

**WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION**
Form #2

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FILED
1992 JUL 28 AM 11:43

SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: DCL&ER, Division of Natural Resources

TITLE NUMBER: 47

RULE TYPE: Legislative

CITE AUTHORITY § 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES _____ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____


IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 11G

TITLE OF RULE BEING PROPOSED: Wild Boar Hunting Regulations

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON August 31, 1992 AT 4:00 pm

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS Bob Miles, Chief, Division of Natural Resources, Wildlife Resources Section, Capitol Complex, Building 3, Room 812, Charleston, West Virginia 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THE PROPOSED RULE.


J. Edward Hamrick III, Director
Division of Natural Resources

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

2.60



DEPARTMENT OF COMMERCE, LABOR & ENVIRONMENTAL RESOURCES
OFFICE OF THE SECRETARY
State Capitol, Room R-151
Charleston, West Virginia 25305-0310
Telephone: (304) 558-3255
Fax No.: (304) 558-4983

GASTON CAPERTON
Governor

JOHN M. RANSON
Cabinet Secretary

July 22, 1992

RECEIVED
JUL 23 1992

J. Edward Hamrick III, Director
Division of Natural Resources
Building 3, Room 669
Charleston, West Virginia 25305

WATER RESOURCE SECTION

RE: Proposed Rules - Title 47, Series 11A, 11B, 11C, 11D,
11E, 11F, 11G, 11H, 11I, 12A & 13A (Regulations relating
to Wildlife Resources)

Dear Ed:

Pursuant to West Virginia Code §5F-2-2(a)(12), I hereby
consent to the proposal of the rules specified above.

You may attach a copy of this letter to your filing with the
Secretary of State as evidence of my consent.

Sincerely yours,

John M. Ranson
John M. Ranson
Cabinet Secretary

JMR:cjb
B:RULDNR-W.RUL

FISCAL NOTE FOR PROPOSED RULE

Rule Title: Wild Boar Hunting Regulations, 47 C.S.R. 11G

Type of Rule: 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		
	Increase	Decrease	Current	Next	Thereafter
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 expenses as a result of this rule.

3. Objectives of this rule: This rule establishes the provisions applicable to the pursuit or taking of wild boar within West Virginia.

4. Explanation of Overall Economic Impact of Proposed Rule.

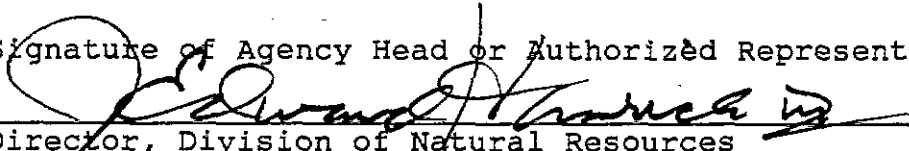
A. Economic Impact on State Government. No impact.

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 27, 1992

Signature of Agency Head or Authorized Representative


Director, Division of Natural Resources

PREAMBLE TO A PROPOSED RULE
CONCERNING
WILD BOAR HUNTING REGULATIONS

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

REGULATION: Title 47, Series 11G, "Wild Boar Hunting Regulations."

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

SUMMARY: This rule establishes the provisions applicable to the pursuit or taking of wild boar within West Virginia.

Written comments received prior to 4:00 pm August 31, 1992 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 47
LEGISLATIVE RULES
DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES
DIVISION OF NATURAL RESOURCES

SERIES 11G
WILD BOAR HUNTING REGULATIONS

§ 47-11G-1. General.

1.1. Scope and Purpose. -- The purpose of this regulation is to establish provisions to be complied with when in the pursuit of or taking of wild boar within the boundaries of this State.

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

1.3. Filing Date. --

1.4. Effective Date. --

§ 47-11G-2. Definitions.

2.1. All terms shall have the meanings prescribed to them in the Code of State Regulations, Title 47, Series 11A (47 C.S.R. 11A).

§ 47-11G-3. Wild Boar Hunting Rules.

3.1. Provided that the hunter uses either a shotgun or a bow, the hunting of small game is permitted during the wild boar seasons in those counties, or portions thereof, designated by the commission as boar hunting areas. During this period a hunter may carry slugs and number 4 or smaller shot with a shotgun prior to killing a boar.

3.2. Boar may be legally taken during the firearms wild boar season with a bow or with a firearm using ammunition legal in West Virginia for the taking of deer.

3.3. No person may kill or wound a boar while the boar is in any stream, lake, or pond.

3.4. The use of dogs to hunt wild boar is prohibited.

3.5. Applicants for a Class P license must be at least twelve (12) years of age.

3.6. Applicants for a Class P license must choose a license for either archery wild boar hunting or firearms wild boar hunting and may not apply for both.

3.7. Applicants for a Class P license for firearms wild boar hunting must choose a license for either the early firearms wild boar season or the late firearms wild boar season and may not apply for both.

3.8. Applications as prescribed by the director for a Class P firearms license must be complete and mailed prior to the deadline date on the application. Only one application may be submitted per individual.

3.9. A person killing a wild boar must, within twenty-four (24) hours, transport the boar to a conservation officer or an official game checking station in the County of kill for retagging.