

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951

ENROLLED

SENATE BILL NO. 84

(By Mr. Dean)

PASSED February 28, 1951

In Effect Thirty days from Passage



84

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

6 person may use a seine not more than six feet in length,
7 nor more than four feet in depth for securing minnows
8 for angling, other than game fish or protected non-game
9 fish; except any person may use a minnow trap, for the
10 purpose of securing bait, provided the opening is not
11 larger than one inch in diameter. A dip net so used
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
15 with intent to take or injure fish, except from privately
16 owned farm ponds.

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;

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

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

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

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

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

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

Robert S. Boyd
Chairman Senate Committee

James M. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *Ninety days from* passage.

Thomas H. Keene
Clerk of the Senate

J. R. Griff
Clerk of the House of Delegates

Joseph H. Hunter
President of the Senate

W. E. Hannon
Speaker House of Delegates

The within *APPROVED* this the *6th*
day of *MARCH*, 1951.

Clay L. Patton
Governor.



FILED IN THE OFFICE OF THE SECRETARY OF STATE
of West Virginia **MAR 6 1951**
D. PITT O'BRIEN,
SECRETARY OF STATE