WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1995

ENROLLED

SENATE BILL NO. 434

(By Senator  Dittel

PASSED  MARCH 11, 1995
In Effect  90 Days From Passage
ENROLLED

Senate Bill No. 434

(BY SENATOR DITTMAR)

[Passed March 11, 1995; in effect ninety days from passage.]

AN ACT to amend and reenact section fifty, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact sections one-a and one-c, article seven of said chapter, all relating to wildlife resources; issuance of permits for collection of wildlife for scientific or education purposes; promulgation of rules; conservation officers being excluded from coverage of wage and hour laws; promulgation of rules; salary increase based on length of service; rank; salary schedule; base pay; and exceptions.

Be it enacted by the Legislature of West Virginia:

That section fifty, article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that sections one-a and one-c, article seven of said chapter be amended and reenacted, all to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.
§20-2-50. Permit to hunt, kill, etc., wildlife for scientific or propagation purposes.

The director may issue a permit to a person to hunt, kill, take, capture or maintain in captivity wildlife exclusively for scientific purposes, but not for any commercial purposes. Any person desiring to collect or procure any wildlife, including any body tissue, organ or other portion thereof, eggs, nesting materials or other materials from the habitat of such wildlife shall be required to make application to the director for a scientific collecting permit. The director shall promulgate rules in accordance with the provisions of chapter twenty-nine-a of this code regarding the issuance of the permits. A permit may be issued only upon written application to the director setting forth at least:

1. The number and kind of wildlife to be taken;
2. The purpose and manner of taking;
3. The name, residence, profession and educational or scientific affiliation of the person applying for the permit; and
4. The geographic location where the collection or procurement is planned to take place.

No charge shall be made for this permit: Provided, That no permit shall be issued for the purpose of killing deer and bear.

ARTICLE 7. LAW ENFORCEMENT, MOTORBOATING, LITTER.

§20-7-1a. Conservation officers excluded from coverage under wage and hour laws; regulation; salary increase based on length of service.

(a) Effective the first day of January, one thousand nine hundred ninety, each conservation officer shall receive and be entitled to an increase in salary based on length of service, including that heretofore and hereafter served, as follows: For five years of service with the department, a conservation
(a) Notwithstanding any provision of this code to the contrary, the ranks within the law-enforcement section of the division of natural resources shall be colonel, lieutenant colonel, major, captain, lieutenant, sergeant, conservation officer and conservation officer-in-training. Each such officer while in uniform shall wear the insignia of rank as provided by the chief conservation officer.

(b) Conservation officers shall be paid the minimum annual salaries based on the following schedule:
ANNUAL SALARY SCHEDULE (BASE PAY)

SUPERVISORY AND NONSUPERVISORY RANKS

Conservation Officer-In-Training $ 21,725
(first year)

Conservation Officer (second year) $ 23,914

Conservation Officer (third year) $ 24,186

Conservation Officer (fourth year) $ 24,398

Conservation Officer (after fifth year) $ 25,976

Conservation Officer (after tenth year) $ 27,554

Conservation Officer (after fifteenth year) $ 28,954

Sergeant $ 32,577

Lieutenant $ 35,397

Captain $ 37,683

Major $ 39,966

Lieutenant Colonel $ 42,008

Colonel

Conservation officers in service at the time the amendment to this section becomes effective shall be given credit for prior service and shall be paid such salaries as the same length of service will entitle them to receive under the provisions hereof.

(c) This section does not apply to special or emergency conservation officers appointed under the authority of section one of this article.

(d) Nothing in this section shall prohibit other pay increases as provided for under section two, article five, chapter five of this code.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ........................................ this the........................................
day of ................................................................., 1995.

Governor