



arrow from aircraft, motor-driven watercraft, motor vehicle, any land conveyance or from or across any public road.

2.08. No person shall train a dog in any county or portion of county in which there is a legal bear season, except as provided in 3.03 (B) of these regulations. Any person may train his dog between the 16th day of August and the 30th day of June, and at any time on the grounds or lands of the owner or by bona fide tenant or tenants, or upon the grounds or lands of another person with his written permission, or upon public lands, except as prohibited elsewhere in these regulations.

SECTION 3. HUNTING SEASONS

3.01. Deer Firearms Season - Bucks only - First Monday preceding Thanksgiving for 13 consecutive days in the following counties: Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Marion, Marshall, Mason, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, and Wood.

No bucks-only firearms deer season in McDowell, Logan, Wyoming and Mingo counties.

(A) No person may legally take under any condition more than 3 deer per calendar year: One by bow during the archery season; one by gun or bow during the bucks-only season; or one by muzzle-loader if not taken by gun during the regular firearms season; and one

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA  
THIS DATE 1-23-80

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~~(B)~~ Residents in counties which have a legal bear hunting season may train their bear hunting dogs between August 24 and February 28, only, provided that except during the firearms bear season, they have no firearms, bow or implement with which the bear could be taken in their possession or under their control.

~~(B)~~ (C) Bear season will be closed in counties having an antlerless deer season while that season is open.

3.04. Fall Wild Turkey - Season shall be for twenty-nine consecutive days starting with the Saturday nearest October 15, and for six consecutive days commencing on Monday following the second Saturday in December. Only in the following counties: Berkeley, Grant, Greenbrier, Hampshire, Hardy, Mineral, Monroe, Morgan, Nicholas (east of State Route #20), Pendleton, Pocahontas, Randolph, Tucker and Webster.

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STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES  
CHARLESTON 25305

JOHN D. ROCKEFELLER IV  
Governor

March 3, 1980

DAVID C. CALLAGHAN  
Director

WILLIS H. HERTIG, JR.  
Deputy Director

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

Dear Mr. Secretary:

Enclosed are two copies of a proposed amendment to West Virginia Administrative Regulations covering the Hunting and Trapping Regulations, designated Series IV of Chapter 20-1. The amendment has been changed in accordance with findings and determinations resulting from the public hearing held on February 26, 1980. Copy enclosed.

The above to be filed in the State Register and to become law at the earliest possible date.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Callaghan".

David C. Callaghan  
Director

DCC/cia

Enclosures

cc: Legislative Rule Making Review Committee (transmitted with 17 copies of the proposed amendment)

FILED IN THE OFFICE OF

SECRETARY OF STATE  
MARCH 5 1980



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

A. JAMES MANCHIN  
 SECRETARY OF STATE

STATE REGISTER FILING

I, David C. Callaghan, Director,  
 Title or Position

Department of 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 ( ) .

This filing pertains to hunting and trapping regulations

Chapter 20  
 Article 1  
 Series IV  
 Section 2 & 3  
 Page No. 9

FILED IN THE OFFICE OF  
 SECRETARY OF STATE  
 THIS DATE 3/5/80

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

March 3, 1980  
 Date Submitted

*David C. Callaghan*  
 Signature of Person Authorizing  
 this Filing

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Fall Wild Turkey - Season shall be for 15 consecutive days starting with the Saturday nearest October 15; Only in Preston County.

## FINDINGS AND DETERMINATIONS

In view of the recommendations received at the public hearing, it is the opinion of Department of Natural Resources wildlife biologists that the proposed amendment to the hunting and trapping regulations be amended to permit dog training by residents of Ohio and West Virginia only. This will prevent an influx of nonresidents from surrounding states entering West Virginia for the sole purpose of training their dogs, perhaps endangering animal populations in certain areas of the state, and at the same time making it possible for West Virginians to train their dogs in Ohio in accordance with Ohio's reciprocal dog training law.

Revised proposed amendment attached.

1980 HUNTING AND TRAPPING REGULATIONS HEARING  
February 26, 1980  
Motor Vehicles Building, Room 811  
9:00 a.m. - 4:00 p.m.  
Attendance 5

A public hearing was held in Room 811, Motor Vehicles Building, on February 26, 1980, from 9:00 a.m. to 4:00 p.m. to discuss a proposed change that would allow West Virginia residents to train their dogs in Ohio.

Robert L. Miles, James M. Ruckel, and F. Loy McLaughlin represented the Department of Natural Resources, Division of Wildlife Resources.

Two persons, Mr. John Ryder, Jr., President of the West Virginia Bear Hunters Association, and Mr. Burnie R. Crabtree, Delegate from the 12th District, attended the meeting and offered testimony.

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Attached is a copy of a letter received from the West Virginia Showshoe Hare Association requesting that dog training be allowed in all counties of the state.

Three persons, Mr. Woodrow Wilson, Mr. Forest Backus, and Mr. Thomas Hall called to voice their objections to any change in the current season.

