ENROLLED

COMMITTEE SUBSTITUTE FOR
House Bill No. 3048

(By Mr. Speaker, Mr. Kiss, and Delegates Michael, Beach and Tabb)

Passed April 9, 2005

In Effect Ninety Days from Passage
Be it enacted by the Legislature of West Virginia:


ARTICLE 2. WILDLIFE RESOURCES.

§20-2-30a. Certificate of training; falsifying, altering, forging, counterfeiting or uttering training certificate; penalties.

(a) Notwithstanding any other provisions of this article, no hunting license or stamp may be issued to any person who was born on or after the first day of January, one thousand nine hundred seventy-five, unless the person submits to the person authorized to issue hunting licenses a certificate of training as provided in this section or proof of completion of any course which promotes as a major objective safety in the handling of firearms and of bow and arrows and which course is approved by the hunter education association or the Director, or provides a State of West Virginia resident or nonresident hunting license from the previous hunting season that displays a certification of
training, or attests that a hunter training course has been completed when purchasing a license or stamp online.

(b) The Director shall establish a course in the safe handling of firearms and of bows and arrows, such as the course approved by the hunter education association. This course shall be given at least once per year in each county in this state and shall be taught by instructors certified by the Director. In establishing and conducting this course, the Director may cooperate with any reputable association or organization which promotes as a major objective safety in the handling of firearms and of bows and arrows: Provided, That any person holding a Class A-L or AB-L lifetime resident license obtained prior to his or her fifteenth birthday shall be required to obtain a certificate of training as provided in this section before hunting or trapping pursuant to said license. This course of instruction shall be offered without charge, except for materials or ammunition consumed. Upon satisfactory completion of the course, each person instructed in the course shall be issued a certificate of training for the purposes of complying with the requirements of subsection (a) of this section. The certificate shall be in the form prescribed by the Director and shall be valid for hunting license application purposes.

(c) (1) Upon satisfactory completion of this course, any person whose hunting license has been revoked for a violation of the provisions of this chapter may petition the Director for a reduction of his or her revocation time. However, under no circumstances may the time be reduced to less than one year.

(2) Successful completion of this course shall be required to consider the reinstatement of a hunting license of any person whose license has been revoked due to a conviction for negligent shooting of a human being or of livestock under the provisions of section fifty-seven of this article, and who petitions the Director for an early reinstatement of his or her
hunting privileges. Such a petitioner shall also comply with the other requirements for consideration of reinstatement contained in section thirty-eight of this article.

(d) It is unlawful for any person to falsify, alter, forge, counterfeit or utter a certificate of training. Any person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five hundred dollars nor more than one thousand dollars, or confined in jail for a period not to exceed one year, or both fined and imprisoned.

(e) Nothing herein contained shall mandate that any county school district in the state be responsible for implementing hunter safety education programs.

§20-2-33. Authority of Director to designate agents to issue licenses; bonds; fees.

(a) The Director may appoint, in addition to the clerk of the county commission, agents to issue licenses under the provisions of this article to serve the convenience of the public. Each person appointed shall, before issuing any license, file with the Director a bond payable to the State of West Virginia, in the amount to be fixed by the Director, conditioned upon the faithful performance of his or her obligation to issue licenses only in conformity with the provisions of this article and to account for all license fees received by him or her. The form of the bond shall be prescribed by the Attorney General. No person, other than those designated as issuing agents by the Director, may sell licenses or buy licenses for the purpose of resale.

(b) Except when a license is purchased from a state official, every person making application for a license shall pay, in addition to the license fee prescribed in this article, an addi-
tional fee of three dollars to any county official issuing the license and all fees collected by county officials must be paid by them into the general fund of the county treasury or, in the case of an agent issuing the license, an additional fee of three dollars as compensation: Provided, That only one issuing fee of three dollars may be collected by county officials or authorized agents, respectively, for issuing two or more licenses at the same time for use by the same person or for issuing combination resident statewide hunting, trapping and fishing licenses: Provided, however, That a person with a lifetime license or a person who has paid the original additional fee of three dollars to a county official or issuing agent for a license shall only be charged an additional fee of one dollar as additional compensation when subsequently purchasing an additional license from a county official or issuing agent: Provided further, That licenses may be issued electronically in a manner prescribed by the Director and persons purchasing electronically issued licenses may be assessed, in addition to the license fee prescribed in this article, an electronic issuance fee to be prescribed by the Director: Provided, That, notwithstanding any provision of this code to the contrary, an electronic issuance fee of at least two dollars shall be assessed on each Go Wild transaction. The electronic issuance fee shall be dedicated to the administration and maintenance of Go Wild. The Director may propose rules for legislative approval in accordance with article three, chapter twenty-nine-a of this code increasing the license issuing fees authorized by this section.

