Τ	H. B. 4293
2	
3	(By Delegates Eldridge, Wells, Craig, A. Evans, Hamilton, Paxton and White)
5	[Introduced January 24, 2014; referred to the
6	Committee on Agriculture and Natural Resources then the
7	Judiciary.]
8	
9	
L 0	A BILL to amend and reenact $\$20-2-64$ of the Code of West Virginia,
L1	1931, as amended, relating to regulating the importation and
L2	possession of certain injurious aquatic species.
L3	Be it enacted by the Legislature of West Virginia:
L 4	That \$20-2-64 of the Code of West Virginia, 1931, as amended,
L 5	be amended and reenacted to read as follows:
L 6	ARTICLE 2. WILDLIFE RESOURCES.
L 7	§20-2-64. Regulating release of fish, water animal and other
L 8	aquatic organisms; stocking permit.
L 9	(a) It is unlawful for any person to release any fish, water
20	animal or other aquatic organism, alive or dead, or any part, nest
21	or egg thereof into the waters of this state except as authorized
22	by a stocking permit issued by the director: Provided, That
23	nothing in this subsection shall be construed as restricting the

- 1 release of fish, water animal or other aquatic organism into the
- 2 waters of this state from which they were taken by lawful methods:
- 3 Provided, however, That nothing in this subsection shall be
- 4 construed as restricting the release of native or established
- 5 species of fish in privately owned ponds.
- 6 (b) A stocking permit is not required for the stocking of
- 7 trout in waters of the state provided that the trout originate from
- 8 a source within the state or meet the disease free certification
- 9 requirements for imported salmondiae set forth in section thirteen
- 10 of this article.
- 11 (c) A stocking permit is not required for the stocking of
- 12 black bass provided that the Division of Natural Resources is
- 13 notified prior to stocking and is provided a disease free
- 14 certification.
- 15 (d) It is unlawful for any person to possess, sell, offer for
- 16 sale, import, bring, or cause to be brought or imported into this
- 17 state or release into the waters of this state, in a live state,
- 18 any bighead carp (Hypophthalmichthys nobilis), silver carp
- 19 (Hypophthalmichthys molitrix), black carp (Mylopharyngodon piceus),
- 20 largescale silver carp (Hypophthalmichthys harmandi), diploid white
- 21 amur (Ctenopharyngodon idella) or snakehead (Channa spp.), gametes
- 22 or eggs of the same, or any hybrids of these species. The director
- 23 may not issue a stocking permit to any person for the species and

- 1 their hybrids listed in this subsection, but may issue written
- 2 <u>authorization</u> for the importation or possession of these species or
- 3 their hybrids into this state if the importation or possession does
- 4 not violate any federal law and if the use is limited to scientific
- 5 research.

NOTE: The purpose of this bill is to regulate the importation and possession of certain injurious aquatic species.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.