

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-28-81

Time 5:00 p.m.

No: 65

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1981



**ENROLLED**

SENATE BILL NO. 65

(By Mr. Colombo)



PASSED March 18, 1981

In Effect ninety days from Passage



**ENROLLED**  
**Senate Bill No. 65**

(By MR. COLOMBO)

[Passed March 18, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact section forty-six-b, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to special hunting licenses for antlerless deer; setting restrictions on obtaining a license to hunt antlerless deer; providing exceptions to such restrictions; requiring that persons licensed to hunt such deer hold certain other hunting licenses and providing certain exceptions for persons over age sixty-five or less than age sixteen; and requiring proof of age in such cases.

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

That section 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.**

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

1 A Class N license is a special deer hunting license for  
2 antlerless deer of either sex and entitles the licensee to hunt  
3 for and kill one antlerless deer of either sex during the Class  
4 N license season: *Provided*, That if a hunter kills a buck deer  
5 during the regular deer hunting season, he shall also be  
6 permitted to hunt for and kill one antlerless deer during Class  
7 N license season if he has applied for and has had issued to  
8 him a Class N license. Only one Class N license may be  
9 acquired during any calendar year in which the Class N  
10 license season is held, and the Class N license can be used  
11 only by the applicant. No person receiving a Class N license  
12 for any given Class N license season may receive a Class N  
13 license for the next consecutive Class N license season. In

14 order to implement this restriction the director shall cause  
15 the names and social security numbers of those persons  
16 receiving licenses to be recorded in the department's records.  
17 The fee for a Class N license is eight dollars: *Provided,*  
18 *however,* That the director may issue a Class N license to a  
19 person who received a Class N license the preceding year if  
20 there are not sufficient applications received from persons  
21 who did not receive a Class N license the preceding year to  
22 meet the purpose for which Class N licenses are issued.

23 The Class N license may be issued only for <sup>the purpose of</sup> removing *the*  
24 antlerless deer on a post-season basis when the director  
25 deems it essential for proper management of wildlife  
26 resources. The director shall establish such rules and  
27 regulations governing the issuance of such Class N licenses as  
28 he deems necessary to limit, on a fair and equitable basis, the  
29 number of persons who may hunt for antlerless deer in any  
30 county, or any part of a county: *Provided, however,* That no  
31 more than four Class N licenses shall be issued for each deer  
32 that the director desires to have killed during the Class N  
33 season.

34 When the director deems it essential that Class N license  
35 season be held in a particular county or part of a county, the  
36 season shall be held on the Friday and Saturday following  
37 regular deer hunting season, and shall extend beyond the  
38 two-day period only upon order of the director when  
39 necessary to accomplish the desired kill.

40 Bona fide resident landowners or their resident children,  
41 bona fide resident tenants of such land, and any bona fide  
42 resident stockholder of resident corporations which are  
43 formed for the primary purpose of hunting or fishing and  
44 which are the fee simple owners of no less than one thousand  
45 acres of land upon which such antlerless deer may be hunted  
46 are not required to have a Class N license in their possession  
47 while hunting antlerless deer on their own land during the  
48 Class N license season.

49 A Class N license may be issued only to a resident of this  
50 state who holds a valid Class A, Class AB, Class O or Class Q  
51 license issued for the current calendar year or a resident of  
52 this state who has attained the age of sixty-five years, except  
53 that this requirement shall not apply to persons under the age  
54 of sixteen. The director shall require proof of age before  
55 issuing a Class N license, and such license shall contain a

56 space for recording the number of the valid Class A, Class AB,  
57 Class O or Class Q license.

58 Notwithstanding any provision of this code to the contrary,  
59 no Class N license shall be issued for a county or a part of a  
60 county unless, during the regular deer hunting season in the  
61 previous year, two bucks have been killed per square mile of  
62 deer range in that county or part of the county in which the  
63 hunt is held, and the director deems the holding of the Class  
64 N season necessary.

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

*R. P. Bayler*  
Chairman Senate Committee

*Tony E. Whitlow*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Todd C. Willis*  
Clerk of the Senate

*W. Blankenship*  
Clerk of the House of Delegates

*Warren F. Wood*  
President of the Senate

*Chas. H. Seefelt, Jr.*  
Speaker House of Delegates

The within *is approved* this the *25*

day of *March*, 1981.

*John R. Rupp*  
Governor



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