(c) In lieu of the license issuance fee prescribed in subsection (b) of this section, the Director shall propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code governing the application for and issuance of licenses by telephone and other electronic methods.
(d) The Director may propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code governing the management of issuing agents.

§20-2-33b. Electronic application donation to fund the Coyote Management Program.

(a) (1) Effective the first day of January, two thousand six, every application for a hunting or fishing electronic license shall include a solicitation for a voluntary donation to the division’s established Coyote Management Program.

(2) The license applicant will be offered an opportunity to designate a donation in the amount of two dollars for the Coyote Management Program.

(b) There is hereby created a special revenue account, designated the “Coyote Management Fund” into which all donations derived under this section shall be deposited. Moneys in this account shall be expended solely for the purposes set forth in subsection (c) of this section. Funds paid into this account may also be derived from the following sources: (1) All interest or return on investment accruing to this account; (2) Any gifts, grants, bequests, transfers, appropriations or other donations which may be received from any governmental entity or unit or any person, firm, foundation, or corporation; and (3) any appropriations by the Legislature which may be made for the purposes of this section. Any balance including accrued interest and other earnings at the end of any fiscal year shall not revert to the general fund but shall remain in the fund for the purposes set forth in this section.

(c) The moneys in the fund shall be paid out, at the sole discretion and direction of the director, to address coyote management issues.
§20-2-42. Effective date and indexing of license and stamp fees.

1 The license and stamp fees in article two and two-b of this chapter as amended during the regular session of the 2005 regular session of the Legislature shall become effective on the first day of January, two thousand six. The Director may from time to time propose rules for legislative approval in accordance with article three, chapter twenty-nine-a of this code, changing any license or stamp fee set forth in this article or in article two-b. All increases in license and stamp fees in this article which are set forth in rule shall be computed in a manner that results in the increase being indexed to an increase in the Consumer Price Index (All Items) published by the United States Department of Labor rounded down to the nearest dollar.

Provided, That no increase in fee resulting from increases in the Consumer Price Index (All Items) may be made after the first day of January, two thousand eleven.

§20-2-42a. Class A resident hunting and trapping license.

1 A Class A license is a resident hunting and trapping license and entitles the licensee to hunt and trap all legal species of wild animals and wild birds in all counties of the state, except that the licensee may not hunt deer during the deer archery and muzzleloader seasons, or black bear, wild turkey or wild boar during the respective seasons, and except as prohibited by rules of the Director or Natural Resources Commission and when additional licenses, stamps or permits are required. It shall be issued only to residents or aliens lawfully residing in the United States who have been domiciled residents of West Virginia for a period of thirty consecutive days or more immediately prior to the date of their application for a license. The fee for the license is eighteen dollars. This is a base license and does not require the purchase of a prerequisite license to participate in the activities specified in this section, except as noted.
§20-2-42b. **Class B resident fishing license.**

1 A Class B license is a resident fishing license and entitles the licensee to fish for all legal fish except trout and to take frogs in all counties of the state, except as prohibited by rules of the Director or Natural Resources Commission and when additional licenses, stamps or permits are required. It shall be issued only to residents or aliens lawfully residing in the United States who have been domiciled residents of West Virginia for a period of thirty consecutive days or more immediately prior to the date of their application for a license. The fee for the license is eighteen dollars. To fish for trout, a Class B license holder must purchase and carry a valid Class O stamp or Class O-L license. This is a base license and does not require the purchase of a prerequisite license to participate in the activities specified in this section, except as noted.

§20-2-42c. **Class C courtesy statewide hunting and fishing license.**

1 A Class C license is a courtesy hunting and fishing license and entitles the licensee to hunt and fish in all counties of this state. It may be issued by the Director upon application made to him or her and without fee to:

5 (1) Members and agents of the United States Fish and Wildlife Service;

7 (2) Members of State Commissions of other states extending similar courtesies;

9 (3) Diplomatic and consular representatives of foreign countries;

11 (4) Persons engaged in scientific wildlife research;

12 (5) Nonresident outdoor writers and other nonresidents engaged in promoting an interest in the Natural Resources of the State of West Virginia.
Not more than one hundred courtesy licenses shall be issued in one year. This is a base license and does not require the purchase of a prerequisite license to participate in the activities specified in this section, except as noted.

