

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

FILED

2001 JUN 27 P 4:52

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Division of Natural Resources TITLE NUMBER: 58

RULE TYPE: Legislative CITE AUTHORITY: WV Code 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 14

TITLE OF RULE BEING PROPOSED: Rules Governing Small Arms Hunting

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 July 27, 2001 AT 4:30 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Lt. Colonel W. B. Daniel

Division of Natural Resources

Building 3, Room 840

Capitol Complex

Charleston, WV. 25305

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


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

**TITLE 58
LEGISLATIVE RULE
DIVISION OF NATURAL RESOURCES**

SERIES 14

SUMMARY

Series 14 outlines the rules governing small arms hunting in the state.

**TITLE 58
LEGISLATIVE RULE
DIVISION OF NATURAL RESOURCES**

SERIES 14

CIRCUMSTANCE

Series 14 is a rule that will govern small arms hunting in West Virginia. This rule was previously in place but was inadvertently overlooked during the renumbering process that took place several years ago.

FISCAL NOTE FOR PROPOSED RULE

Rule Title: Title 58, Series 14, Rules Governing Small Arms Hunting

Type of Rule X **Legislative** **Interpretive** **Procedural**

Agency Division of Natural Resources

Address Building 3, Room 840

Capitol Complex

Charleston, WV 25305

1. Effect of Proposed Rule

	ANNUAL			FISCAL YEAR	
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

n/a

3. Objective of these rules:

The objective of this rule is to outline certain prohibitions and permitted uses of small arms while hunting.

Rule Title: Title 58, Series 14, Rules Governing Small Arms Hunting

4. Explanation of overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government: None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens: None

C. Economic Impact on Citizens/Public at Large: None

Date: June 27, 2001

**Signature of Agency or
Authorized Representative:**



Ed Hamrick, Director

**TITLE 58
LEGISLATIVE RULE
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES**

**SERIES 14
RULES GOVERNING SMALL ARMS HUNTING**

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§58-14-1. General.

1.1. Scope. – This rule establishes regulations for hunting with small arms (pistol or revolver) in West Virginia.

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

1.3. Filing Date. –

1.4. Effective Date. –

§58-14-2. General Small Arms Hunting Rules.

2.1. No person shall hunt deer, bear or wild boar with any pistol or revolver using a straight-walled case of less than .357 magnum cartridge, a bottle-necked case of less than .24 caliber, or a muzzle-loading pistol of less than .38 caliber.

2.2. It is lawful to hunt woodchuck in the open fields with a pistol or revolver.

2.3. It is unlawful to hunt between one half (½) hour after sunset and one-half (½) hour before sunrise with any pistol or revolver larger than .22 caliber.

§58-14-3. Penalties.

3.1. Any person violating the provisions of this rule will be subject to the penalties outlined in §20-7-9 of the West Virginia Code