Copies of testimony presented are attached.





STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES  
CHARLESTON 25305

JOHN D. ROCKEFELLER IV  
Governor

April 15, 1980

DAVID C. CALLAGHAN  
Director

WILLIS H. HERTIG, JR.  
Deputy Director

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

Dear Mr. Secretary:

Enclosed are two copies of a proposed amendment to West Virginia Administrative Regulations covering the Hunting and Trapping Regulations, designated Series IV of Chapter 20-1. The amendment has been changed in accordance with recommendations of the Legislative Rule-making Review Committee. Seventeen copies of the amended proposed regulations have been forwarded to that committee.

The above supersedes those filed in the State Register on March 3, 1980.

Sincerely,

  
David C. Callaghan  
Director

DCC/cla

Enclosures - 2

4:37



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

A. JAMES MANCHIN  
 SECRETARY OF STATE

STATE REGISTER FILING

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Chapter 20  
 Article 1  
 Series IV  
 Section 2 & 3  
 Page No. 9

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April 15, 1980

Date Submitted

  
 Signature of Person Authorizing  
 this Filing

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Apr 16, 80

50



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

A. JAMES MANCHIN  
SECRETARY OF STATE

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FILED IN THE OFFICE OF  
SECRETARY OF STATE  
THIS DATE \_\_\_\_\_

March 3, 1980  
Date Submitted

David C. Callaghan  
Signature of Person Authorizing  
this Filing

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Motor Vehicles Building, Room 811  
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In addition to his own testimony, Delegate Crabtree also presented testimony from the West Virginia Houndsmen Association and Wayne County Coonhunters, all of which are interested in having the current dog training season changed.

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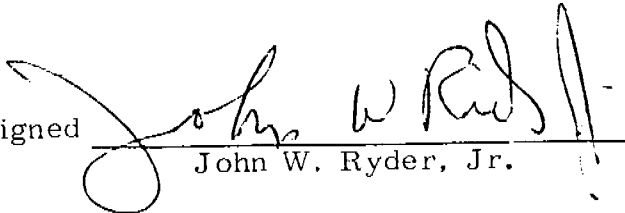
Copies of testimony presented are attached.

John W. Ryder, Jr.  
Representing the West Virginia Bear Hunters Association  
with 500 members  
Route 2, Box 14B  
Rainelle, West Virginia

Mr. Ryder opposes the proposed amendment to West Virginia's Administrative Regulations, as written, on a statewide basis. He noted that if only Ohio residents could participate in the reciprocal agreement, he would not be opposed to the regulation. He does not want other states to be allowed to participate.

Mr. Ryder is especially concerned about bear being chased in counties not open to bear hunting; although these counties have resident bear populations. It was pointed out there have been bear sightings in 28 counties, 18 of which do not have a bear season.

It was also noted that it took approximately 8-10 years to obtain the present dog training bill, and should not be altered now.

Signed   
John W. Ryder, Jr.

Date February 26, 1980

Burnie Roger Crabtree  
12th Delegate District  
Wayne County

Gentlemen, I am here favoring allowing non-residents of other states to be allowed to train their dogs in our states when our residents are allowed to train their dogs here.

at the present time we prohibit non-residents from doing so except during hunting season.

The problem is that Ohio law is the same for non-residents as the law is in the state where the non-resident resides, therefore, West Virginians are prohibited from hunting in Ohio during training season because Ohioans are prohibited here.

If West Virginia would change its regulation to allow non-residents to train here, our coon and fox hunters would then be allowed to run their dogs there during training season in Ohio.

In years our coon hunters and fox hunters have been allowed to run their dogs in Ohio during training season, but now with the Ohio and West Virginia changes they cannot do so.

This creates a great problem to our raccoon hunters due to the fact there is such a scarcity of raccoon in southern and western West Virginia. I feel that this change would benefit our coon hunters and fox hunters greatly in this area.

WEST VIRGINIA SNOWSHOE  
HARE ASSOCIATION, Inc.

RT. 1 — BOX 59  
MONTROSE, WEST VIRGINIA 26283

February 20, 1980

*Bob  
J. Pumphrey*

Mr. Bob Mills  
DEPARTMENT OF NATURAL RESOURCES  
Motor Vehicles Building  
1800 Washington Street, East  
Charleston, West Virginia 25305

RE: Training of Dogs by Non-Residents in West Virginia

Dear Mr. Mills:

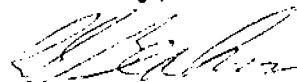
The West Virginia Snowshoe Hare Association would like to voice it's support of dog training in West Virginia by non-residents. We feel that to restrict the training of dogs in West Virginia in any fashion is to voice anti-hunting sentiment and perpetuate false stigmas attached to the training of dogs. It should be recognized that the training of dogs, to a great number of people, is a recreation in its self; and to prohibit such activity or limit it in various ways is to curtail a particular form of recreation that is an end in itself.

However, in addition to being in favor of non-residents training dogs in West Virginia, we are very strongly in favor of rescinding the amendment that prohibits anyone from training dogs in the so-called bear counties of West Virginia.