§20-2-42d. Class E nonresident hunting and trapping license.

A Class E license is a nonresident hunting and trapping license and entitles the licensee to hunt and trap all legal species of wild animals and wild birds in all counties of the state except as prohibited by rules of the Director or Natural Resources Commission and except when other licenses, stamps or permits are required. The fee for the license is one hundred ten dollars. This is a base license and does not require the purchase of a prerequisite license to participate in the activities specified in this section, except as noted.

§20-2-42e. Class EE nonresident bear hunting license.

A Class EE license is a nonresident bear hunting license and entitles the licensee to hunt bear in all counties of the state, except as prohibited by rules of the Director or Natural Resources Commission and except when additional licenses, stamps or permits are required. The fee for the license is one hundred fifty dollars. This is a base license and does not require the purchase of a prerequisite license to participate in the activities specified in this section, except as noted.

§20-2-42f. Class F nonresident fishing license.

A Class F license is a nonresident fishing license and entitles the licensee to fish for all legal fish except trout and to take frogs, in all counties of the state except as prohibited by rules of the Director or Natural Resources Commission and except when additional licenses, stamps or permits are required. The fee for the license is thirty-five dollars. To fish for trout, a Class F license holder must purchase and carry a valid Class

8 trout stamp. This is a base license and does not require the
9 purchase of a prerequisite license to participate in the activities
10 specified in this section, except as noted.

§20-2-42g. Class H nonresident small game hunting license.

1 A Class H license is a nonresident small game hunting
2 license and entitles the licensee to hunt small game in all
3 counties of the state, except as prohibited by rules of the
4 Director or Natural Resources Commission and except when
5 additional licenses, stamps or permits are required, for a period
6 of six consecutive hunting days chosen by the licensee, exclud-
7 ing Sunday in counties closed to Sunday hunting. The fee for
8 the license is twenty-five dollars. This is a base license and does
9 not require the purchase of a prerequisite license to participate
10 in the activities specified in this section, except as noted.

§20-2-42h. Class J nonresident small game shooting preserve
license.

1 A Class J license is a nonresident small game shooting
2 preserve license and entitles the licensee to hunt small game on
3 designated shooting preserves, except as prohibited by rules of
4 the Director or Natural Resources Commission and except
5 when additional licenses, stamps or permits are required, for a
6 period of six consecutive hunting days chosen by the licensee,
7 excluding Sunday in counties closed to Sunday hunting. The fee
8 for the license is ten dollars. This is a base license and does not
9 require the purchase of a prerequisite license to participate in
10 the activities specified in this section, except as noted.

§20-2-42i. Class LL nonresident one-day fishing license.

1 A Class LL license is a nonresident fishing license and
2 entitles the licensee to fish for all legal fish except trout and to
3 take frogs in all counties of the state for the calendar date
4 chosen by the buyer and which will be specified on the license,
except as prohibited by rules of the Director or Natural Resources Commission and except when additional licenses, stamps or permits are required. To fish for trout, a Class LL licensee must purchase and carry a valid Class OO trout stamp. The fee for the license is three dollars. This is a base license and does not require the purchase of a prerequisite license to participate in the activities specified in this section, except as noted.

§20-2-42j. Class X resident hunting, fishing and trapping license.

A Class X license is a resident hunting, fishing and trapping license and entitles the licensee to hunt and trap for all legal species of wild animals and wild birds, to fish for all legal species of fish except trout and to take frogs in all counties of the state, except as prohibited by the rules of the Director or Natural Resources Commission and when additional licenses, stamps or permits are required. No additional fees shall be required of Class X licensees for a Class CS stamp. To fish for trout, a Class X licensee must purchase and carry a valid Class O stamp or Class O-L license. The Class X license shall be issued only to residents or aliens lawfully residing in the United States who have been domiciled residents of West Virginia for a period of thirty consecutive days or more immediately prior to the date of their application for a license. The fee for the license is thirty-three dollars. The portion of the Class X license fee equal to the annual fee for the Class CS stamp shall be designated as conservation stamp revenue and expended pursuant to section nine, article two-b of this code. This is a base license and does not require the purchase of a prerequisite license to participate in the activities specified in this section, except as noted.

