

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

SENATE BILL NO. 235

(By Mr. Chas. D.)

PASSED March 5 1955

In Effect March 5 Passage

Filed in the Office of the Secretary of State
of West Virginia MAR 11 1955
D. PITT GREEN

ENROLLED

Senate Bill No. 235

(By MR. CHENOWETH, by request)

[Passed March 5, 1955; in effect ninety days from passage.]

AN ACT to amend and reenact section nine, article three, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to transportation of birds, animals, fish, amphibians and reptiles.

Be it enacted by the Legislature of West Virginia:

That section nine, article three, 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 9. *Transportation of Birds, Animals, Fish, Amphibians and Reptiles.*—No person shall at any time transport or kill or have in his possession with the intention of transporting beyond the limits of the state, any elk, deer, raccoon (except the pelt thereof), quail, wood-

6 cock, pheasant, ruffed grouse, wild turkey, squirrel, wild
7 duck or wild goose, or any part thereof, or any game,
8 birds, fish or frogs killed, caught or captured within this
9 state: *Provided, however,* (1) That a non-resident licen-
10 see may take with him personally, when leaving the state,
11 any game animals, game birds, fish or frogs, that he has
12 lawfully taken or killed, not exceeding, during the sea-
13 son, the number that any person may lawfully take or kill
14 in any two days; (2) that game birds and game animals
15 raised for commercial purposes may be transported out
16 of the state as authorized under permit issued by the
17 director under section twelve-a of this article; (3) that
18 wild birds, wild animals, fish or frogs lawfully taken under
19 scientific collecting permit issued by the director as au-
20 thorized under section seven-a of this article may be trans-
21 ported out of the state; and (4) that game, food and bait
22 fish, or the eggs thereof propagated as authorized under
23 a license issued by the director under section nine, article
24 six of this chapter, may be transported out of the state.

25 It shall be unlawful to bring into the state of West Vir-
26 ginia any game, wild bird, wild animal, amphibian, fish

27 or reptile unlawfully taken or possessed in any other
28 state of the United States of America.

29 No person, corporation or association shall import or
30 transport into the State of West Virginia, or receive
31 shipment in the state from without the state, any live
32 specimen of the following species: wolf, coyote, European
33 hare or variety thereof, such as the San Juan rabbit,
34 bowfin (*Amia Calva*) or carp (*Cyprinus spp.*), without
35 first having obtained from the director a free permit
36 authorizing such importation. Should the director find
37 that the importation of any other type or species of live
38 game, live wild animal, live wild bird, live amphibian,
39 live reptile or live fish, including minnows to be used for
40 bait, may constitute a menace to either the economy or
41 health of the state or its natural resources, he may, by
42 formal order, include the names of such other species as
43 he finds advisable to the above list. The director shall
44 give notice of the order by publication once each week
45 for two successive weeks in two newspapers of general
46 circulation throughout the state.

47 Federal regulations shall govern the transportation of
48 all migratory birds.

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 90 days 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 approved this the 10
day of March, 1955.

[Signature]
Governor.

Filed In the Office of the Secretary of State

MAR 11 1955

West Virginia

D. PITT O'BRIEN
SECRETARY OF STATE