

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #4

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Bureau of Commerce, Division of Natural Resources TITLE NUMBER: 58

CITE AUTHORITY § 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES X NO

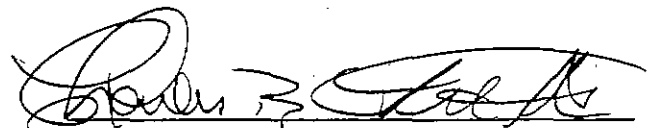
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 11C

TITLE OF RULE BEING AMENDED: Special Bear Hunting Rule

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.


Charles B. Felton, Jr.
Director

2140

TITLE 58
LEGISLATIVE RULE
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES

SERIES 11C
SPECIAL BEAR HUNTING RULE

§58-11C-1. General.

1.1. Scope and Purpose. -- The purpose of this rule is to control the taking of bear within the boundaries of this State.

1.2. Authority. -- West Virginia Code §20-1-7(30).

1.3. Filing Date. --

1.4. Effective Date. --

1.5. Repeal of Former Rule. -- These rules repeal and replace 58 C.S.R. 11C "Special Bear Hunting Rule" that were filed on June 24, 1993 and became effective June 24, 1993.

§58-11C-2. Definitions.

2.1. All terms have the meaning prescribed to them in the Rule Defining The Terms To Be Used Concerning All Hunting and Trapping Regulations (47 C.S.R. 11A).

§58-11C-3. The Use of Dogs.

3.1. The use of dogs while hunting for bear during the firearms bear season is illegal in the following counties: Barbour (East of State Route 92), Boone, Fayette, Kanawha, Nicholas, Preston, and Raleigh.

3.2. Except as provided for in the Hunting and Trapping Rule (Exempt Rule) (47 C.S.R. 11), the use of dogs while bow hunting for bear is legal during any portion of the archery bear season which may coincide with an open firearms bear season.



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West Virginia Legislature
Legislative Rule-Making Review Committee

Room M-152, State Capitol
Charleston, West Virginia 25305
(304) 340-3286

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Senator Joe Manchin, III, Co-Chair
Delegate Brian A. Gallagher, Co-Chair

October 2, 1994

Debra A. Graham, Counsel
Marie Nickerson, Admr. Assistant

NOTICE OF ACTION TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Ken Hechler, Secretary of State, State Register

TO: Mr. Charles B. Felton, Jr.
Division of Natural Resources
Capitol Complex, Building 3
1900 Kanawha Blvd., E.
Charleston, WV 25305-0668

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: Special Bear Hunting Regulations

The Legislative Rule-Making Review Committee recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative Rule
 - (a) as originally filed
 - (b) as modified by the agency X
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
5. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached. _____

Pursuant to Code 29A-3-11(c), this notice has been filed in the State Register and with the agency proposing the rule.

cc: Robert L. Miles, Chief
Wildlife Resources, DNR