§20-2-42k. Class XJ resident junior and Class XXJ nonresident junior hunting, fishing and trapping license.
A Class XJ license is a resident junior hunting, fishing and trapping license and a Class XXJ license is a nonresident junior hunting, fishing and trapping license. These licenses entitle the licensee to hunt and trap for all legal species of wild animals and wild birds, to fish for all legal species of fish except trout and to take frogs in all counties of the state, except as prohibited by the rules of the Director or Natural Resources Commission and when additional licenses, stamps and permits are required. No additional fees are required of Class XJ licensees for a Class CS stamp. No additional fees are required of Class XXJ licensees for Class I, UU, VV or WW stamps. To fish for trout, Class XJ or XXJ licensees must purchase and carry a valid Class O or OO stamp or O-L license. The Class XJ license may be issued only to a resident who has not reached his or her eighteenth birthday and is otherwise required by section twenty-seven of this article to purchase a license. The Class XXJ license may be issued to a nonresident who has not reached his or her eighteenth birthday and is at least eight years old and is otherwise required by section twenty-seven of this article to purchase a license. The fee for the Class XJ license is fifteen dollars. The portion of the Class XJ license fee equal to the annual fee for the Class CS stamp shall be designated as conservation stamp revenue and expended pursuant to section nine of article two-b. The fee for the Class XXJ license is fifteen dollars. In addition to buying a Class XXJ license, a nonresident must purchase a Class CS/LE stamp as required in section ten of article two-b. This is a base license and does not require the purchase of a prerequisite license to participate in the activities specified in this section, except as noted.

§20-2-42l. Class A-I small arms hunting stamp.

Notwithstanding the provisions of section two, article seven, chapter sixty-one of this code, a Class A-I stamp is a small arms hunting stamp. To be eligible to get a Class A-I stamp, a person must be legally able to possess a firearm. If a
person is otherwise qualified, a Class A-1 stamp may be issued
to a person twenty-one years of age or older who holds a valid
resident or nonresident hunting license, or to a person who is a
resident sixty-five years of age or older, but a Class A-1 stamp
shall never be issued to a person who has been convicted of a
misdemeanor associated with the use of firearms or dangerous
weapons or who has been convicted of a felony. A Class A-1
stamp entitles the licensee to hunt, as otherwise permitted by
the provisions of this chapter, but only during small game and
big game seasons as established annually by the Director, with
either a revolver or pistol which has a barrel at least four inches
in length. Unless otherwise permitted by the Code of West
Virginia, a Class A-1 stamp entitles the licensee to carry or
have in his or her possession only one revolver or pistol when
going to and from his or her home or residence and a place of
hunting and while hunting: Provided, That the Class A-1 stamp
may not be valid unless the licensee has in his or her possession
a valid resident or nonresident hunting license or is a resident
sixty-five years of age or older: Provided, however, That at all
times, when not actually hunting, the revolver or pistol shall be
unloaded. While hunting, the licensee shall carry the revolver
or pistol in an unconcealed and easily visible place. The fee for
the stamp is eight dollars. A lifetime Class A-1 stamp may be
issued to anyone otherwise qualified and holding a valid Class
A-L or AB-L license or to a resident sixty-five years of age or
older. The lifetime Class A-1 stamp will be issued in a form
prescribed by the Director. The fee for a lifetime Class A-I
stamp is seventy-five dollars. All fees collected for the issuance
of the Class A-1 and lifetime Class A-1 stamps shall be depos-
ited in the State Treasury and credited to the law-enforcement
section of the Division of Natural Resources. The fees collected
shall be paid out of the State Treasury on order of the Director
and used solely for law-enforcement purposes. Any person
convicted of a misdemeanor associated with the use of firearms
or dangerous weapons or convicted of a felony, or any person
who becomes legally unable to possess a firearm shall immedi-
ate surrender the stamp to the Division of Natural Resources. A holder of a Class A-1 or lifetime Class A-1 stamp is required to purchase the appropriate base license before participating in the activities specified in this section, except as noted.

§20-2-42m. Class I nonresident national forest hunting, trapping and fishing stamp.

