

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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JUL 5 2 29 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: 11D

TITLE OF RULE BEING AMENDED: General Hunting Regulations

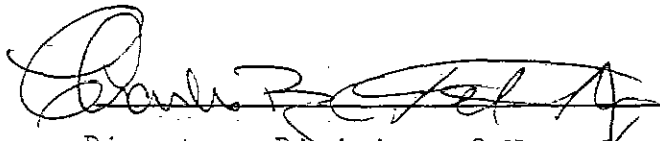
IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

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

3.20

CIRCUMSTANCES
CONCERNING CHANGES TO
GENERAL HUNTING REGULATIONS

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

REGULATION: Title 58, Series 11D, "General Hunting Regulations".

CIRCUMSTANCES: Statutory changes provide that the fresh skin and head of deer may be checked as an option to the the entire carcass. The rule change complies with the statutory revision. For enforcement and biological data collection purposes the skin or carcass of the deer must be checked within 24 hours of the kill.

FISCAL NOTE FOR PROPOSED RULE

Rule Title: Regulations Concerning General Hunting Regulations, 58 C.S.R. 11D

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		
	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.

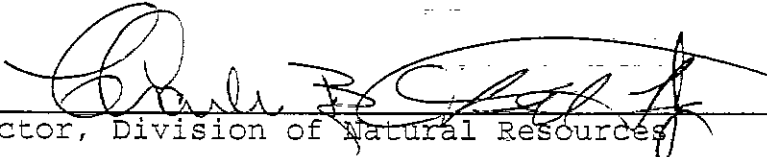
3. Objectives of this rule: The proposed rule establishes the general provisions applicable to hunting.

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
GENERAL HUNTING REGULATIONS

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

REGULATION: Title 58, Series 11D "General 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 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

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

JUL 5 2 29 PM '94

SERIES 11D
GENERAL HUNTING REGULATIONS

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§58-11D-1. General.

1.1. Scope and Purpose. -- The purpose of these regulations is to establish general hunting regulations that will provide for the safety of the hunter and the proper management of wildlife within the boundaries of this State.

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

1.3. Filing Date. --

1.4. Effective Date. --

§58-11D-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).

§58-11D-3. General Hunting Rules.

3.1. A long bow or compound bow may be substituted for a firearm during any season for which firearms are legal except during the muzzle-loading firearms deer season.

3.2. Each person killing a bear or wild boar found in a wild state must immediately after removing its entrails, but in any event within one hour and before transporting or removing the carcass in any manner from where it was killed, complete and attach a game tag. The tag must bear, in plain English, the name and address of the hunter, the date and county where the game was killed, and, unless he or she is legally exempted from the licensing requirements of this State, the license number of the hunter.

3.3. No person under the age of fifteen (15) years may hunt or chase wild animals or wild birds on the lands of another unless he or she is accompanied by a licensed adult who remains in a position near enough to him or her to render advice and assistance.

3.4. A person may only use bows, single-shot muzzle-loading firearms, or shotguns loaded with T or smaller shot to hunt wildlife within the boundaries of the Green Bottom Wildlife Management Area.

3.5. The fresh skin and attached head or carcass of Each each deer and the carcass ~~or~~ of each wild turkey must be delivered to a conservation officer or an official game checking station for checking and retagging before it is transported beyond the boundaries of the county adjacent to that in which the kill was made and within 24 hours of the close of the respective season time of kill for checking and retagging.