

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time \_\_\_\_\_

No: 1722

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

— ● —

# ENROLLED

HOUSE BILL No. 1722

(By Mr. Balloy )

— ● —

Passed April 11, 1981

In Effect Ninety Days From Passage



**ENROLLED**

**H. B. 1722**

(By MR. BALLOUZ)

[Passed April 11, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact sections thirty-nine, forty, forty-a, forty-six-c and forty-six-e, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to Class A, Class B, Class AB and Class Q licenses for residents and Class O licenses for residents and non-residents; increasing the fee of a Class A, Class B and Class AB resident license; requiring a trout stamp be affixed to Class AB, B, F, G and K license and assessing a fee thereof; changing the requirements of Class Q special resident license; and specifying effective date.

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

That sections thirty-nine, forty, forty-a, forty-six-c and forty-six-e, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

**ARTICLE 2. WILDLIFE RESOURCES.**

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

1 On and after the first day of January, one thousand nine  
2 hundred eighty-two, a Class A license shall be a resident state-  
3 wide hunting and trapping license and shall entitle the licensee  
4 to hunt and trap all legal species of game in all counties of the  
5 state, except as prohibited by rules or regulations of the  
6 director. It shall be issued only to citizens of the United  
7 States and to unnaturalized persons who possess the permit

8 referred to in section twenty-nine of this article who are  
9 residents of this state. The fee therefor shall be eight dollars.

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

1 On and after the first day of January, one thousand nine  
2 hundred eighty-two, a Class B license shall be a resident state-  
3 wide fishing license and shall entitle the licensee to fish for all  
4 legal fish, except trout, in all counties of the state, except as  
5 prohibited by rules or regulations of the director. It shall  
6 be issued only to citizens of the United States, and un-  
7 naturalized persons possessing the permit mentioned in sec-  
8 tion twenty-nine of this article, who are residents of this state.  
9 The fee therefor shall be eight dollars.

10 Trout fishing is not permitted with a Class B license unless  
11 such license has affixed thereto an appropriate trout stamp  
12 as prescribed by the department of natural resources. The  
13 fee for a trout stamp shall be five dollars. The trout stamp  
14 is in addition to a Class B license.

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

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

12 Trout fishing is not permitted with a Class AB license  
13 unless such license has affixed thereto an appropriate trout  
14 stamp as prescribed by the department of natural resources.  
15 The fee for a trout stamp shall be five dollars. The trout  
16 stamp is in addition to a Class AB license.

**§20-2-46c. Class O resident and nonresident trout fishing license.**

1 On and after the first day of January, one thousand nine  
2 hundred eighty-two, a Class O license shall be a resident and  
3 nonresident statewide trout fishing license and shall entitle the  
4 licensee to fish for trout in all counties of the state, except as  
5 prohibited by rules or regulations of the director.

6 The fee shall be five dollars. The revenue derived from  
7 the sale of this license shall be deposited in the state treasury  
8 and credited to the department of natural resources and  
9 shall be used and paid out, upon order of the director, for  
10 state trout hatchery production.

11 This license shall be issued in the form of a stamp prescribed  
12 by the director, shall be in addition to a Class AB, B, F, G  
13 or K license and shall be valid only when affixed thereto.

**§20-2-46e. Class Q special resident hunting permit for disabled;  
fee; authority of director.**

1 On and after the first day of January, one thousand nine  
2 hundred eighty-two, a Class Q permit shall be a special state-  
3 wide hunting permit and shall entitle the permittee to hunt all  
4 legal species of game during the designated hunting seasons.

5 A form for such permit shall be furnished by the director  
6 to any applicant who meets the following requirements:

- 7 (1) He is a resident of this state;
- 8 (2) He is permanently disabled in the lower extremities;
- 9 and
- 10 (3) He holds a Class A or AB resident statewide hunting
- 11 license or a senior citizens license.

12 The form when properly filled out by a licensed physician  
13 shall attest to the disability of the applicant and shall, from  
14 the date of signing by the physician, constitute a Class Q  
15 permit which the permittee shall have in his possession when  
16 hunting during any hunting season for which permittee holds  
17 a valid license as provided herein. The director shall establish  
18 such rules and regulations as he deems necessary to administer  
19 the qualifications and permitting of applicants.

20 A Class Q permit shall entitle the holder thereof to hunt  
21 from a motor vehicle and, notwithstanding the provisions of  
22 subsection (10), section five of this article, to possess a  
23 loaded firearm in a motor vehicle, but only under the follow-  
24 ing circumstances:

25 (a) The motor vehicle is stationary;

26 (b) The engine of the motor vehicle is not operating;

27 (c) The permittee is the only occupant of the vehicle;

28 (d) The vehicle is not parked on the right-of-way of any  
29 public road or highway; and

30 (e) The permittee observes all other pertinent laws and  
31 regulations.

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

*R. P. Baylor*  
-----  
Chairman Senate Committee

*Tony E. Whitlow*  
-----  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

*Isadd C. Willis*  
-----  
Clerk of the Senate

*Blankenship*  
-----  
Clerk of the House of Delegates  
*Walter R. Rouse*  
-----  
President of the Senate

*Walter M. Lee, Jr.*  
-----  
Speaker House of Delegates

The within *is approved* this the *20*  
day of *April*, 1981.

*John S. Dwyer*  
-----  
Governor

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SECY. OF STATE