A Class I stamp is a nonresident national forest hunting, trapping and fishing stamp and entitles the licensee, when within national forest land in West Virginia, to hunt legal species in season; to trap fur-bearing animals in season; and to fish in the waters therein. The stamp shall be issued only to a nonresident holding a Class E, EE, F, H or LL license. The fee for the stamp is two dollars. This stamp requires that the licensee purchase the appropriate base license before participating in the activities specified in this section, except as noted.

§20-2-42n. Class N resident and Class NN nonresident antlerless deer hunting stamp.

A Class N stamp is a resident deer hunting stamp for antlerless deer. A Class NN stamp is a nonresident deer hunting stamp for antlerless deer. These stamps entitle the licensee to hunt and take antlerless deer of either sex during the Class N season. The fee for a Class N stamp is ten dollars and the fee for a Class NN stamp is twenty-five dollars. Class N and NN stamps may be issued only for the purpose of removing antlerless deer when the Director determines it essential for proper management of the wildlife resources. The Director may promulgate rules governing the issuance and use of the Class N and NN stamps as deemed necessary to limit, on a fair and equitable basis, the number of persons who may hunt for antlerless deer in a county, or part of a county. When the Director determines it essential that a Class N or NN season be held in a particular county or part of a county, that season shall be set by the Natural Resources Commission as provided in
section seventeen, article one of this chapter. Bona fide resident landowners or their resident children, or resident parents, bona fide resident tenants of such land and bona fide resident stockholders of resident corporations which are formed for the primary purpose of hunting or fishing and which are the fee simple owners of no less than one thousand acres of land upon which the antlerless deer may be hunted are not required to have a Class N stamp in their possession while hunting antlerless deer on their own land during the Class N season. A resident hunter, including those not required to purchase a license pursuant to section twenty-seven of this article, must purchase and carry a valid Class N stamp. A nonresident hunter must purchase and carry a valid Class NN stamp. These stamps require that the licensee purchase the appropriate base license before participating in the activities specified in this section, except as noted.

§20-2-420. Class O resident and Class OO nonresident trout fishing stamp.

A Class O stamp is a resident trout fishing stamp. A Class OO stamp is a nonresident trout fishing stamp. These stamps entitle the licensee to fish for trout in all counties of the state, except as prohibited by rules of the Director or Natural Resources Commission. The fee for a Class O stamp is ten dollars and the fee for a Class OO stamp is fifteen dollars. The revenue derived from the sale of these stamps shall be deposited in the State Treasury and credited to the Division of Natural Resources and shall be used and paid out, upon order of the Director, for state trout program expenses. These stamps, issued in a form prescribed by the Director, shall be in addition to a Class AB-L, B, B-L, F, LL, X, XJ or XXJ license or Class Q permit. These stamps require that the licensee purchase the appropriate base license before participating in the activities specified in this section, except as noted.
§20-2-42p. Class RG resident and Class RRG nonresident gun deer hunting stamp for an additional deer.

The Director has the authority to issue a Class RG resident and a Class RRG nonresident gun deer hunting stamp when deemed essential for the proper management of the wildlife resources. These stamps allow the licensee to hunt and take an additional deer as designated by the Director. The fee for a Class RG stamp is twenty dollars and the fee for a Class RRG stamp is forty dollars. The Director may promulgate rules in accordance with article three, chapter twenty-nine-a of this code governing the issuance and use of these stamps. These stamps require that the licensee purchase the appropriate base license before participating in the activities specified in this section, except as noted.

§20-2-42q. Class RB resident and Class RRB nonresident archery deer hunting stamp for an additional deer.

The Director has the authority to issue a Class RB resident and a Class RRB nonresident archery deer hunting stamp when deemed essential for the proper management of the wildlife resources. This stamp allows the licensee to hunt and take an additional deer as designated by the Director. The fee for a Class RB stamp is twenty dollars and the fee for a Class RRB stamp is thirty-five dollars. The Director may promulgate rules in accordance with article three, chapter twenty-nine-a of this code governing the issuance and use of these stamps. These stamps require that the licensee purchase the appropriate base license before participating in the activities specified in this section, except as noted.

§20-2-42r. Class RM resident and Class RRM nonresident muzzleloader deer hunting stamp for an additional deer.
The Director shall have the authority to issue a Class RM resident and a Class RRM nonresident muzzleloader deer hunting stamp when deemed essential for the proper management of the wildlife resources. These stamps allow the licensee to hunt and take an additional deer as designated by the Director. The fee for a Class RM stamp is fifteen dollars and the fee for a Class RRM stamp is thirty-five dollars. The Director may promulgate rules in accordance with article three, chapter twenty-nine-a of this code governing the issuance and use of these stamps. These stamps require that the licensee purchase the appropriate base license before participating in the activities specified in this section, except as noted.

