

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

Committee Substitute For
SENATE BILL NO. 303

(By Mr. *Common Forestry*
and Conservation)

PASSED March 14 1959

In Effect December 31, 1959 Passage



Filed in Office of the Secretary of State
of West Virginia MAR 20 1959
JOE F. BURDETT
SECRETARY OF STATE

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 303

(Originating in the Senate Committee on Forestry and Conservation)

[Passed March 14, 1959; in effect December 31, 1959.]

AN ACT to amend article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto six new sections designated sections two-n, two-o, two-p, two-q, eleven-a and eleven-b; and to further amend said article by amending and reenacting sections two, two-a, two-b, two-e, two-f, two-l and three thereof, all relating to hunting and fishing licenses.

Be it enacted by the Legislature of West Virginia:

That article seven, chapter twenty of the code of West Vir-

ginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto six new sections designated sections two-n, two-o, two-p, two-q, eleven-a and eleven-b; and by further amending said article by amending and reenacting sections two, two-a, two-b, two-e, two-f, two-l and three thereof, all to read as follows:

Section 2. *Licenses Conditioned on Payment of Fee; Age*

2 *Exemption.*—Licenses to hunt and fish shall be of the
3 kinds and classes and shall be conditioned upon the pay-
4 ment of the fees set forth in this article.

5 A resident of the state sixty years of age or over shall
6 not be required to obtain a license to fish with hook and
7 line in the waters of the state during the fishing seasons.

8 A resident of the state sixty-five years of age or over shall
9 not be required to obtain a license to hunt within the state
10 during the hunting season. An authenticated birth certifi-
11 cate or verified evidence of age shall be carried by such
12 person at all times while hunting or fishing and shall be
13 in lieu of hunting and fishing licenses.

Sec. 2-a. *Class A; Resident State-wide Small Game*

2 *Hunting License.*—A class A license shall be a resident

3 state-wide hunting license and shall entitle the licensee to
4 hunt all game, except elk, bear and deer, in all counties
5 of the state. It shall be issued only to citizens of the United
6 States who are residents of this state. The fee therefor
7 shall be three dollars: *Provided*, That in any case where a
8 licensee purchases a class A and a class B license at the
9 same time, the fee for a class A license shall be two dollars
10 and fifty cents.

Sec. 2-b. *Class B; Resident State-wide Fishing License.*—

2 A class B license shall be a resident state-wide fishing li-
3 cense and shall entitle the licensee to fish for all fish, ex-
4 cept trout, in all counties of the state. It shall be issued
5 only to citizens of the United States, and unnaturalized
6 persons possessing the permit mentioned in section three
7 of this article, who are residents of this state. The fee
8 therefor shall be three dollars: *Provided*, That in any case
9 where a licensee purchases a class A and a class B license
10 at the same time the fee for a class B license shall be two
11 dollars and fifty cents. For convenience, the commission
12 may provide for the issuance, in those cases where both
13 class A and class B licenses are issued to a single licensee

14 at the same time, of both class A and class B licenses upon
15 a single form, but regardless of such form, each shall be
16 and remain a separate license.

Sec. 2-e. Class E; Nonresident State-wide Small Game

2 *Hunting License.*—A class E license shall be a nonresident
3 hunting license and shall entitle the licensee to hunt all
4 game, except elk, bear and deer, in all counties of the state.
5 It shall be issued only to citizens of the United States who
6 are not residents of this state. The fee therefor shall be
7 twenty dollars.

Sec. 2-f. Class F; Nonresident State-wide Fishing Li-

2 *cense.*—A class F license shall be a nonresident fishing li-
3 cense and shall entitle the licensee to fish for all fish, ex-
4 cept trout, in all counties of the state. It shall be issued
5 only to citizens of the United States, and to unnaturalized
6 persons possessing the permit required by section three of
7 this article, who are not residents of this state. The fee
8 therefor shall be ten dollars.

Sec. 2-l. Class L; Nonresident State-wide Bow and Ar-

2 *row Hunting License.*—A class L license shall be a non-
3 resident bow and arrow hunting license and shall entitle

4 the licensee to employ a long bow and arrow in taking
5 game, fish, and frogs in all counties of the state. It shall
6 be issued only to citizens of the United States who are not
7 residents of this state. The fee therefor shall be fifteen
8 dollars.

Sec. 2-n. *Class M; Resident State-wide Elk, Deer and
2 Bear Hunting License.*—A class M license shall be a resi-
3 dent state-wide elk, deer and bear hunting license and
4 shall entitle the licensee to hunt elk, deer and bear in
5 those counties of the state as authorized by the director.
6 It shall be issued only to citizens of the United States who
7 are residents of this state. This license shall be issued in
8 the form of a stamp, shall be in addition to a class A li-
9 cense and shall be valid only when affixed thereto or to
10 a combination A and B license. The fee therefor shall be
11 one dollar.

Sec. 2-o. *Class N; Nonresident State-wide Elk, Deer and
2 Bear Hunting License.*—A class N license shall be a non-
3 resident state-wide elk, deer and bear hunting license and
4 shall entitle the licensee to hunt elk, deer and bear in
5 those counties of this state as authorized by the director.

