

HB 2795

FILED

2009 APR -9 AM 8:40

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2009



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 2795

(By Delegates Ferro, White, Varner, Talbott, Pethtel, Phillips,
Stowers, Hall, Kominar, Klempa and Lawrence)



Passed March 31, 2009

In Effect Ninety Days from Passage

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H. B. 2795

(BY DELEGATES FERRO, WHITE, VARNER, TALBOTT,
PETHTEL, PHILLIPS, STOWERS, HALL, KOMINAR,
KLEMPA AND LAWRENCE)

[Passed March 31, 2009; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-46f, relating to wildlife resources; and creating a special hunting and fishing license for persons with a life-threatening condition who are under twenty-one years of age.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended, by adding thereto a new section, designated §20-2-46f, to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-46f. Class DT special hunting and fishing license for persons with a life-threatening condition.

1 - (a) A Class DT license is a special statewide hunting and
2 fishing license for residents of the State of West Virginia and
3 nonresidents, as permitted in subsection (e) of this section,
4 entitling the licensee to fish or hunt all legal species of game
5 at no charge, in accordance with the provisions of this
6 section.

7 (b) A license form shall be furnished by the director to an
8 applicant who meets the following requirements:

9 (1) He or she has been diagnosed by a licensed physician
10 with a life-threatening condition; and

11 (2) He or she is under twenty-one years of age.

12 (c) A licensed physician must certify the applicant's
13 life-threatening condition by completing the license form.
14 A "life-threatening condition" means a terminal condition
15 or illness that according to current diagnosis has a high
16 probability of death within two years, even with treatment
17 with an existing generally accepted protocol. When
18 completed, the license form constitutes a Class DT license.
19 The Class DT license and a completed license application
20 shall be submitted to the division, which will issue a wallet
21 sized card to the licensee. The card and all other
22 documents and identification required to be carried by this
23 article shall be in the licensee's possession when hunting or
24 fishing.

25 (d) A Class DT license entitles the holder to hunt and fish
26 only under the following circumstances:

27 (1) The licensee is accompanied by a parent, guardian or,
28 with written consent of the parent or guardian, any other
29 competent adult at least twenty-one years of age;

30 (2) The individual assisting the licensee must hold a valid
31 fishing or hunting license appropriate to the situation;

32 (3) The licensee and the individual assisting observe all
33 other pertinent laws and regulations.

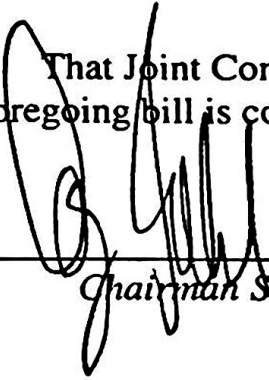
34 (e) The director shall provide licenses to nonresidents at
35 no charge who:

36 (1) Meet the requirements of subsections (b) and (c) of
37 this section; and

38 (2) Are recommended by qualifying nonprofit
39 organizations who offer hunting and fishing experiences.

40 (f) The director shall propose rules for legislative
41 approval in accordance with the provisions of article three,
42 chapter twenty-nine-a of this code setting forth the
43 qualifications of applicants and nonprofit organizations and
44 the licensing process.

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



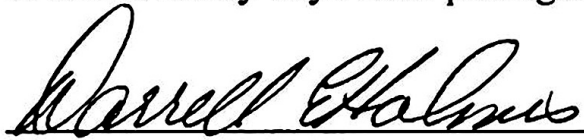
Chairman Senate Committee



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 8th
day of April, 2009.



Governor

PRESENTED TO THE
GOVERNOR

APR 2 2009

Time 2:45 p