§20-2-42s. Class UU nonresident archery deer hunting stamp.

A Class UU stamp is a nonresident archery deer hunting stamp and entitles the licensee to hunt and take deer with a bow during the archery deer season in all counties of the state, except as prohibited by the rules of the Director or Natural Resources Commission. The fee for a Class UU stamp is thirty dollars. The stamp, issued in a form prescribed by the Director, shall be in addition to a Class E license. This stamp requires that the licensee purchase the appropriate base license before participating in the activities specified in this section, except as noted.

§20-2-42t. Class VV nonresident muzzle-loading deer hunting stamp.

A Class VV stamp is a nonresident muzzle-loading deer hunting stamp and entitles the licensee to hunt and take deer with a muzzle-loader during muzzle-loading deer seasons in all counties of the state, or parts thereof, excluding Logan, McDowell, Mingo and Wyoming counties, as set by the Natural Resources Commission in accordance with section seventeen, article one of this chapter. The Director may promulgate rules
in accordance with article three, chapter twenty-nine-a of this
code governing the issuance and use of this stamp. The stamp,
issued in a form prescribed by the Director, shall be in addition
to a Class E license. The fee for a Class VV stamp is thirty
dollars. This stamp requires that the licensee purchase the
appropriate base license before participating in the activities
specified in this section, except as noted.

§20-2-42u. Class WW nonresident turkey hunting stamp.

A Class WW stamp is a nonresident turkey hunting stamp
and entitles the licensee to hunt and take turkey during any
turkey hunting season, except as prohibited by the rules of the
Director or Natural Resources Commission. The fee for a Class
WW stamp is thirty dollars. The stamp, issued in a form
prescribed by the Director, shall be in addition to a Class E
license. This stamp requires that the licensee purchase the
appropriate base license before participating in the activities
specified in this section, except as noted.

§20-2-42v. Class BG resident big game stamp.

A Class BG stamp is a resident big game stamp and entitles
the Class A and Class Q licensee to hunt deer during the deer
archery and muzzle-loader seasons, and bear, wild turkey and
wild boar during the respective seasons, except as prohibited by
rules of the Director or Natural Resources Commission. The fee
for the stamp is ten dollars. The stamp, issued in a form
prescribed by the Director, shall be in addition to a Class A
license or Class Q permit. This stamp requires that the licensee
purchase the appropriate base license before participating in the
activities specified in this section, except as noted.

§20-2-44. Free fishing days.

The Director may designate up to two days each year as
free sport fishing days. On a designated free fishing day, an
individual is entitled to fish for all legal fish in all counties of
the state without having a valid West Virginia fishing license
and without the payment of any license fee, subject to the same
privileges and restrictions applicable to a holder of any such
license.

§20-2-44b. Bear damage stamp; proceeds to be paid into bear
damage fund; purposes, etc.

To hunt bear in this state, a licensed hunter shall have, in
addition to a Class A, A-L, AB-L, X or XJ, in the case of a
resident, or a Class C or EE, in the case of a nonresident, a bear
damage stamp issued by the Division of Natural Resources. The
fee for the stamp is ten dollars. All proceeds from the sale of
stamps shall be paid into the bear damage fund which shall be
maintained by the Division of Natural Resources for paying
claims of property owners for damages to real and personal
property caused by acts of bear and to cover the expense of
black bear research programs within the state. This stamp
requires that the licensee purchase the appropriate base license
before participating in the activities specified in this section,
except as noted.

ARTICLE 2B. WILDLIFE ENDOWMENT FUND.


In accordance with the intent of sections thirty-four and
forty-two-o, article two of this chapter and pursuant to sections
three and four of this article, income accruing from the invest-
ments of the wildlife endowment fund shall be distributed in the
following manner:

(1) Income accruing from the investment of moneys
resulting from the sale of Class O-L licenses shall be distributed
and disbursed in the same manner as revenues accruing from
the sale of Class O licenses as provided in section forty-two-o,
article two of this chapter.
(2) Income accruing from the investment of any portion of
the principal of the wildlife endowment fund which, at the time
of its deposit into the fund, is specifically designated for the
activities of a particular section within the Division, shall
accrue solely to that section within the Division; and

(3) All other income accruing from the investments of the
Division shall be distributed within the
Division in the same manner as provided in section thirty-four,
article two of this chapter.

