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2008 APR -1 PM 2:40

WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2008

SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 9

(SENATORS BAILEY AND LOVE, *original sponsors*)

[Passed March 8, 2008; in effect ninety days from passage.]

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OFFICE OF THE CLERK
LEGISLATIVE SERVICE CENTER
DEPARTMENT OF STATE

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(SENATORS BAILEY AND LOVE, *original sponsors*)

[Passed March 8, 2008; in effect ninety days from passage.]

AN ACT to amend and reenact §18-2-8a of the Code of West Virginia, 1931, as amended, relating to hunter safety orientation programs in the public schools; providing for state board rule; minimum requirements; permissive implementation; and certification of program completers.

Be it enacted by the Legislature of West Virginia:

That §18-2-8a of the Code of West Virginia, 1931, as

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amended, be amended and reenacted to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-8a. Hunter safety orientation program.

1 (a) The Legislature finds that:

2 (1) Firearms and hunting are important parts of West
3 Virginia's history, culture and economy;

4 (2) Unfortunately, the use of firearms while hunting
5 or at any other time can be dangerous when the
6 firearms are not handled in a careful and safe manner;
7 and

8 (3) Therefore, the opportunity of participating in a
9 hunter safety orientation program should be offered to
10 students in certain grades.

11 (b) The State Board of Education shall, with the
12 advice of the State Superintendent of Schools and the
13 Director of the Division of Natural Resources,
14 promulgate a rule in accordance with the provisions of
15 article three-b, chapter twenty-nine-a of this code for
16 the implementation of a hunter safety orientation
17 program for use in the public schools of this state. The
18 rule shall include at least the following provisions:

19 (1) The hunter safety orientation program may be
20 offered to students in any of the grade levels sixth
21 through twelfth grades over a two-week period during
22 the school year as part of physical education classes, or
23 as part of the general curriculum offered to students in
24 any of these grade levels, or at the end of the school
25 day;

26 (2) The hunter safety orientation program is voluntary
27 to students and any student may choose not to
28 participate in the program. If a student chooses not to
29 participate in the program, he or she shall participate
30 in another education activity;

31 (3) The hunter safety orientation program shall
32 include instruction relating to:

33 (A) The protection of lives and property against loss
34 or damage as a result of the improper use of firearms;
35 and

36 (B) The proper use of firearms in hunting, sport
37 competition and the care and safety of firearms in the
38 home;

39 (4) The hunter safety orientation program may use
40 materials prepared by any national nonprofit
41 membership organization which has as one of its
42 purposes the training of people in marksmanship and
43 the safe handling and use of firearms; and

44 (5) The hunter safety orientation program shall be
45 conducted by an instructor certified by the Division of
46 Natural Resources or who has other training necessary
47 to conduct the program as determined by the state
48 board.

49 (c) The county superintendent may implement the
50 hunter safety orientation program in accordance with
51 the rule required by this section in each school in the
52 county that includes any of grades six through twelve
53 at which, in the sole judgement of the superintendent,
54 sufficient student interest in program enrollment

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55 justifies the program offering and an appropriately
56 certified instructor is available.

57 (d) The Division of Natural Resources shall issue a
58 certificate of training, required by section thirty-a,
59 article two, chapter twenty of this code, to any student
60 who completes the hunter safety orientation program.

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

Chandry White
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Darrel E. Holme
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

Carl Roy Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this
the *15th* Day of *April* 2008.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 24 2008

Time 3:05 pm