

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #6

Do Not Mark in this Box

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: Bureau of Commerce, Division of Natural Resources TITLE NUMBER: 58

AMENDMENT TO AN EXISTING RULE: YES X, NO

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

TITLE OF RULE BEING AMENDED: Wild Boar Hunting Rule

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) SB 112

SECTION 64-10-2(d), PASSED ON March 23, 1995

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON
THE FOLLOWING DATE: May 9, 1995



AUTHORIZED SIGNATURE
Charles B. Felton, Jr., Director

TITLE 58
LEGISLATIVE RULE
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES

SERIES 11G
WILD BOAR HUNTING RULE

§58-11G-1. General.

1.1. Scope and Purpose. -- The purpose of this rule is to establish requirements which a person must comply when in pursuit or taking of wild boar 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. 11G "Wild Boar Hunting Rule" that were filed on June 24, 1993 and became effective on June 24, 1993.

§58-11G-2. Definitions.

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

§58-11G-3. Wild Boar Hunting Rules.

3.1. A person may hunt small game during the wild boar seasons in those counties, or portions thereof, designated by the commission as boar hunting areas if the hunter uses either a shotgun or a bow. During this period a hunter may carry slugs and number 4 or smaller shot with a shotgun prior to killing a boar.

3.2. A hunter may legally take boar during the firearms wild boar season with a bow or with a firearm using ammunition legal in West Virginia for the taking of deer.

3.3. No person may kill or wound a boar while the boar is in any stream, lake, or pond.

3.4. The use of dogs to hunt wild boar is prohibited.

3.5. A person killing a wild boar must, within twenty-four (24) hours, transport the boar to a conservation officer or an official game checking station in the County where it was killed for retagging.

58-11G-4. License Requirements.

4.1. Applicants for a Class P license must be at least twelve (12) years of age.

4.2. Applicants for a Class P license for firearms wild boar hunting must choose a license for either the early firearms wild boar season or the late firearms wild boar season and may not apply for both.

4.3. Applications as prescribed by the director for a Class P firearms license must be completed and mailed prior to the deadline date on the application by the applicant. Only one application may be submitted per individual.

SENATE BILL NO. 120

(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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58-119

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 wild boar hunting.

15 Be it enacted by the Legislature of West Virginia:

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

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

22 **§64-3A-1. Division of natural resources.**

23 The legislative rules filed in the state register on the
24 twelfth day of August, one thousand nine hundred ninety-four,

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

7

8 NOTE: The purpose of this bill is to authorize the Division
9 of Natural Resources to promulgate legislative rules relating to
10 wild boar hunting.

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

Bill-DNR, Wild Boar

6812

58-119

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H. B. 2189

(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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KEN HECHLER
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MARY P. RATLIFF
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(Plus all the volunteer
help we can get)

FAX: (304) 558-0900

March 27, 1995

Robert L. Miles
Natural Resources
Wildlife Resources
Rm. 812, Bldg. 3
Charleston, WV 25305

SB 112 authorizing, **Title 58, Series 11G, Wild Boar 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(d)**. 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