§20-2B-7. Lifetime hunting, fishing and trapping licenses created.

(a) Pursuant to section three of this article, the Director may
issue the following lifetime hunting, fishing and trapping
licenses and for the lifetime of the licensee, the lifetime licenses
serve in lieu of the equivalent annual license: Lifetime resident
statewide hunting and trapping license; lifetime resident
combination statewide hunting, fishing and trapping license;
statewide fishing license; and lifetime resident trout
fishing license: Provided, That a full-time nonresident student
who attends an in-state college or university is not eligible to
purchase any of these lifetime licenses.

(b) The Director shall propose a rule for legislative ap-
proval in accordance with article three, chapter twenty-nine-a
of this code, setting the fees for the lifetime licenses. The rule
shall provide that the fee for any resident who has not reached
his or her second birthday shall be one half of the adult fee set
under the rule. The fees for lifetime licenses shall be twenty-
three times the fee for the equivalent annual licenses or stamps.


Pursuant to section seven of this article, lifetime licensees
shall be entitled to the same privileges and subject to the same
restrictions as licensees possessing the equivalent annual license with the following exceptions:

(1) Class A-L, AB-L, B-L and O-L licenses shall be valid for the lifetime of the licensee;

(2) A Class O-L lifetime resident trout fishing license shall be issued only to residents of the state and shall be valid only when accompanied by a Class AB-L, B, B-L, X or XJ license; and

(3) No additional fee shall be required of Class A-L, AB-L or B-L licensees for the conservation stamp required by section nine of this article. No additional fee shall be required of Class A-L or AB-L licensees for the Class BG stamp required by section forty-two-v, article two of this chapter.

§20-2B-9. Class CS resident conservation stamp; purposes, etc.

A resident hunter, angler or trapper licensed to hunt, fish or trap in this state shall have, in addition to a Class A or B license, a Class CS conservation stamp. The fee for the stamp is five dollars.

The revenue derived from the sale of conservation stamps shall be deposited in the State Treasury and shall be credited to the Division of Natural Resources. The revenue shall be used and paid out, upon order of the Director, for capital improvements and land purchases or leases benefitting wildlife except that at the discretion of the Director, a maximum of twenty percent of the revenue may be used for the operation and maintenance of capital improvements and lands: Provided, That none of this revenue shall be expended for the purchase of wetlands, or for land to be flooded so as to create wetlands, to attract migratory waterfowl within sixty air miles of any established poultry industry: Provided, however, That no expenditures of the revenue derived from the sale of the
conservation stamps shall be made for recreational facilities or activities that are used by or for the benefit of the general public rather than by or for purchasers of hunting, fishing or trapping licenses. Any unexpended moneys derived from the sale of conservation stamps shall be carried forward to the next fiscal year.


(a) Any nonresident hunter, angler or trapper licensed to hunt, fish or trap in this state, in addition to a Class E, EE, F, H, LL or XXJ license, shall have a Class CS/LE nonresident conservation, law-enforcement and sports education stamp. The fee for the stamp is twelve dollars.

(b) The revenue derived from the sale of Class CS/LE stamps shall be deposited in the State Treasury and shall be credited to the Division of Natural Resources. Fifty percent of the revenue shall be used and paid out, upon order of the Director, for the law-enforcement section’s expenses relating to the general enforcement of state laws pertaining to the conservation of fish and wildlife and law-enforcement education programs for hunters, anglers and trappers: Provided, That no expenditures of the revenue derived from the sale of the Class CS/LE stamp shall be made for law-enforcement purposes not directly related to the wildlife resources of the state or for the educational programs set forth in this subsection. Fifty percent of the revenue shall be used and paid out for capital improvements and land purchases or leases benefiting wildlife except that at the discretion of the Director, a maximum of twenty percent of the revenue may be used for the operation and maintenance of the capital improvements and lands: Provided, That no expenditures of the revenue derived from the sale of the conservation stamps shall be made for recreational facilities that are used by or for the benefit of the general public rather
than by or for purchasers of hunting, fishing or trapping licenses. Any unexpended moneys derived from the sale of Class CS/LE stamps shall be carried forward to the next fiscal year.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the Day of , 2005.

Governor
PRESENTED TO THE
GOVERNOR

MAY 2 2005

Time