

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1974

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ENROLLED

HOUSE BILL No. 720

(By Mr. Stacy and Mr. Swann)

— • —

PASSED February 15 1974

In Effect from Passage



FILED IN THE CLERK'S
EDGAR W. FUSSELL III
SECRETARY OF STATE
THIS DATE 2-22-74

720

ENROLLED

H. B. 720

(By MR. STACY and MR. SWANN)

[Passed February 15, 1974; in effect from passage.]

AN ACT to amend and reenact section twenty-eight, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to categories of persons not required to obtain a license or permit to fish.

Be it enacted by the Legislature of West Virginia:

That section twenty-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. WILDLIFE RESOURCES.

§20-2-28. When licenses or permits not required.

1 Persons in the following categories shall not be required
2 to obtain licenses or permits as indicated:

3 (a) Bona fide resident landowners or their resident chil-
4 dren, or bona fide resident tenants of such land, may hunt,
5 trap or fish on their own land during open seasons in ac-
6 cordance with the laws and regulations applying to such
7 hunting, trapping and fishing without obtaining a license to
8 do so unless such lands have been designated as a wildlife
9 refuge or preserve.

10 (b) Any bona fide resident of this state who is totally
11 blind may fish in this state without obtaining a fishing license
12 to do so. A written statement or certificate from a duly
13 licensed physician of this state showing the said resident
14 to be totally blind shall serve in lieu of a fishing license and

15 shall be carried on the person of said resident at all times
16 while he is fishing in this state.

17 (c) Any resident or in-patient in any state mental health,
18 health or benevolent institution or facility may fish in this
19 state, under proper supervision of the institution involved,
20 without obtaining a fishing license to do so. A written state-
21 ment or certificate signed by the superintendent of the mental
22 health, health or benevolent institution or facility in which the
23 resident or in-patient, as the case may be, is institutionalized
24 shall serve in lieu of a fishing license and shall be carried on
25 the person of the resident or in-patient at all times while he
26 is fishing in this state.

27 (d) All residents of West Virginia on active duty in the
28 armed forces of the United States of America, while on
29 leave or furlough, shall have the right and privilege to
30 hunt, trap or fish in season in West Virginia without ob-
31 taining a license to do so. Leave or furlough papers shall
32 serve in lieu of any such license and shall be carried on the
33 person at all times while trapping, hunting or fishing.

34 (e) In accordance with the provisions of section twenty-
35 seven of this article, any resident sixty-five years of age
36 or older shall not be required to have a license to hunt, trap
37 or fish during the legal seasons in West Virginia, but in lieu
38 of such license any such person shall at all times while hunting,
39 trapping or fishing, carry on his person a card issued by the
40 director stating his name, address and date of birth.

41 (f) Residents of the state of Maryland who carry hunting
42 or fishing licenses valid in that state may hunt or fish from
43 the West Virginia banks of the Potomac river without obtaining
44 licenses to do so, but such hunting or fishing shall be confined
45 to the fish and waterfowl of the river proper and not on its
46 tributaries: *Provided*, That the state of Maryland shall first
47 enter into a reciprocal agreement with the director extending
48 a like privilege of hunting and fishing on the Potomac river
49 from the Maryland banks of said river to licensed residents
50 of West Virginia, without requiring said residents to obtain
51 Maryland hunting and fishing licenses.

52 (g) Residents of the state of Ohio who carry hunting or
53 fishing licenses valid in that state may hunt or fish on the

54 Ohio river or from the West Virginia banks of said river
55 without obtaining licenses to do so, but such hunting or
56 fishing shall be confined to fish and waterfowl of the river
57 proper and not on its tributaries: *Provided, however,* That
58 the state of Ohio shall first enter into a reciprocal agreement
59 with the director extending a like privilege of hunting and
60 fishing from the Ohio banks of said river to licensed residents
61 of West Virginia without requiring said residents to obtain
62 Ohio hunting and fishing licenses. In the event the state of
63 Ohio accords this privilege to residents of West Virginia, such
64 Ohio residents will not be required to obtain the license pro-
65 vided for by section forty-two of this article.

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

H. Darrel Darby
Chairman Senate Committee

Doreen B. Chisholm
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard W. Larson
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

W. T. Brotherton, Jr.
President of the Senate

Lewis T. Thomas
Speaker House of Delegates

The within approved this the 22nd
day of February, 1974.

Anda A. Moore, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 2/18/74

Time 4:35 p.m.