

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953

ENROLLED

Committee substitute for

SENATE BILL NO. 231

Originating in the Committee

(By ~~Mr.~~ *On the Judiciary*)

PASSED *March 14,* 1953

In Effect *ninety days from* Passage



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ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 231

(Originating in the Committee on the Judiciary)

[Passed March 14, 1953; in effect ninety days from passage.]

AN ACT to amend article three, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, to be designated section ten-a, relating to the licensed sale and consumption of commercially raised and imported game birds.

Be it enacted by the Legislature of West Virginia:

That article three, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, to be designated section ten-a, to read as follows:

Section 10-a. *Sale of Commercially Raised and Im-
ported Game Birds; License, Markings and Other Re-
quirements.*—Game birds, as defined in article five of
this chapter, raised commercially in this or any other
state, and any birds imported from outside continental
United States, may be sold to consumers through retail
stores of this state pursuant to provisions of this section.
Such birds may be sold alive or may be killed, dressed,
and otherwise processed and preserved to meet market-
ing demands and requirements.

No person, firm or corporation shall sell any such birds
unless and until a license for such sale is issued by the
director of conservation to such person, firm or corpora-
tion. All such licenses shall expire on the last day of
the calendar year for which same are issued. The annual
license fee shall be ten dollars. A separate license shall
be required for each store or outlet selling such birds
at retail to consumers. Licenses shall be issued only
upon written applications, prepared and signed by the
applicant, supplying the information required on forms
prescribed by the director of conservation. For good

22 cause, the director of conservation may revoke any li-
23 cense issued pursuant to this section.

24 Any and all license fees shall accrue to the conservation
25 commission and be applied to the propagation of game
26 and fish.

27 Each licensee hereunder shall, during the month of
28 January, of each year, make an annual written report to
29 the director of conservation, reporting the number and
30 species of game birds and the number of cans, cartons,
31 or other containers of processed game birds or bird meats
32 bought by said licensee during the preceding calendar
33 year and the name and address of each vendor from
34 whom purchased. The director may provide report forms
35 for purposes of standardizing and facilitating the making
36 and handling of such reports.

37 No game birds may be sold by any such licensed re-
38 tailer unless and until each such bird, excepting any
39 that may be processed or canned or otherwise packed
40 and lawfully marked or labeled, is marked by a tag or
41 other label marking supplied to such licensed retailer
42 by the director of conservation at cost of five cents for
43 each such tag or label.

44 Enforcement officers of the conservation commission
45 shall have the right to inspect any and all shipments of
46 wild game birds shipped into and received in this state.

47 Nothing in this section shall be construed to apply to
48 domestic fowls and migratory game birds.

49 Notwithstanding provisions of section eleven of this
50 article and any other provisions of this chapter, any such
51 birds or bird meats sold by licensed retailers pursuant
52 to this section may be served at any hotel, restaurant or
53 other licensed eating place in this state.

54 The director of conservation may make and promulgate
55 such rules and regulations as he may find necessary and
56 proper for the sale of game birds pursuant to the pro-
57 visions of this section.

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

W. M. Kinley
Chairman Senate Committee

C. H. Doubler
Chairman House Committee

Originated in the Senate.

Takes effect *twenty days from* passage.

J. Howard Heger
Clerk of the Senate

J. R. Clipp
Clerk of the House of Delegates

Ralph Bean
President of the Senate

W. E. Flannery
Speaker House of Delegates

The within *approved* this the *20th*

day of *March*, 1953.

William C. Marland
Governor.



FILED IN THE OFFICE OF THE SECRETARY OF STATE
OF VIRGINIA
MAR 20 1953
D. PITT O'BRIEN,
SECRETARY OF STATE