WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED
Committee Substitute For
SENATE BILL NO. 503

(By Mr. Common Foresty
and Conservation)

PASSED March 14 1959

In Effect December 31 1957 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 re-enacting 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-
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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 Exemption.—Licenses to hunt and fish shall be of the kinds and classes and shall be conditioned upon the payment of the fees set forth in this article.

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

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

Sec. 2-a. Class A; Resident State-wide Small Game Hunting License.—A class A license shall be a resident
state-wide hunting license and shall entitle the licensee to
hunt all game, except elk, bear and deer, in all counties
of the state. It shall be issued only to citizens of the United
States who are residents of this state. The fee therefor
shall be three dollars: Provided, That in any case where a
licensee purchases a class A and a class B license at the
same time, the fee for a class A license shall be two dollars
and fifty cents.

Sec. 2-b. Class B; Resident State-wide Fishing License.—
A class B license shall be a resident state-wide fishing li-
cense and shall entitle the licensee to fish for all fish, ex-
cept trout, in all counties of the state. It shall be issued
only to citizens of the United States, and unnaturalized
persons possessing the permit mentioned in section three
of this article, who are residents of this state. The fee
therefor shall be three dollars: Provided, That in any case
where a licensee purchases a class A and a class B license
at the same time the fee for a class B license shall be two
dollars and fifty cents. For convenience, the commission
may provide for the issuance, in those cases where both
class A and class B licenses are issued to a single licensee
at the same time, of both class A and class B licenses upon
a single form, but regardless of such form, each shall be
and remain a separate license.

Sec. 2-e. Class E; Nonresident State-wide Small Game Hunting License.—A class E license shall be a nonresident
hunting license and shall entitle the licensee to hunt all
game, except elk, bear and deer, in all counties of the state.
It shall be issued only to citizens of the United States who
are not residents of this state. The fee therefor shall be
twenty dollars.

Sec. 2-f. Class F; Nonresident State-wide Fishing Li-
cense.—A class F license shall be a nonresident fishing li-
cense and shall entitle the licensee to fish for all fish, ex-
cept trout, in all counties of the state. It shall be issued
only to citizens of the United States, and to unnaturalized
persons possessing the permit required by section three of
this article, who are not residents of this state. The fee
therefor shall be ten dollars.

Sec. 2-l. Class L; Nonresident State-wide Bow and Ar-
row Hunting License.—A class L license shall be a non-
resident bow and arrow hunting license and shall entitle
the licensee to employ a long bow and arrow in taking
game, fish, and frogs in all counties of the state. It shall
be issued only to citizens of the United States who are not
residents of this state. The fee therefor shall be fifteen
dollars.

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

Sec. 2-o. Class N; Nonresident State-wide Elk, Deer and
Bear Hunting License.—A class N license shall be a non-
resident state-wide elk, deer and bear hunting license and
shall entitle the licensee to hunt elk, deer and bear in
those counties of this state as authorized by the director.
It shall be issued only to citizens of the United States who
are not residents of this state. This license shall be issued
in the form of a stamp, shall be in addition to a class E
license and shall be valid only when affixed thereto. The
fee therefor shall be five dollars.

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

Sec. 2-q. Class P; Nonresident Trout Fishing License.—A
class P license shall be a nonresident trout fishing li-
cense and shall entitle the licensee to fish for trout in those
counties of the state as authorized by the director. It shall
be issued only to citizens of the United States, and to un-
naturalized persons possessing the permit required by section three of this article, who are nonresidents of this state. This license shall be issued in the form of a stamp, shall be in addition to a class F license and shall be valid only when affixed thereto. The fee therefor shall be five dollars.

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

(1) For class A, B, E, F, H, I, J, K, M, N, O and P license, to any county clerk or to any other person authorized by the director to issue licenses.

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

(3) For class C license, to the commission; and for class G and class L licenses, to the commission, or its administrative employees at state parks or state forests.

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

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

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

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

Sec. 11-b. License to Catch and Sell Minnows or Other
Bait Fish; Fee; Duration; Renewal.—The commission shall have the power and authority to issue a license to any person to catch and sell minnows or other bait fish upon written application therefor, signed by the applicant. The fee for such license shall be ten dollars. All licenses issued under this section shall expire on the first day of January following the date of issue. Any such license may be renewed from year to year upon paying to the commission the sum of one dollar for each such renewal.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect December 31, 1959 passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 26th day of March, 1959.

Governor