6 It shall be issued only to citizens of the United States who
7 are not residents of this state. This license shall be issued
8 in the form of a stamp, shall be in addition to a class E
9 license and shall be valid only when affixed thereto. The
10 fee therefor shall be five dollars.

Sec. 2-p. *Class O; Resident Trout Fishing License.*—A
2 class O license shall be a resident state-wide trout fishing
3 license and shall entitle the licensee to fish for trout in
4 those counties of the state as authorized by the director.
5 It shall be issued only to citizens of the United States, and
6 unnaturalized persons possessing the permit mentioned
7 in section three of this article, who are residents of this
8 state. This license shall be issued in the form of a stamp,
9 shall be in addition to a class B license and shall be valid
10 only when affixed thereto or to a combination A and B li-
11 cense. The fee therefor shall be one dollar.

Sec. 2-q. *Class P; Nonresident Trout Fishing License.*—
2 A class P license shall be a nonresident trout fishing li-
3 cense and shall entitle the licensee to fish for trout in those
4 counties of the state as authorized by the director. It shall
5 be issued only to citizens of the United States, and to un-

6 naturalized persons possessing the permit required by
7 section three of this article, who are nonresidents of this
8 state. This license shall be issued in the form of a stamp,
9 shall be in addition to a class F license and shall be valid
10 only when affixed thereto. The fee therefor shall be five
11 dollars.

Sec. 3. *Where License Applications Made; Compensation of Persons Issuing Licenses; Alien Permits.*—Persons
2 eligible for any class license shall make application there-
3 for, either in person or by agent, in writing or orally, as
4 follows:
5

6 (1) For class A, B, E, F, H, I, J, K, M, N, O and P li-
7 cense, to any county clerk or to any other person author-
8 ized by the director to issue licenses.

9 (2) For class D license, to the county clerk of any county,
10 bordering the Ohio river, or to any other person in such
11 a county authorized by the director to issue licenses.

12 (3) For class C license, to the commission; and for class
13 G and class L licenses, to the commission, or its adminis-
14 trative employees at state parks or state forests.

15 Every person making application for any license shall

16 pay, in addition to the license fees prescribed therefor in
17 the preceding sections of this article, an additional fee of
18 fifteen cents as compensation for the person issuing the
19 license: *Provided, however,* That no additional fee shall
20 be collected by any agent for issuing a national forest
21 hunting and trapping class I license, a national forest
22 fishing class J license, and only one fee of fifteen cents
23 shall be collected for issuing combination resident state-
24 wide hunting and fishing class A-B licenses. All such ad-
25 ditional fees received by any county clerk shall be paid
26 by him into the general county fund.

27 Aliens desiring to procure licenses shall first apply to
28 the director for a permit to secure such license. If the di-
29 rector satisfies himself that the applicant is legally en-
30 titled to such license, and will observe the laws of this
31 state, and particularly the provisions of this chapter, he
32 may issue the permit. Permits, once issued, shall remain
33 in force until revoked. No issuing officer shall be required
34 to issue or deliver any license unless the applicant informs
35 him that the licensee is duly qualified and eligible to re-

36 ceive the class of license applied for, and payment of the
37 required fee is made to such officer.

Sec. 11-a. *Allocation of M, N, O and P License Fees.*—

2 Notwithstanding any other provision of this article to the
3 contrary, each year the director shall allocate, out of the
4 total revenue obtained from all classes of licenses, an
5 amount equal to the total revenue obtained from the sale
6 of class O and P licenses for the construction, maintenance
7 and operation of new trout hatcheries, for the mainte-
8 nance, operation and expansion of existing trout hatch-
9 eries and for the propagation of trout and restocking of
10 trout streams and an amount equal to the total revenue
11 obtained from the sale of class M and N licenses for the
12 propagation and distribution of elk, deer, bear and turkey
13 and for the purchase of public hunting lands: *Provided,*
14 That any such purchase shall be subject to the terms and
15 conditions set forth in section one, article eight of this
16 chapter. No portion of said amounts so allocated shall be
17 expended for the enforcement of game, fish or other con-
18 servation laws.

Sec. 11-b. *License to Catch and Sell Minnows or Other*

2 *Bait Fish; Fee; Duration; Renewal.*—The commission shall
3 have the power and authority to issue a license to any
4 person to catch and sell minnows or other bait fish upon
5 written application therefor, signed by the applicant. The
6 fee for such license shall be ten dollars. All licenses
7 issued under this section shall expire on the first day of
8 January following the date of issue. Any such license may
9 be renewed from year to year upon paying to the com-
10 mission the sum of one dollar for each such renewal.

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

W. N. Jasper, Jr.
Chairman Senate Committee

Eudora Andrews
Chairman House Committee

Originated in the Senate.

Takes effect *December 31, 1959* passage.

J. Howard Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Ralph Spear
President of the Senate

F. R. Pauley
Speaker House of Delegates

The within *approved* this the *20th*
day of *March*, 1959.

W. B. Underwood
Governor

