

HB 4295

FILED

2006 APR -4 P 2:17

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

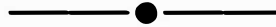
SECOND REGULAR SESSION, 2006



ENROLLED

House Bill No. 4295

(By Mr. Speaker, (Mr. Kiss), and Delegates Staton,
Stemple, Beane, Crosier, Michael and Beach)



Passed March 11, 2006

In Effect Ninety Days from Passage

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E N R O L L E D

H. B. 4295

(BY MR. SPEAKER, (MR. KISS), AND DELEGATES STATON,
STEMPLE, BEANE, CROSIER, MICHAEL AND BEACH)

[Passed March 11, 2006; 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 §20-2-56a, relating to establishing a bird dog training permit; providing requirements for bird dog training; providing rule making authority; and providing civil and criminal penalties.

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 §20-2-56a, to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-56a. Bird dog training permit.

- 1 The director may issue a permit to train bird dogs on wild
- 2 birds or game birds, provided:

- 3 (1) The fee for the permit is ten dollars.

4 (2) The training shall be on private land containing a
5 minimum of five acres in a single tract. The permittee must
6 own the land, lease the land or have written permission of
7 landowner for the training.

8 (3) The birds permitted to be used for the training of dogs
9 are quail and pigeons. The quail must be purchased from a
10 licensed commercial game farm. Pigeons may be purchased
11 from a licensed commercial game farm or trapped within the
12 state at any time as long as the person conducting the trapping
13 is legally licensed to do so and also holds the appropriate
14 permit. Each trap must be identified by a waterproof tag
15 attached to the trap that bears the name, address and telephone
16 number of the trapper.

17 (4) The permittee must retain the receipt for two years of all
18 birds purchased from a commercial game farm licensee.

19 (5) The location where the birds are held and all records
20 pertaining to the purchase and dates of training may be in-
21 spected by a conservation officer.

22 (6) No more than thirty birds may be held by the permittee
23 at any given time. All birds must have a uniquely numbered leg
24 band attached. The leg band must remain with the birds until
25 consumption or until the birds are legally disposed.

26 (7) Birds held under this permit shall be housed and cared
27 for in accordance with the requirements of applicable rules.

28 (8) The use of the birds held under this permit shall include
29 the release, recapture and/or the shooting of the birds in
30 conjunction with the training of bird dogs.

31 (9) The person holding birds in captivity under the authority
32 of this permit and the person training his or her bird dog must
33 possess a bird dog training permit.

34 (10) All other laws and rules governing hunting, trapping,
35 shooting and training apply.

36 (11) The director may propose rules for legislative approval
37 in accordance with article three, chapter twenty-nine-a of this
38 code, to further restrict bird dog training.

39 (12) Any person violating any provision of this law is
40 subject to the penalties prescribed in section nine, article seven,
41 chapter twenty of this code.

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



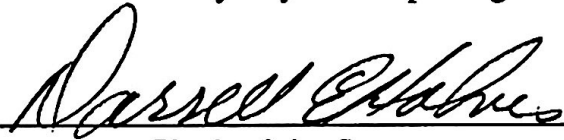
Chairman Senate Committee



Chairman House Committee

Originating in the House.


In effect ninety days from passage.



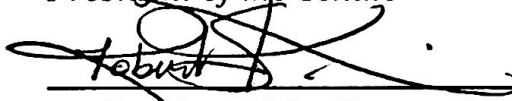
Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 4th
day of April, 2006.



Governor

PRESENTED TO THE
GOVERNOR

MAR 29 2006

Time 4:10 pm