

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In this Box

FILED

Jul 5 2 30 PM '94

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: DCL&ER, Division of Natural Resources TITLE NUMBER: 58

RULE TYPE: Legislative; CITE AUTHORITY § 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 11C

TITLE OF RULE BEING AMENDED: Special Bear Hunting Regulations

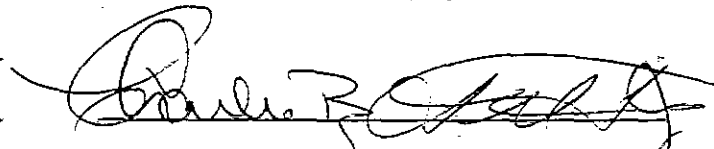
IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

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 5, 1994 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, Bldg. 3, Room 812
Charleston, WV 25305

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



Director, Division of Natural Resources

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

3.00

CIRCUMSTANCES
CONCERNING CHANGES TO
SPECIAL BEAR HUNTING REGULATIONS

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

REGULATION: Title 58, Series 11C, "Special Bear Hunting Regulations".

CIRCUMSTANCES: The seven counties, or parts thereof, represent an expansion of huntable bear populations. This action will maintain the bear population in these areas at an acceptable level while providing additional recreation for hunters.

FISCAL NOTE FOR PROPOSED RULE

Rule Title: Regulations Concerning Special Bear Hunting Regulations, 58 C.S.R. 11C

Type of Rule: XX 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 | | Thereafter |
|----------------------------|----------|----------|-------------|-----------|------------|
| | Increase | Decrease | Current | Next | |
| 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 expenditures as a result of this rule.
3. Objectives of this rule: The proposed rule establishes the general provisions applicable to bear hunting.
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 5, 1994

Signature of Agency Head or Authorized Representative


 Director, Division of Natural Resources

PREAMBLE TO A PROPOSED RULE
CONCERNING
SPECIAL BEAR HUNTING REGULATIONS

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

REGULATION: Title 58, Series 11C "Special Bear Hunting
Regulations".

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

SUMMARY: The proposed rule establishes the general
provisions applicable to bear hunting.

Written comments received prior to 4:00 pm August
5, 1994 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

FILED

TITLE 58
LEGISLATIVE RULES
DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES
DIVISION OF NATURAL RESOURCES

APR 5 2 30 PM '94

SERIES 11C
SPECIAL BEAR HUNTING REGULATIONS

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§58-11C-1. General.

1.1. Scope and Purpose. -- The purpose of these regulations is to control the taking of bear within the boundaries of this State.

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

1.3. Filing Date. --

1.4. Effective Date. --

§58-11C-2. Definitions.

2.1. All terms have the meaning prescribed to them in the Regulations Defining The Terms To Be Used Concerning All Hunting and Trapping Regulations (47 C.S.R. 11A).

§58-11C-3. The Use of Dogs.

3.1. The use of dogs while hunting for bear during the firearms bear season is illegal in the following counties: Barbour (East of State Route 92), Boone, Fayette, Kanawha, Nicholas, Preston, and Raleigh.

3.2. Except as provided for in the Hunting and Trapping Regulations (Exempt Rule) (47 C.S.R. 11), the use of dogs while bow hunting for bear is legal during any portion of the archery bear season which may coincide with an open firearms bear season.