

No: 685-
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WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985



ENROLLED

Committee Substitute for
SENATE BILL NO. 685

(By Mr. *Lucas*)



PASSED *April 13,* 1985

In Effect *unity day for* Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 685

(MR. TUCKER, *original sponsor*)

(Originating in the Committee on Natural Resources.)

[Passed April 13, 1935; in effect ninety days 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 sixty-two, relating to former prisoners of war being permitted to hunt and fish in season without licenses.

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 sixty-two, to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-62. Persons exempt from obtaining hunting and fishing licenses; qualification.

1 Any person who has been a prisoner of war, was hon-
2 orably discharged from the military forces and is a resi-
3 dent of this state may take, or catch by angling, fish of
4 the kind lawfully permitted to be taken or caught and

5 may hunt or trap wild birds or wild quadrupeds lawfully
6 permitted to be hunted or trapped without procuring a
7 fishing license, hunting license or trapping permit. The
8 person, while taking or catching fish or hunting or trap-
9 ping wild birds or wild quadrupeds for which he would
10 otherwise be required to have a fishing license, hunting
11 license or trapping permit, shall carry written evidence
12 in the form of a record of separation, a letter from one of
13 the military forces of the United States, or such other
14 evidence as the director of the department of natural
15 resources requires by rule that satisfies the eligibility
16 criteria established by this section.

17 For purposes of this section, the term "prisoner of war"
18 means any member of the armed forces of the United
19 States, including the United States coast guard and na-
20 tional guard, who was held by any hostile force with
21 which the United States was actually engaged in armed
22 conflict during any period of the incarceration; or any
23 person, military or civilian, assigned to duty on the U.S.S.
24 Pueblo who was captured by the military forces of North
25 Korea on the twenty-third of January, one thousand nine
26 hundred sixty-eight, and thereafter held prisoner. Not-
27 withstanding any provision in this section, a prisoner of
28 war shall not include any person who, at any time, volun-
29 tarily, knowingly and without duress, gave aid to or col-
30 laborated with or in any manner served any such hostile
31 force.

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

Harold E. Palmer
Chairman Senate Committee

Floyd Fuller
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Scott C. Smith
Clerk of the Senate

Donald S. Kopp
Clerk of the House of Delegates

Sam Tomlinson
President of the Senate

Joseph P. Albright
Speaker House of Delegates

The within approved this the 1st
day of May, 1985.

Arthur A. Bracey, Jr.
Governor

PRESENTED TO THE

GOVERNOR

Date 4/19/85

Time 8:17 p.m.

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