WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

HOUSE BILL No. 407

(By Mr. [Name])

PASSED March 7, 1957

In Effect 90 days from Passage
ENROLLED

House Bill No. 407
(By Mr. Cruikshank and Mr. Whetsell)

[Passed March 7, 1937; 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, designated section twelve-b, relating to authorizing the issuance of operating licenses or permits for privately owned and operated commercial shooting preserves; the promulgation of such rules as may be necessary to carry out the provisions of the section; and for other purposes.

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, designated section twelve-b, to read as follows:

Section 12-b. Commercial Shooting Preserve.—1. The director is hereby authorized and empowered to issue
operating licenses or permits for commercial shooting preserves, which shall be privately owned and operated, and to make such rules as may be necessary and proper in carrying out the purpose of this section.

2. Operating licenses or permits may be issued to any person, association, or corporation for the operation of commercial shooting preserves that meet the requirements hereinafter prescribed.

(a) Each commercial shooting preserve shall contain a minimum of three hundred acres in one tract of leased or owned land (including water area, if any) and shall be restricted to not more than three thousand contiguous acres (including water area, if any), except that preserves confined to the releasing of ducks only may be authorized to operate with a minimum of fifty contiguous acres (including water area).

(b) The exterior boundaries of each commercial shooting preserve shall be clearly defined and posted with signs erected around the extremity at intervals of one hundred fifty yards or less.

3. Game which may be hunted under this section on
which a more liberal season may be allowed, shall be con-
ined to artificially propagated quail, turkeys, pheasants,
chukar partridges, mallards and black ducks, and such
other species as the director may add from time to time.

(a) Mallards and/or black ducks released on a commer-
cial shooting preserve must have had a one-fourth inch
hole punched in the outer web of the right foot before the
birds attain the age of six weeks.

4. Fees for commercial shooting preserve licenses or
permits shall be established at the rate of fifty dollars
per year for the first three hundred acres of shooting
preserve area, plus twenty-five dollars per year for each
additional one hundred acres or parts thereof.

5. The operating licenses or permits issued by the di-
rector shall entitle holders thereof, and their guests or
customers, to recover not more than eighty per cent of
the total number of each species of game bird released on
the premises each year, except mallard, black duck, ring-
necked pheasant, chukar partridge, and other non-native
game species upon which a one hundred per cent recovery
may be allowed.
6. Except for the required compliance with the restriction on the maximum number of released birds that may be recovered from each preserve each year, as provided in paragraphs five and ten, shooting preserve operators may establish their own shooting limitations and restrictions on the age, sex, and number of birds that may be taken by each person.

7. In order to give a reasonable opportunity for a fair return on a sizeable investment, a liberal season shall be designated by the director during the six month period, beginning October first and ending March thirty-first.

8. All harvested game shall be tagged prior to being either consumed on the premises or removed therefrom, such tags to remain affixed until the game actually is delivered to the point of consumption. The director shall furnish numbered tags at nominal cost to shooting preserve operators.

9. Each shooting preserve operator shall maintain a registration book listing all names, addresses, and hunting license numbers of all shooters; the date on which they hunted; the amount of game and the species taken; and
the tag numbers affixed to each carcass. An accurate record likewise must be maintained of the total number, by species, of game birds and ducks raised and/or purchased, and the date and number of all species released. These records shall be open to inspection by a delegated representative of the director at any reasonable time, and shall be the basis upon which the game recovery limits in paragraph five hereof shall be determined.

10. Any wild game found on commercial shooting preserves, may be harvested in accordance with applicable game and hunting laws pertaining to open seasons, bag and possession limits, and so forth, as are established regularly by the director and the United States fish and wildlife service.

11. State hunting licenses shall be required of all persons hunting or shooting on shooting preserves. State residents shall be licensed under the regularly established game and hunting laws. Nonresidents shall be required to possess a regular nonresident hunting license.

12. The director may revoke any shooting preserve license or permit issued under the authority of this sec-
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87 tion, when the licensee has been convicted of a violation
88 of any of the provisions of this section. After such revoca-
89 tion, a new license or permit may be issued if in the dis-
90 cretion of the director, the circumstances so warrant.
91 13. Any and all statutes, or parts thereof, in conflict
92 with or inconsistent with the provisions of this section
93 upon the date of its enactment are hereby repealed.
94 14. This section shall become effective sixty days after
95 its passage and approval by the governor.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

L. H. McCourt
Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect __days from __________ passage.

H. H. Riders
Clerk of the Senate

Clerk of the House of Delegates

Ralph J. Bevins
President of the Senate

Speaker, House of Delegates

The within approved this the __________ day of __________, 1957.

[Signature]
Governor

Filed in the Office of the Secretary of State of West Virginia MAR 15 1957
D. PITT O'BRIEN
Secretary of State