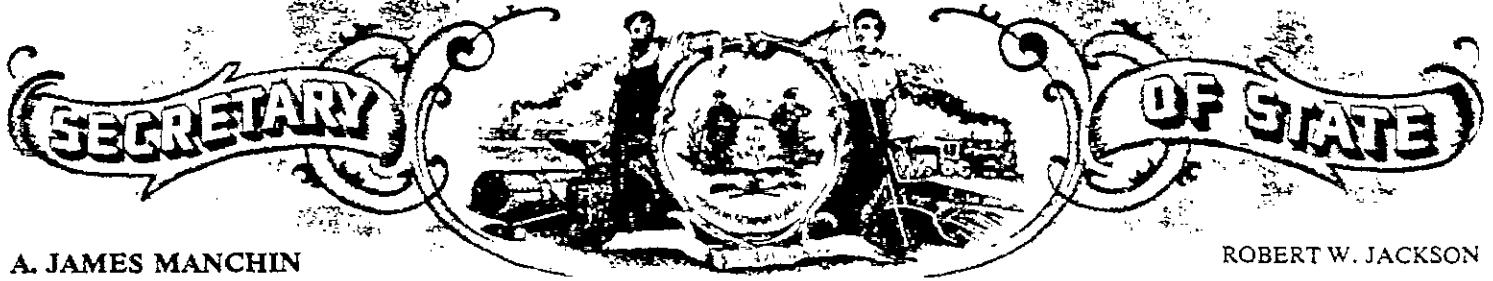


UNITED STATES OF AMERICA
STATE OF WEST VIRGINIA



A. JAMES MANCHIN
SECRETARY OF STATE

ROBERT W. JACKSON
DEPUTY SECRETARY OF STATE

STATE REGISTER FILING

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

Department of Natural Resources, hereby submit to records in the
State Register on 8 1/2 x 11" two (2) copies of

- () proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- (x) proposed rules and regulations superseding rules and regulations already on file;
- () final rules and regulations
- () notice of hearing;
- (x) after hearing, findings and determinations;
- () emergency rules and regulations, statement of facts-circumstances
- (x) legislative () procedural () interpretive regulations
- () other -specify _____

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 8-31-84
Administrative Law Division

This filing pertains to

CHAPTER 20 ARTICLE 2 SECTION 40b
of the West Virginia Code, 1931, as amended.

SERIES IV-B, SECTION 1 - 4 PAGE NO. 1 - 2
of the Administrative Code, as amended.

August 28, 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

August 28, 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, as amended following a public hearing held on August 20, 1984. Amendments are based on recommendations received during the public hearing, and change paragraph 2.01 from ".357 caliber" to ".357 magnum cartridge;" and add paragraph 2.03 relating to night hunting.

A copy of the proceedings of the public hearing are enclosed.

Proposed regulations are being submitted to the Legislative Rule-making Review Committee today, to become effective upon approval of the Legislature.

Sincerely,

A handwritten signature in cursive script that reads "W. H. Hertig, Jr." The signature is written over a typed name and title.

Willis H. Hertig, Jr.
Director

WHHJr/cia

Enclosures

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

THIS DATE Aug. 31, 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

INDEX

SECTION 1. GENERAL

- 1.01. Scope
- 1.02. Authority
- 1.03. Filing Date

FILED IN THE OFFICE OF

A. JAMES MANCHIN

SECRETARY OF STATE

THIS DATE 8-31-84

Administrative Law Division

SECTION 2. GENERAL SMALL ARMS HUNTING RULES

- 2.01. Big Game
- 2.02. Woodchuck
- 2.03. Night Hunting

SECTION 3. VOLUNTEER TRAINING PROGRAM

SECTION 4. TRANSPORTING SMALL ARMS

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 late 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. Proposed permanent regulations were filed in the state register on July 20, 1984, and are hereby refiled, as amended, on August 28, 1984, to be effective upon approval by the Legislature.

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 magnum cartridge, 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.

2.03. It shall be unlawful to hunt between one-half hour after sunset and one-half hour before sunrise with any pistol or revolver larger than .22 caliber.

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.