

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #3

**FILED**

**DEC 12 1 58 PM '94**

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Division of Natural Resources TITLE NUMBER: 58

CITE AUTHORITY § 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES X NO     

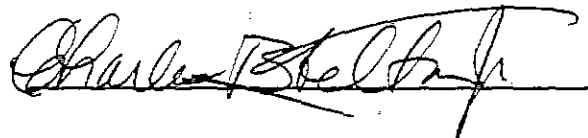
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 11D

TITLE OF RULE BEING AMENDED: General Hunting Regulations

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:                     

TITLE OF RULE BEING PROPOSED:                     

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



CIRCUMSTANCES  
CONCERNING CHANGES TO  
GENERAL HUNTING REGULATIONS

AGENCY: Department of Commerce, Labor and Environmental  
Resources, Division of Natural Resources.

REGULATION: Title 58, Series 11D, "General Hunting  
Regulations".

CIRCUMSTANCES: Statutory changes provide that the fresh skin and  
head of deer may be checked as an option to the the  
entire carcass. The rule change complies with the  
statutory revision. For enforcement and biological  
data collection purposes the skin or carcass of the  
deer must be checked within 24 hours of the kill.

# FISCAL NOTE FOR PROPOSED RULE

Rule Title: Regulations Concerning General Hunting Regulations, 58 C.S.R. 11D

Type of Rule: XX Legislative      Interpretive      Procedural

Agency: Division of Natural Resources

Address: Building 3, State Capitol Complex, Charleston, West Virginia

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		Thereafter
	Increase	Decrease	Current	Next	
Estimated Total Cost	\$				
Personal Services	\$				
Current Expenses	\$				
Repairs & Alterations	\$	No Change			
Equipment	\$				
Other	\$				

1. Effect of Proposed Rule	ANNUAL	FISCAL YEAR	Thereafter
	Increase	Decrease	Current
Estimated Total Cost	\$		
Personal Services	\$		
Current Expenses	\$		
Repairs & Alterations	\$	No Change	
Equipment	\$		
Other	\$		

2. Explanation of above estimates: There is no change anticipated to administrative expenditures as a result of this rule.

3. Objectives of this rule: The proposed rule establishes the general provisions applicable to hunting.

4. Explanation of Overall Economic Impact of Proposed Rule.


A. Economic Impact on State Government. No impact.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens. No impact

C. Economic Impact on Citizens/ Public at Large. No impact.

Date: July 5, 1994

Signature of Agency Head or Authorized Representative

  
 Director, Division of Natural Resources

DATE:

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM:

LEGISLATIVE RULE TITLE: General Hunting Regulations

1. Authorizing statute(s) citation § 20-1-7(30)

2. a. Date filed in State Register with Notice of Hearing

July 5, 1994 - Comment Period

b. What other notice, including advertising, did you give of the hearing?

NONE

c. Date of Hearing(s) Comment period ended August 5, 1994

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached NONE No comments received 0

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

August 12, 1994

f. Name and phone number(s) of agency person(s) to contact for additional information:

Robert L. Miles, Chief

Wildlife Resources DNR

Rm 812, Bldg #3, Capitol Complex

Charleston, WV 25305  
558-2771

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing: N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

PREAMBLE TO A PROPOSED RULE  
CONCERNING  
GENERAL HUNTING REGULATIONS

AGENCY: Department of Commerce, Labor and Environmental  
Resources; Division of Natural Resources

REGULATION: Title 58, Series 11D "General Hunting Regulations".

ACTION: Filing of a thirty day Public Comment Notice for  
the proposed rule.

SUMMARY: The proposed rule establishes the general  
provisions applicable to hunting.

Written comments received prior to 4:00 pm August  
5, 1994 will be accepted. Written comments should  
be sent to:

Bob Miles, Chief  
Division of Natural Resources  
Wildlife Resources Section  
Capitol Complex  
Building 3, Room 812  
Charleston, West Virginia 25305

TITLE 58  
LEGISLATIVE RULES  
DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES  
DIVISION OF NATURAL RESOURCES

SERIES 11D  
GENERAL HUNTING REGULATIONS

§58-11D-1. General.

1.1. Scope and Purpose. -- The purpose of these regulations is to establish general hunting regulations that will provide for the safety of the hunter and the proper management of wildlife within the boundaries of this State.

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

1.3. Filing Date. --

1.4. Effective Date. --

§58-11D-2. Definitions.

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

§58-11D-3. General Hunting Rules.

3.1. A long bow or compound bow may be substituted for a firearm during any season for which firearms are legal except during the muzzle-loading firearms deer season.

3.2. Each person killing a bear or wild boar found in a wild state must immediately after removing its entrails, but in any event within one hour and before transporting or removing the carcass in any manner from where it was killed, complete and attach a game tag. The tag must bear, in plain English, the name and address of the hunter, the date and county where the game was killed, and, unless he or she is legally exempted from the licensing requirements of this State, the license number of the hunter.

3.3. No person under the age of fifteen (15) years may hunt or chase wild animals or wild birds on the lands of another unless he or she is accompanied by a licensed adult who remains in a position near enough to him or her to render advice and assistance.

3.4. A person may only use bows, single-shot muzzle-loading firearms, or shotguns loaded with T or smaller shot to hunt wildlife within the boundaries of the Green Bottom Wildlife Management Area.

3.5. The fresh skin and attached head or carcass of ~~Each~~ each deer and the carcass ~~or~~ of each wild turkey must be delivered to a conservation officer or an official game checking station for checking and retagging before it is transported beyond the boundaries of the county adjacent to that in which the kill was made and within 24 hours of the close of the respective season time of kill for checking and retagging.