



STATE OF WEST VIRGINIA
OFFICE OF THE SECRETARY OF STATE
CHARLESTON 25305

A. JAMES MANCHIN
SECRETARY OF STATE

STATE REGISTER FILING

I, Willis H. Hertig, Jr., Director,
Title or Position

Natural Resources, hereby submit to record in
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify (Proposed permanent regulations to replace)
currently effective emergency regulations.

This filing pertains to

Chapter 20
 Article 2
 Series IV-B
 Section 1 - 4
 Page No. 1 - 2

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE 7-20-84

Law Division

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

July 20, 1984
Date Submitted

Willis H. Hertig, Jr.
Signature of Person Authorizing
this Filing



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25306

JOHN D. ROCKEFELLER IV
Governor

July 20, 1984

WILLIS H. HERTIG, JR.
Director

RONALD R. POTESTA
Deputy Director

The Honorable A. James Manchin
Secretary of State of West Virginia
State Capitol Building
Charleston, West Virginia 25305

Dear Mr. Secretary:

Transmitted herewith are two copies of proposed permanent West Virginia Administrative Regulations, designated Series IV-B, governing hunting with a pistol or revolver. When legislative approval is received, these regulations will replace those filed on an emergency basis on May 8, 1984.

A public hearing will be held to receive public comments on August 20, 1984, 1:00 - 8:00 p.m., at the Department of Natural Resources District Headquarters, French Creek, West Virginia. A news release to this effect will be sent to newspapers throughout the state.

Sincerely,

Willis H. Hertig, Jr.
Director

WHHJr/cia

Enclosures

FILED IN THE OFFICE OF
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THIS DATE July 20, 1984
Administrative Law Division

NOTICE OF PUBLIC HEARING

The Department of Natural Resources will hold a public hearing to receive comments concerning the proposed rules and regulations governing small arms hunting. Basically, the regulation prohibits the hunting of big game (deer, bear, wild boar) with any pistol or revolver using a straight-walled case of less than .357 caliber, a bottle-necked case of less than .24 caliber, or a muzzle-loader of less than .44 caliber. It permits the hunting of woodchuck in the open fields with a pistol or revolver, and provides for a course on safety and proficiency in the use of handguns. The course will be available on a voluntary basis to all persons who hold proper hunting licenses who are twenty-one years of age or older.

Persons wishing to make comments on the proposed regulations are invited to be present at the hearing to be held at the Department of Natural Resources District Headquarters, French Creek, West Virginia, from 1:00 to 8:00 p.m., August 20, 1984. Written comments may be mailed to the Department of Natural Resources, 1800 Washington Street, East, Room 663, Charleston, West Virginia 25305. Only those written comments received by August 22, 1984, will be considered. All comments, oral and written, will be considered prior to the adoption of a permanent regulation.

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE July 20, 1984
Administrative Law Division

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
Department of Natural Resources
Chapter 20-1
Series IV-B
1984

Rules and Regulations Governing Small Arms Hunting

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THIS DATE 7-20-84
Administrative Law Division

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
Department of Natural Resources
Chapter 20-1
Series IV-B
1984

Subject: Rules and Regulations Governing Small Arms Hunting

Section 1. General

1.01. Scope - These are proposed permanent rules and regulations to regulate hunting with small arms (pistol or revolver) in West Virginia.

1.02. Authority - These regulations are issued under authority of the West Virginia Code, §20-1-7 and §20-2-40b (passed February 8, 1984; in effect ninety days from passage).

1.03. Filing Date - These regulations were filed in the state register on May 8, 1984, on an emergency basis to remain in effect for 180 days or until such date as permanent regulations are approved by the Legislature. These proposed permanent regulations are filed in the state register on July 20, 1984.

Section 2. General Small Arms Hunting Rules

2.01. No person shall hunt deer, bear or wild boar with any pistol or revolver using a straight-walled case of less than .357 caliber, a bottle-necked case of less than .24 caliber, or a muzzle-loading pistol of less than .44 caliber.

2.02. It shall be lawful to hunt woodchuck in the open fields with a pistol or revolver.

Section 3. Volunteer Training Program

3.01. The Department of Natural Resources shall contract with pistol and rifle organizations, sportsmen's groups, and any other interested organizations, to provide an approved National Rifle Association course on safety and proficiency in the use of handguns. Such course shall be available on a voluntary basis to all persons who hold proper hunting licenses who are twenty-one years of age or older.

Section 4. Transporting Small Arms

4.01. When the pistol or revolver is being transported in a vehicle that does not have an exterior locked compartment, the pistol or revolver shall be unloaded and carried in a locked box or compartment which shall not be readily accessible to the passengers of the vehicle.