

WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION

Form #3

Do Not Mark in this Box

FILED

1991 OCT 15 PM 1:51

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Department of Commerce, Labor, and Environmental  
Resources, Division of Natural Resources

AGENCY: \_\_\_\_\_ TITLE NUMBER: 47

CITE AUTHORITY West Virginia Code §20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES \_\_\_ NO X \_\_\_

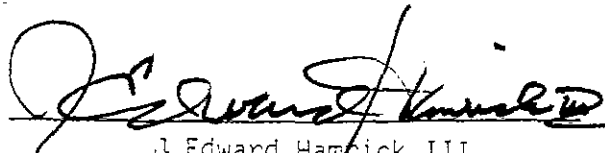
IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 111

TITLE OF RULE BEING PROPOSED: Dog Training Regulations

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



J. Edward Hamrick III  
Director

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Dog Training Regulations.

Type of Rule: XX Legislative      Interpretive      Procedural

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

Address: Building 3, State Capitol Complex, Charleston, West  
Virginia 25305

1. Effect of Proposed Rule	Increase \$	ANNUAL	Current \$	FISCAL YEAR	
		Decrease \$		Next \$	Thereafter \$
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

NO CHANGE

2. Explanation of Above Estimates: The purpose of these regulations is to establish standards to be complied with when training dogs within the boundaries of this State. No new administrative expenditures are anticipated.

3. Objectives of These Rules: The objectives of this rule is to provide a time period in which dogs can be safely trained within this State.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government: No impact.

B. 1. Economic Impact on Political Subdivisions: No impact.

2. Economic Impact on Specific Industries: No impact.

3. Economic Impact on Specific Groups of Citizens: No impact.  
C. Economic Impact on Citizens/Public at Large: No impact.



---

J. Edward Hamrick III  
Director

Date: August 12, 1991

DATE: October 15, 1991.

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia Department of Commerce, Labor, and  
Environmental Resources, Division of Natural Resources

LEGISLATIVE RULE TITLE: "Dog Training Regulations."

1. Authorizing statute(s) citation:

West Virginia Code §20-1-7(30)

2. a. Date filed in State Register with Notice of Hearing:

Notice of Comment period was filed  
August 20, 1991.

b. What other notice, including advertising, did you give of  
the public hearing?

None

c. Date(s) of hearing(s): Comment period ended on September  
20, 1991.

d. Attach list of persons who appeared at the hearing,  
comments received, amendments to the proposed rule, and  
the reasons for those amendments.

Attached

No comments received

e. Date you filed in the State Register the agency-approved  
proposed Legislative Rule following public hearing:

October 15, 1991

f. Name and phone number of agency person to contact for  
additional information:

Michael E. Comer, Regulatory Analyst  
Office of Environmental and Regulatory Affairs  
348-2761

3. If the statute under which you promulgated the submitted  
rules requires certain findings and determinations to be made

as a condition precedent to their promulgation: NA

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided: NA

b. Date of hearing: NA

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor? NA

d. Attach findings and determinations and reasons: NA

PREAMBLE TO A PROPOSED RULE CONCERNING  
DOG TRAINING REGULATIONS

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

REGULATIONS: Title 47, Series 11I "Dog Training Regulations"

AUTHORITY: West Virginia Code §20-1-7(30).

ACTION: Filing of an Agency-Approved Rule.

SUMMARY: Today's filing proposes a new rule that establishes standards for person(s) training dogs within the boundaries of this State for purposes of hunting.

TITLE 47  
LEGISLATIVE RULES  
DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES  
DIVISION OF NATURAL RESOURCES

SERIES 11I  
DOG TRAINING REGULATIONS

§47-11I-1. General.

1.1. Scope and Purpose. -- The purpose of these regulations is to establish standards to be complied with when training dogs within the boundaries of this State.

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

1.3. Filing Date. --

1.4. Effective Date. --

§47-11I-2. Definitions.

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

§47-11I-3. Dog Training Rules.

3.1. Notwithstanding the provisions of W. Va. Code §20-2-5(26), residents of the State of Ohio may train their dogs in this state between the 16th day of August and the 30th day of April, but may not train a dog in any bear county, or parts thereof, in which a legal bear hunting season has been established prior to July 1, 1988, except during the small game hunting season.

FILED

1991 DEC 20 AM 11:35

**MEMORANDUM OF CONSENT**  
JOHN M. RANSON  
SECRETARY OF STATE

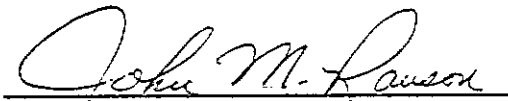
MEMORANDUM TO: J. Edward Hamrick III, Director  
Division of Natural Resources

FROM: John M. Ranson, Secretary  
Department of Commerce, Labor,  
and Environmental Resources

SUBJECT: Consent to File Agency Proposed Regulations

The following regulations concerning hunting, trapping, and fishing have my approval to be proposed pursuant to the Administrative Procedures Act set forth under Chapter 29A of the West Virginia Code [W. Va. Code §29A et seq.].

<u>Title</u>	<u>Series</u>	<u>Name</u>
47	11A	Terms To Be Used Concerning All Hunting and Trapping Regulations.
47	11B	Prohibitions When Hunting and Trapping.
47	11C	Special Bear Hunting Regulations.
47	11D	General Hunting Regulations.
47	11E	Deer Hunting Regulations.
47	11F	Wild Turkey Hunting Regulations.
47	11G	Wild Boar Hunting Regulations.
47	11H	General Trapping Regulations.
47	11I	Dog Training Regulations.
47	12A	Special Migratory Bird Hunting Regulations.
47	13A	Special Waterfowl Hunting Regulations.
47	14A	Special Regulations for Waterfowl Hunting Areas.
47	21	Special Fishing Regulations.

  
John M. Ranson  
Secretary

12/3/91  
Date

**RECEIVED**  
DEC - 4 1991  
DEPT. OF NATURAL RESOURCES  
OFFICE OF THE DIRECTOR