the director.

The provisions of this section shall not prevent the director from using such methods of catching fish as he shall find necessary and proper for the purpose of propagations, protection, or scientific investigation.

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Enr. S. B. No. 84] 4 The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly encouled. Chairman Senate Committee 1 1.1 hairman House Committee Originated in the Senate. Jenety dens Srm passage. Takes effect mare Clerk of the Senate Delegates erk of the House of President of the Senate Speaker House of Delegates Approved this the GB The within March , 1951. day of. Oky L. Governor. where the uses which previous and the address of address ana 2 MAR west Virginia. D. PITT O'BRIEN. SECRETARY OF STRIFF