

Veto No. 2050

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SECRETARY OF STATE

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

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ENROLLED

Com. Sub. for
HOUSE BILL No. 2050

(By ~~Mr.~~ Del. Garrett + Del. J. Martin)

Passed April 13, 1985

In Effect From Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 2050

(By DELEGATE GARRETT and DELEGATE J. MARTIN)

[Passed April 13, 1985; in effect from passage.]

AN ACT to amend article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section forty-four, relating to the establishment of a state migratory waterfowl stamp; definitions; license fee; and dedication of funds.

Be it enacted by the Legislature of West Virginia:

That article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section forty-four, to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-44. Migratory waterfowl stamp; definitions; license fee; dedication of funds.

- 1 (a) As used in this section:
- 2 (1) "Migratory waterfowl" means a wild goose, brant or
- 3 wild duck.
- 4 (2) "Department" means the department of natural
- 5 resources.
- 6 (3) "Stamp" means the migratory waterfowl conservation
- 7 stamp provided by this section.

8 (b) Except as otherwise provided herein, no person may
9 hunt or take any migratory waterfowl within this state without
10 first procuring a migratory waterfowl conservation stamp as
11 provided by this section. Such stamp must be in the possession
12 of every person when hunting or taking any migratory
13 waterfowl. Each stamp shall be validated by the signature of
14 the licensee written across the face of such stamp. Such stamp
15 shall expire annually on the same date each year that all
16 hunting licenses expire. Any person who is exempt from
17 payment or charge for a hunting license is also exempt from
18 the fee imposed by this section. Any person who is under the
19 age of sixteen years is exempt from the requirements of this
20 section.

21 (c) A stamp shall be issued to each hunting license applicant
22 upon request and payment of a fee of five dollars, together
23 with any license agent fees imposed by this article.

24 (d) All fees collected from the sale of state migratory
25 waterfowl stamps shall be appropriated to the department for
26 the following purposes:

27 (1) Fifty percent for projects approved by the department
28 for the purpose of attracting waterfowl and improving public
29 migratory waterfowl areas within the state, but none of the
30 moneys spent within the state may be used for administrative
31 expenses; and

32 (2) Fifty percent will be expended by the department for the
33 development of waterfowl propagation areas within the
34 Dominion of Canada which specifically provide waterfowl for
35 the Atlantic flyway. Before expending any funds under the
36 provisions of this subsection, the department shall obtain
37 evidence that the project is acceptable to the appropriate
38 governmental agency of the Dominion of Canada or of one
39 of its provinces having jurisdiction over the lands and waters
40 affected by the project and shall consult those agencies before
41 allocating funds. The department may enter into an agreement
42 or agreements with an appropriate nonprofit organization or
43 organizations to carry out the provisions of this subdivision.

44 (e) The department has exclusive production rights for the
45 migratory waterfowl conservation stamp and is authorized to
46 adopt a policy for the annual selection of an appropriate
47 design for the stamp and to have the stamp produced for sale.

48 The policy may include ownership rights of the original art
49 selected and arrangements for the reproduction, distribution
50 and marketing of the prints of the design of the stamp, for
51 the disposition of the stamps after their year of issuance and
52 for the lawful disposition of the resulting revenues. Such
53 revenues shall be deposited in the state treasury and credited
54 to the department of natural resources and shall be used and
55 paid out upon order of the director for the conservation of
56 migratory waterfowl and other wildlife.

57 The 1986 migratory waterfowl conservation stamp shall be
58 considered the only official "first of state" migratory waterfowl
59 stamp issued for the state of West Virginia.

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

Harrell E. Holmes
Chairman Senate Committee

Floyd Fuller
Chairman House Committee

Originating in the House.

Takes effect from passage.

Isidore C. Nalle
Clerk of the Senate

Donald E. Kapp
Clerk of the House of Delegates

Don Toussaint
President of the Senate

Joseph P. Allright
Speaker of the House of Delegates

The within *disapproved* this the *2nd*
May, 1985.

Arch A. Moore Jr.
Governor

PRESENTED TO THE

GOVERNOR

Date 4/25/85

Time 2:43 p.m.