

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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JUL 12 3 32 PM '96

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: DIVISION OF NATURAL RESOURCES TITLE NUMBER: 17 58

RULE TYPE: PROCEDURAL; CITE AUTHORITY 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 16A (17)

TITLE OF RULE BEING AMENDED: FUR DEALER TRANSACTIONS

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 11, 1996 AT 4:30 P.M.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

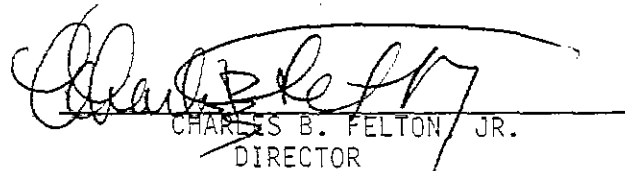
MAJOR W. B. DANIEL

DIVISION OF NATURAL RESOURCES

CAPITOL COMPLEX BLDG. 3, ROOM 837

CHARLESTON WV 25305-0668

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


CHARLES B. FELTON, JR.
DIRECTOR

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

FILED

TITLE 58
PROCEDURAL RULES
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES

JUL 12 3 32 PM '96

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SERIES 46A 17
FUR DEALER TRANSACTIONS

§58-46A-17-1. General.

1.1. Scope and Purpose. -- This rule establishes procedures concerning the application for and renewal of fur dealer's licenses and agent's permits issued by the Division under W. Va. Code §20-2-49 and the keeping of records and submission of reports associated with such licenses and permits.

1.2. Authority. -- W. Va. Code §20-1-7(30)

1.3. Filing Date. -- January 27, 1989

1.4. Effective Date. -- March 1, 1989

§58-46A17-2. Definitions.

2.1. "Applicant" means a person of at least eighteen (18) years of age who is applying for a fur dealer's license or agent's permit issued by the Division under the provisions of W. Va. Code §20-2-49.

2.1.1. A resident county fur dealer's license will be issued only to persons who have been bona fide residents of this State for a period of at least six (6) months prior to the date of application and of a county in which the privilege is to be exercised. This license applies only to the county for which it is issued and to such adjacent counties as are designated in the license.

2.1.2. A resident statewide fur dealer's license will be issued only to persons who have been bona fide residents of this State for a period of at least six (6) months prior to the date of application. This license applies to all counties in the State.

2.1.3. A nonresident statewide fur dealer's license will be issued only to nonresidents. This license applies to all counties in the State.

2.1.4. An agent's permit will be issued to a person employed by a licensed fur dealer in order that the permittee may act as an agent of the licensed fur dealer at places

other than the dealer's place of business. This permit applies only to those counties of the State designated on the employer's fur dealer's license.

2.2. "Chief" means the Chief of the Law Enforcement Section of the West Virginia Division of Natural Resources.

2.3. "Section" means the Law Enforcement Section of the West Virginia Division of Natural Resources.

2.4. "Licensee" means a person who has been issued a fur dealer's license or an agent's permit by the Division.

§58- 46A17-3. Application Submission and Review.

3.1. An applicant for a resident county or resident statewide fur dealer's license must complete and submit the application form found in Appendix A of ~~these regulations~~ this rule to the address provided on that form. Each agent employed by the applicant must complete the appropriate section on the reverse side of the application form in order to obtain an agent's permit.

3.2. An applicant for a nonresident statewide fur dealer's license must complete and submit the application form found in Appendix B of ~~these regulations~~ this rule to the address provided on that form. Each agent employed by the applicant must complete the appropriate section on the reverse side of the application form in order to obtain an agent's permit.

3.3. An application will not be considered to be complete unless the specified licensing fees are attached to the submitted application form.

3.4. Licensing fee payments must be made by personal check or money order payable to the West Virginia Division of Natural Resources.

§58- 46A17-4. Renewal of Issued Licenses and Permits.

4.1. A license or permit issued under ~~these regulations~~ this rule shall expire on December 31 of the year of issue.

4.2. A licensee may seek to renew an issued license or permit by submitting an updated application to the Division by no later than November 30 of the year of issue.

4.3. Division personnel will review each renewal application and then recommend to the chief that the license or permit renewal sought by the applicant be either granted or denied.

4.3.1. Failure by a licensed fur dealer to file transaction reports on time, or refusal to file such reports, constitutes cause for denying an application for license renewal.

4.3.2. Failure by a licensed fur dealer to file transaction reports which are accurate, legible, and complete constitutes cause for denying an application for license renewal.