It seems totally without reason to say "We have an enforcement problem with dog training in the bear counties that might (to what degree no one has been able to substantiate) lead to illegal bear kills" and then create an additional law, which creates additional enforcement problems that have already been identified by the DNR to be deficient to alleviate the original problem.

To restrict in any way one part of the state concerning dog training, especially non-bear dogs such as beagles and bird dogs, etc., is without justification and with disregard to the majority of interests in order to achieve a specialized goal of bear management.

Sincerely,



R. E. Beahm

REB/blr

RECEIVED  
FEB 23 1980

Wildlife Resources

Hearing for Feb. 26, 1980

Problem:

Training, Running of Hounds  
(out of State)

Law:

- (A) States - No Person shall Run or Train Hounds out of State.
- (B) States - No Person shall Run or Train Hounds in West Virginia from out of State.

We are opposed to this Law.

We support a Bill that will change the Law to open the sport of Running and the right to Train Hounds in any state. So Train or Run here in West Virginia to out of State sportsmen

The the sportsmen who Run + Train Hounds buy out of state licen but as the law now stand they are of no use to us.

The West Virginia Houndsmen Ass'n ~~will~~ Support a bill to Run - Train - (in or out of State) Hounds. Our membership now stands at about thirteen hundred,

Members of the Board Here  
Charlotte Crockett  
5739 Lynn Oak Rd  
R4, Huntington, W Va

Feb. 25, 1980

To Whom it may Concern:

This letter is written in behalf of the Wayne County Coonhunters Association in regard to the present law which prohibits residents of West Virginia from training or hunting dogs in the state of Ohio, when our season or theirs is closed. We urge the committee to change the present law to allow Ohio residents to train their dogs in West Virginia, ~~so~~ by doing this, West Virginia residents would be allowed to train their dogs in Ohio as we've done in past years. The reason we are so concerned about this is due to the scarcity of raccoon in this area.

Very Truly Yours

Eugene May

President - Wayne County Coonhunters

78 12<sup>th</sup> St.

Kenova, W. Va. 25530

Phone - 453-2237



STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES

February 22, 1980

DAVID C. CALLAGHAN  
Director

Mr. Bob Miles, Chief  
Wildlife Resources Division  
Dept. of Natural Resources  
1800 Wahsington St. E.  
Charleston, West Virginia 25305

Dear Bob,

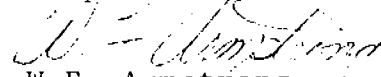
In response to the News Release sent out by our Department on February 14, 1980, regarding a Public Hearing for the purpose of receiving comments on a proposal for allowing nonresidents to train their dogs in West Virginia, I would like to offer the following.

I would like to call your attention to Chapter 20-2-5 (26) of the Code of West Virginia, wherein it states, "Provided further, that nonresidents shall not train dogs in this State at any time except during the legal small game season."

That same section also points out that "small game season" is a determined period of time and not a year round event.

Therefore, in my humble opinion, that statute clearly prohibits dog training by nonresidents in West Virginia except at specified times and any change contemplated would have to be accomplished by Legislative action and not by administrative regulation.

Respectfully,

  
W.F. Armstrong  
Sgt. Kanawha County

cc: Colonel R.V. Eye



STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES  
CHARLESTON 25306

JOHN D. ROCKEFELLER IV  
Governor

January 23, 1980

DAVID C. CALLAGHAN  
Director

WILLIS H. HERTIG, JR.  
Deputy Director

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

Dear Mr. Secretary:

Enclosed are two copies of a proposed amendment to West Virginia Administrative Regulations covering the Hunting and Trapping Regulations, designated Series IV of Chapter 20-1. The amendment concerns field training of dogs and it is necessary in order to permit a reciprocal agreement between West Virginia and the State of Ohio regarding dog training. (See pages 4 and 9.)

A public hearing will be held On February 26, 1980, in Room 811, 1800 Washington Street, East, Charleston, West Virginia. It will be held between the hours of 9:00 a.m. and 4:00 p.m. to solicit public comments concerning the proposed amendment to the regulations.

Sincerely,



David C. Callaghan  
Director

DCC/cia

Enclosures

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

JAN 23 1980





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

A. JAMES MANCHIN  
 SECRETARY OF STATE

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1/23/80  
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Signature of Person Authorizing  
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2.08. No person shall train a dog in any county or portion of county in which there is a legal bear season, except as provided in 3.03 (B) of these regulations. Any person may train his dog between the 16th day of August and the 30th day of June, and at any time on the grounds or lands of the owner or by bona fide tenant or tenants, or upon the grounds or lands of another person with his written permission, or upon public lands, except as prohibited elsewhere in these regulations.

### SECTION 3. HUNTING SEASONS

3.01. Deer Firearms Season - Bucks only - First Monday preceding Thanksgiving for 13 consecutive days in the following counties: Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Marion, Marshall, Mason, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, and Wood.

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