

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 142

(By Mr. Lilly)



PASSED July 14 1963

In Effect Ninety days from Passage



Filed in Office of the Secretary of State  
of West Virginia 2-21-63

JOE F. BURDETT  
SECRETARY OF STATE

# 142

**ENROLLED**  
**House Bill No. 142**

(By MR. LILLY)

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[Passed February 14, 1963; in effect ninety days from passage.]

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AN ACT to amend and reenact section thirty-eight, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the revocation of hunting licenses by the director of natural resources.

*Be it enacted by the Legislature of West Virginia:*

That section thirty-eight, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**Article 2. Game and Fish.**

**Section 38. Refusal or Revocation of License or Per-**

2 **mit.**—The director may, for cause, refuse a license or  
3 permit to any person or revoke a license or permit which  
4 had been granted.

5 In case the director desires to refuse a license to any  
6 person, he shall notify personnel authorized to issue  
7 licenses, in counties where it is expected such license may  
8 be sought, of the name and address of such person and  
9 such other information in relation thereto as he may  
10 desire to give, and such issuing authority shall not issue  
11 a license to such person thereafter, and shall report to  
12 the director any application made therefor. In case any  
13 issuing authority shall, after receiving such notice know-  
14 ingly issue such license, he shall be guilty of a mis-  
15 demeanor. The director may revoke any such license so  
16 wrongfully issued. The violation of any of the provisions  
17 of this chapter by any person holding a license shall be  
18 sufficient cause for the director to refuse or revoke a  
19 license.

20 All licenses and permits authorized by this chapter to  
21 be granted shall be deemed to have been granted by the  
22 director, and the power and authority to revoke such  
23 licenses is vested in the director. Upon the revocation of  
24 any license, the one to whom the same was issued shall,  
25 upon having knowledge of such revocation, forthwith

26 deliver the license and tag so issued to him to the director,  
27 his agent, or the clerk of any county court. A clerk shall  
28 transmit the same to the director.

29 The hunting license of any person convicted under sec-  
30 tion eleven, article seven, chapter sixty-one of the code of  
31 West Virginia, one thousand nine hundred thirty-one, as  
32 amended, shall be revoked, and such person shall not be  
33 issued any other hunting license for a period of five  
34 years: *Provided*, That any person heretofore or hereafter  
35 convicted of any offense under chapter sixty-one, article  
36 seven, section eleven, other than a negligent shooting  
37 which has resulted in the killing of a human being, after  
38 the expiration of two years may petition the director  
39 for reinstatement of all hunting license privileges and  
40 if the director upon a hearing and full investigation finds  
41 that the applicant has paid and satisfied all claims against  
42 him, if any, and the circumstances at the time and the  
43 nature of the offense indicate that he is not likely again  
44 to commit a like or similar offense and that the public  
45 good does not require that the applicant's hunting privi-  
46 leges remain revoked or suspended, the director may  
47 enter an order restoring full hunting privileges to the  
48 applicant.

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

*O. Roy Parker*  
Chairman Senate Committee

*Ethel L. Caudwell*  
Chairman House Committee

Originated in the House.

Takes effect *NINETY DAYS FROM* passage.

*Howard Meyer*  
Clerk of the Senate

*A. Blankenship*  
Clerk of the House of Delegates

*Howard W. Carson*  
President of the Senate

*John W. Singleton*  
Speaker House of Delegates

The within *approved* this the *20<sup>th</sup>*  
day of *February*, 1963.

*M. Bann*  
Governor

