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March 27, 1995

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SB 112 authorizing, **Title 58, Series 11C, Special Bear Hunting Rule**, passed the Legislature on **March 11, 1995**. It was signed by the Governor on March 23, 1995.

You have sixty (60) days after the Governor signs SB 112, to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office with a promulgation history of the rule. Authorization for your legislative rule is cited in **SB 112** section **64-10-2(c)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

*****IMPORTANT: YOUR AGENCY MUST SUBMIT A CLEAN COPY OF THE LEGISLATIVE RULE ON DISK, WITH ALL UNDERLINING, STRIKE-THROUGHS AND HEADERS/FOOTERS TAKEN OUT, TO OUR OFFICE WHEN FINAL FILING THE RULE. THE DISK MUST BE ON A WORD PERFECT (5.1 OR 5.2 VERSION) OR WORD PERFECT COMPATIBLE COMPUTER SYSTEM 3 1/2" DOUBLE DENSITY DISK. STATE ON THE DISK THE FORMAT THE RULE IS IN AND THE TITLE IT IS FILED UNDER. THIS WILL ENABLE US TO ENTER YOUR RULES ON THE LEGISLATIVE DATA BASE. REMEMBER THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING, STRIKE-THROUGHS AND HEADERS/FOOTERS TAKEN OUT, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE.**

After the final rule is entered into the legislative data base, the rule will be sent to the agency for review and proofing. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to call our office.

Thank You
Administrative Law Division

TITLE 58
LEGISLATIVE RULE
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES

SERIES 11C
SPECIAL BEAR HUNTING RULE

§58-11C-1. General.

1.1. Scope and Purpose. -- The purpose of this rule 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. -- May 8, 1995

1.4. Effective Date. -- May 9, 1995

1.5. Repeal of Former Rule. -- These rules repeal and replace 58 C.S.R. 11C "Special Bear Hunting Rule" that were filed on June 24, 1993 and became effective June 24, 1993.

§58-11C-2. Definitions.

2.1. All terms have the meaning prescribed to them in the Rule 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 Rule (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.

SENATE BILL NO. 119

(By Senators Manchin, Anderson, Boley, Grubb and
Macnaughtan)

[Introduced January 20 , 1995; referred to the
Committee on Natural Resources; and then to
the Committee on the Judiciary]

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58-11 C

10 A BILL to amend chapter sixty-four of the code of West Virginia,
11 one thousand nine hundred thirty-one, as amended, by adding
12 thereto a new article, designated article three-a, relating
13 to authorizing the division of natural resources to
14 promulgate legislative rules relating to special bear hunting
15 regulations.

16 Be it enacted by the Legislature of West Virginia:

17 That chapter sixty-four of the code of West Virginia, one
18 thousand nine hundred thirty-one, as amended, be amended by
19 adding thereto a new article, designated article three-a, to read
20 as follows:

21 **ARTICLE 3A. AUTHORIZATION FOR BUREAU OF COMMERCE TO PROMULGATE**
22 **LEGISLATIVE RULES.**

23 **§64-3A-1. Division of natural resources.**

1 The legislative rules filed in the state register on the
2 twelfth day of August, one thousand nine hundred ninety-four,
3 modified by the division of natural resources to meet the
4 objections of the legislative rule-making review committee and
5 refiled in the state register on the fourteenth day of October,
6 one thousand nine hundred ninety-four, relating to the division
7 of natural resources (special bear hunting regulations), are
8 authorized.

9

10 NOTE: The purpose of this bill is to authorize the Division
11 of Natural Resources to promulgate legislative rules relating to
12 special bear hunting regulations.

13

14 This section is new; therefore, strike-throughs and
15 underscoring have been omitted.

Bill-DNR, Special Bear

58-11C

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H. B. 2188

(By Delegates Gallagher, Douglas, Compton,
Linch, Faircloth and Riggs)
(Introduced January 23, 1995 ; referred to the
Committee on Agriculture and Natural Resources then
the Judiciary)

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