ENROLLED

Committee substitute for

SENATE BILL NO. 231

Originating in the Committee on the Judiciary

(By Mr. [signature])

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 Imported Game Birds; License, Markings and Other Requirements.—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 marketing 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 corporation. 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
cause, the director of conservation may revoke any li-

cense issued pursuant to this section.

Any and all license fees shall accrue to the conservation
 commissioners and be applied to the propagation of game

and fish.

Each licensee hereunder shall, during the month of

January, of each year, make an annual written report to

the director of conservation, reporting the number and

species of game birds and the number of cans, cartons,
or other containers of processed game birds or bird meats
bought by said licensee during the preceding calendar

year and the name and address of each vendor from

whom purchased. The director may provide report forms

for purposes of standardizing and facilitating the making

and handling of such reports.

No game birds may be sold by any such licensed re-
tailer unless and until each such bird, excepting any

that may be processed or canned or otherwise packed

and lawfully marked or labeled, is marked by a tag or

other label marking supplied to such licensed retailer

by the director of conservation at cost of five cents for

each such tag or label.
Enforcement officers of the conservation commission shall have the right to inspect any and all shipments of wild game birds shipped into and received in this state. Nothing in this section shall be construed to apply to domestic fowls and migratory game birds.

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

The director of conservation may make and promulgate such rules and regulations as he may find necessary and proper for the sale of game birds pursuant to the provisions of this section.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

Takes effect [signature] day from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within [signature] this the 20th
day of [signature], 1953.

[Signature]
Governor.

[Stamp: Filed in the Office of the Secretary of State]

MAR 20 1953

D. PITI O'BRIEN,
SECRETARY OF STATE