

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977

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ENROLLED

SENATE BILL NO. 485

(By Mr. Gainer)

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PASSED April 9 1977

In Effect January 1, 1978 Passage

110. 403

ENROLLED
Senate Bill No. 485
(By MR. GAINER)

[Passed April 9, 1977; in effect January 1, 1978.]

AN ACT to amend and reenact sections thirty-nine, forty, forty-a, forty-three and forty-six-b, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing fees for Class A, B, AB, E and N hunting and fishing licenses, providing for issuance of Class H six-day, non-resident small game hunting license, and providing fee for Class H license is eight dollars.

Be it enacted by the Legislature of West Virginia:

That sections thirty-nine, forty, forty-a, forty-three and forty-six-b, 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.

§20-2-39. Class A resident statewide hunting and trapping license.

1 A Class A license shall be a resident statewide hunting
2 and trapping license and shall entitle the licensee to
3 hunt and trap all legal species of game in all counties of
4 the state, except as prohibited by rules or regulations
5 of the director. It shall be issued only to citizens of the
6 United States and to unnaturalized persons who possess
7 the permit referred to in section twenty-nine of this
8 article who are residents of this state. The fee therefor
9 shall be six dollars.

§20-2-40. Class B resident statewide fishing license.

1 A Class B license shall be a resident statewide fishing
2 license and shall entitle the licensee to fish for all legal

3 fish in all counties of the state, except as prohibited by
4 rules or regulations of the director. It shall be issued
5 only to citizens of the United States, and unnaturalized
6 persons possessing the permit mentioned in section
7 twenty-nine of this article, who are residents of this
8 state. The fee therefor shall be six dollars.

**§20-2-40a. Class AB combination resident statewide hunting,
trapping and fishing license.**

1 A Class AB combination license shall be a resident
2 statewide hunting, trapping and fishing license and shall
3 entitle the licensee to hunt and trap for all legal species
4 of game, and fish for all legal species of fish and frogs
5 in all counties of the state, except as prohibited by rules
6 or regulations of the director. It shall be issued only to
7 citizens of the United States and to unnaturalized per-
8 sons who possess the permit referred to in section
9 twenty-nine of this article who are residents of this state.
10 The fee therefor shall be ten dollars.

**§20-2-43. Class E, Class F, Class G and Class H licenses for
nonresidents.**

1 A Class E license shall be a nonresident hunting
2 license and shall entitle the licensee to hunt all game in
3 all counties of the state, except wild boar. It shall be is-
4 sued only to citizens of the United States and to unnat-
5 uralized persons who possess the permit referred to in
6 section twenty-nine of this article who are not residents of
7 this state. The fee therefor shall be forty dollars.

8 A Class F license shall be a nonresident fishing license
9 and shall entitle the licensee to fish for all fish in all
10 counties of the state. It shall be issued only to citizens
11 of the United States and to unnaturalized persons who
12 possess the permit referred to in section twenty-nine of
13 this article who are not residents of this state. The fee
14 therefor shall be twenty dollars.

15 A Class G license shall be a nonresident family fishing
16 license and shall entitle the licensee and members of his
17 family to fish within the territorial limits of state parks
18 and state forests and in the waters of streams bounding

19 same, for a distance of not to exceed one hundred yards
20 from the exterior boundary of any state park or state
21 forest, for a period not to exceed one week. It may be
22 issued to any adult nonresident who is temporarily re-
23 siding in any state park or forest as tenant or lessee of
24 the state. The fee therefor shall be three dollars for the
25 head of the family, plus fifty cents additional for each
26 member of his family to whom the privileges of such
27 license are extended. Class G licenses may be issued
28 in such manner and under such regulations as the di-
29 rector may see fit to prescribe.

30 A Class H license shall be a nonresident small game
31 hunting license and shall entitle the licensee to hunt
32 small game in all counties of the state for a period of
33 six days beginning with the date it is issued. It shall be
34 issued only to citizens of the United States who are not
35 residents of this state. The fee therefor shall be eight
36 dollars. As used in this section, "small game" means all
37 game except bear, deer, wild turkey and wild boar.

**§20-2-46b. Class N special deer hunting license; fee; exceptions;
regulations; limitations; authority of director.**

1 A Class N license shall be a special deer hunting license
2 for antlerless deer of either sex and shall entitle the
3 licensee to hunt for and kill one antlerless deer of either
4 sex during the Class N license season: *Provided*, That
5 if a hunter kills a buck deer during the regular deer
6 hunting season, he shall also be permitted to hunt for
7 and kill one antlerless deer during Class N license season
8 if he has applied for and has had issued to him a Class
9 N license. Only one Class N license may be acquired
10 during any calendar year in which such Class N license
11 season is held, and such Class N license can be used only
12 by the applicant. The fee for a Class N license shall be
13 eight dollars.

14 The Class N license shall be issued only for the purpose
15 of removing antlerless deer on a post-season basis when
16 the director deems it essential for proper management
17 of wildlife resources. The director shall establish such
18 rules and regulations governing the issuance of such

19 Class N licenses as he deems necessary to limit, on a
20 fair and equitable basis, the number of persons who may
21 hunt for antlerless deer in any county or any part of a
22 county: *Provided, however,* That no more than four Class
23 N licenses shall be issued for each deer that the director
24 desires to have killed during the Class N season.

25 When the director deems it essential that Class N
26 license season be held in a particular county or part of
27 a county, such season shall be held on the Friday and
28 Saturday following regular deer hunting season, and
29 shall be extended beyond such two-day period only upon
30 order of the director when necessary to accomplish the
31 desired kill.

32 Bona fide resident landowners or their resident chil-
33 dren, or bona fide resident tenants of such land shall not
34 be required to have a Class N license in their possession
35 while hunting antlerless deer on their own land during
36 the Class N license season.

37 Notwithstanding any provision of this code to the con-
38 trary, no Class N license shall be issued for a county or
39 a part of a county unless, during the regular deer hunting
40 season in the previous year, two bucks have been killed
41 per square mile of deer range in that county or part of
42 the county in which the hunt is to be held, and the direc-
43 tor deems the holding of such Class N season advisable.

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

James L. Davis
Chairman Senate Committee

Clarence C. Christensen Jr.
Chairman House Committee

Originated in the Senate.

To take effect January 1, 1978.

J. C. Dillon, Jr.
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

W. B. B. B. B.
President of the Senate

Donald L. Kopp
Speaker House of Delegates

The within is approved this the 26
day of April, 1977.

John D. R. R. R.
Governor

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OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date April 26, 1977

Time 3:25 p.m.

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OFFICE
SECY. OF STATE