



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25305

ARCH A. MOORE, JR.
Governor

FILED
1985 JUN -4 AM 11:43
DEPARTMENT OF NATURAL RESOURCES
SECRETARY OF STATE

RONALD R. POTESA
Director

MICHAEL A. FOTOS
Deputy Director

NOTICE OF FINAL FILING - LEGISLATIVE RULE

LEGISLATIVE RULE: Series IV-B - Rules and Regulations Governing
Small Arms Hunting.

The attached legislative rule is hereby final filed with the
Secretary of State by the Department of Natural Resources, as
authorized by Senate Bill 399, Section 64-2-20(2) (40b).

A handwritten signature in cursive script, appearing to read "R.R. Potesta".

Ronald R. Potesta
Director

1 SENATE BILL NO. 386

2 (By Mr. R. Williams

3
4 Introduced March 6, 1985

5 referred to the Committee on Natural Resources; then to the
6 Committee on the Judiciary

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9
10 A BILL to amend article two, chapter sixty-four of the code
11 of West Virginia, one thousand nine hundred thirty-one,
12 as amended, by adding thereto a new section, designated
13 section twenty (two)(forty-b), relating to authorizing
14 the department of natural resources to promulgate
15 legislative rules relating to small arms hunting.

16 Be it enacted by the Legislature of West Virginia:

17 That article two, chapter sixty-four of the code of West
18 Virginia, one thousand nine hundred thirty-one, as amended,
19 be amended by adding thereto a new section, designated
20 section twenty (two)(forty-b), to read as follows:

21 ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE
22 LEGISLATIVE RULES.

23 §64-2-20(2)(40b). Department of natural resources.

24 The legislative rules filed in the state register on the
25 twenty-eighth day of August, one thousand nine hundred
26 eighty-four, relating to the department of natural resources

1 (small arms hunting) are authorized.

2

3 NOTE: The purpose of this bill is to authorize the
4 Department of Natural Resources to promulgate legislative
5 rules relating to small arms hunting.

6 This section is new; therefore, strike-throughs and
7 underscoring have been omitted.

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H. B. 1634

(By Delegate Casey)

(Introduced March 6, 1985; referred to the

Committee on the Judiciary)

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DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25306

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1985 JUN -4 AM 11:44

OFFICE OF THE
SECRETARY OF STATE

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Director

MICHAEL A. FOTOS
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authorized by Senate Bill 399, Section 64-2-20(2)(40b).

A handwritten signature in cursive script, appearing to read "R. Potesta", written over a horizontal line.

Ronald R. Potesta
Director

WEST VIRGINIA LEGISLATIVE RULE
DEPARTMENT OF NATURAL RESOURCES
Chapter 20-1
Series IV-B

FILED

1985 JUN -4 AM 11:44

INTRODUCED BY
SECRETARY OF STATE

RULES AND REGULATIONS GOVERNING SMALL ARMS HUNTING

Promulgation History

Emergency filed May 8, 1984

Proposed permanent filed July 20, 1984

Public Hearing held August 20, 1984

Refiled with amendments August 28, 1984

Submitted to LRMRC August 28, 1984

Approved by Legislature April 13, 1985

Final filed in State Register June 3, 1985

Effective ~~June 3,~~ 1985

FILED

1985 JUN -4 AM 11:44

WEST VIRGINIA LEGISLATIVE RULE
DEPARTMENT OF NATURAL RESOURCES
Chapter 20-1
Series IV-B

OFFICE OF THE
SECRETARY OF STATE



Title: Rules and Regulations Governing Small Arms Hunting

Section 1. General

2. General Small Arms Hunting Rules
3. Volunteer Training Program
4. Transporting Small Arms

WEST VIRGINIA LEGISLATIVE RULE
DEPARTMENT OF NATURAL RESOURCES
Chapter 20-1
Series IV-B

FILED

1985 JUN -4 AM 11: 44

Title: Rules and Regulations Governing Small Arms Hunting

SECRETARY OF STATE

Section 1. General

1.01. Scope - This legislative rule establishes regulations for 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 Promulgation History - 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 received legislative approval; proposed permanent regulations filed July 20, 1984; public hearing held August 20, 1984; refiled with amendments August 28, 1984; submitted to Legislative Rule-making Review Committee August 28, 1984; approved by Legislature April 13, 1985; final filed in state register June 3, 1985.

1.04 Filing Date - June 3, 1985.

1.05 Effective Date - ~~June 3, 1985~~

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.

Dept. Nat. Res.
Leg. Rule, 20-1
Series IV-B, Sec. 4

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.

WEST VIRGINIA LEGISLATIVE RULE
DEPARTMENT OF NATURAL RESOURCES

Chapter 20-1
Series IV-BE

14

1985 JUN -6 AM 11:46

FILED

SECRETARY OF STATE

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