

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #3

FILED
MAR 12 1 58 PM '94
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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

AGENCY: Division of Natural Resources TITLE NUMBER: 58

CITE AUTHORITY § 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES NO

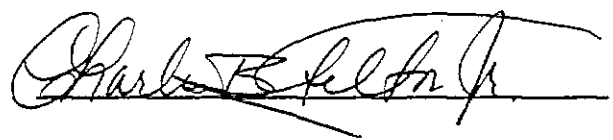
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 11C

TITLE OF RULE BEING AMENDED: Special Bear Hunting Regulations

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

TITLE OF RULE BEING PROPOSED: _____

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.



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

	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 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

DATE:

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM:

LEGISLATIVE RULE TITLE: Special Bear Hunting Regulations

1. Authorizing statute(s) citation § 20-1-7(30)

2. a. Date filed in State Register with Notice of Hearing
July 5, 1994 - Comment Period

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

NONE

c. Date of Hearing(s) Comment period ended August 5, 1994

d. Attach list of persons who appeared at hearing,
comments received, amendments, reasons for amendments.

Attached NONE No comments received 0

e. Date you filed in State Register the agency approved
proposed Legislative Rule following public hearing:
(be exact)

August 12, 1994

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

Robert L. Miles, Chief

Wildlife Resources DNR

Rm 812, Bldg #3, Capitol Complex

Charleston, WV 25305

558-2771

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:

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.

N/A

b. Date of hearing: N/A

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

N/A

d. Attach findings and determinations and reasons:

Attached N/A

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

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

SERIES 11C
SPECIAL BEAR HUNTING REGULATIONS

§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.