4.4. If the Chief accepts a recommendation to deny the granting of a license or permit renewal, he or she will notify the applicant of the denial and the reasons therefor.

§58- 46A17-5. Transaction Reporting.

5.1. Reports detailing the purchases made by a licensee between April 1 of the preceding year and March 31 must be submitted to the Chief by not later than April 15 of each year.

5.2. Reports detailing the sales made by a licensee between April 1 of the preceding year and March 31 must be submitted to the Chief by not later than April 15 of each year.

5.3. All reports of fur dealer transactions must be submitted to the Division on the forms found in Appendix C of ~~these regulations~~ this rule.

APPENDIX A

RESIDENT COUNTY OR STATEWIDE
FUR DEALER'S APPLICATION FORM

WEST VIRGINIA DIVISION OF NATURAL RESOURCES
APPLICATION FOR A RESIDENT FUR DEALER'S LICENSE
(West Virginia Code §20-2-49)

INITIAL APPLICATION () RENEWAL APPLICATION ()
CHECK ONE:

() Resident County License for the Counties of:

() Resident Statewide License

NAME: _____

STREET or BOX: _____

CITY and COUNTY: _____

STATE and ZIP CODE: _____

TELEPHONE NUMBER: _____

CURRENT LICENSE NUMBER: _____

I certify that I have been a domiciled resident of the state of West Virginia for a period of at least six (6) months prior to the date of this application. I agree to abide by the terms and conditions of my license.

(Signature of Applicant)

(Date)

Annual Fee for Resident County License: \$1.00 per county
Annual Fee for Resident Statewide License: \$10.00
Annual Fee for Agent's Permit: \$2.50 for each agent

RETURN TO: WV Division of Natural
Law Enforcement Section
Room 837, Building 3
State Capitol Complex
Charleston, WV. 25305

THE FOLLOWING AGENTS ARE EMPLOYED BY THE APPLICANT:

Name of Agent (Street or Box)

(City) (County) (State) (Zip Code)

I agree to abide by the terms and conditions of my permit.

(Signature of Agent) (Date)

(Name of Agent) (Street or Box)

(City) (County) (State) (Zip Code)

I agree to abide by the terms and conditions of my permit.

(Signature of Agent) (Date)

(Name of Agent) (Street or Box)

(City) (County) (State) (Zip Code)

I agree to abide by the terms and conditions of my permit.

(Signature of Agent) (Date)

(Name of Agent) (Street or Box)

(City) (County) (State) (Zip Code)

I agree to abide by the terms and conditions of my permit.

(Signature of Agent)

(Date)

APPENDIX B

NONRESIDENT STATEWIDE FUR DEALER'S APPLICATION FORM

WEST VIRGINIA DIVISION OF NATURAL RESOURCES
APPLICATION FOR A NONRESIDENT STATEWIDE FUR DEALER'S LICENSE
(West Virginia Code §20-2-49)

INITIAL APPLICATION () RENEWAL APPLICATION ()

NAME: _____

STREET or BOX: _____

CITY and COUNTY: _____

STATE and ZIP CODE: _____

TELEPHONE NUMBER: _____

CURRENT WEST VIRGINIA DNR
FUR DEALER'S LICENSE NUMBER: _____

I agree to abide by the terms and conditions of my license.

(Signature of Applicant)

Date

Annual Fee for Nonresident Statewide License: \$50.00 RETURN TO: WV Division of Natural Resources
Law Enforcement Section
Room 837, Building 3
State Capitol Complex
Charleston, WV 25305

THE FOLLOWING AGENTS ARE EMPLOYED BY THE APPLICANT:

(Name of Agent) (Street or Box)

(City) (County) (State) (Zip Code)

I agree to abide by the terms and conditions of my permit.

(Signature of Agent) (Date)

(Name of Agent) (Street or Box)

(City) (County) (State) (Zip Code)

I agree to abide by the terms and conditions of my permit.

(Signature of Agent) (Date)

(Name of Agent) (Street or Box)

(City) (County) (State) (Zip Code)

I agree to abide by the terms and conditions of my permit.

(Signature of Agent) (Date)

(Name of Agent) (Street or Box)

(City) (County) (State) (Zip Code)

I agree to abide by the terms and conditions of my permit.

(Signature of Agent)

(Date)

APPENDIX C

FUR DEALER TRANSACTION SHEETS

(INSERT TRANSACTION SHEETS HERE)