WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 339

(By Mr. Gough)

PASSED March 3, 1955

In Effect 90 days from Passage

Filed in the Office of the Secretary of State
MAR 4, 1955
of West Virginia.

D. PITT O'BRIEN
SECRETARY OF STATE
ENROLLED

House Bill No. 339
(By Mr. GOSI Horn and Mr. CHILTON)

[Passed March 3, 1955; 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 the killing or catching of fish, or the attempt to do so.

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 Devices and Methods of Fishing.—

2 No person shall kill, catch, or attempt to kill or catch any fish at any time by:

3 (1) The use of seines, nets or traps, or devices of like nature without the written consent of the director. A person may use a seine not more than six feet in length, nor more than four feet in depth for securing minnows
for angling, other than game fish or protected nongame fish; except any person may use a minnow trap, for the purpose of securing bait, provided the opening is not larger than one inch in diameter. A dip net so used shall not exceed thirty-six square feet in over all area, and its mesh shall not be smaller than one-quarter inch;

(2) Draining water out of any pool, pond, or stream with intent to take or injure fish, except from privately owned farm ponds;

(3) The use of dynamite, or any like explosive or explosive mixture;

(4) The use of poisonous drug or substance;

(5) The use of electricity or lime;

(6) The use of firearms;

(7) Gigging, spearing, gaffing, snaring or grappling, except the director may permit gigging, snaring or bow and arrow hunting of nongame fish other than during the months of May and June under such regulations as he may promulgate; however, the snaring of any species of suckers, carp, fallfish and creek chubs through the ice shall at all time be lawful;
(8) Any other means other than by rod, line and 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 propagation, protection, or scientific investigation.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect 90 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 8th day of March, 1955.

Governor

Filed in the Office of the Secretary of State of West Virginia