

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-30-82

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

ENROLLED

Committee Substitute for

SENATE BILL NO. 352

(By Mr. Colombo)

PASSED MARCH 13, 1982

In Effect ninety days from Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 352

(By MR. COLOMBO, *original sponsor*)

[Passed March 13, 1982; 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 not allowing holders of only Class O resident and nonresident trout fishing license to hold a Class N special deer hunting license; and relating to Class N license season.

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.

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

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

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

36 When the director deems it essential that Class N
37 license season be held in a particular county or part of a
38 county, that season shall be set by the natural resources
39 commission as provided for in section seven, article one
40 of this chapter.

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

50 A Class N license may be issued only to a resident of
51 this state who holds a valid Class A, Class AB or Class Q
52 license issued for the current calendar year or a resident

53 of West Virginia who is not required to obtain a license
54 or permit to hunt as provided in section twenty-eight,
55 article two of this chapter, except that this requirement
56 shall not apply to persons under the age of fifteen. The
57 director shall require proof of age before issuing a Class
58 N license, and such license shall contain a space for
59 recording the number of the valid Class A, Class AB or
60 Class Q license.

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

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

R. P. Baylor
Chairman Senate Committee

Gony E. Whetton
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Jedd C. Hulse
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Warren E. Hearnes
President of the Senate

Walter M. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *30*
day of *March*, 1982.

Richard D. Lyles
Governor



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SECY. OF STATE