

**WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION**

Form #5

Do Not Mark In This Box

FILED

SEP 10 3 02 PM '96

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: BUREAU OF COMMERCE, DIVISION OF NATURAL RESOURCES TITLE NUMBER: 58

CITE AUTHORITY: §20-1-7(30)

RULE TYPE: PROCEDURAL INTERPRETIVE

EXEMPT LEGISLATIVE RULE

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

§29A-3-8

AMENDMENT TO AN EXISTING RULE: YES , NO


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

TITLE OF RULE BEING AMENDED: FUR DEALER TRANSACTIONS

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: _____

TITLE OF RULE BEING ADOPTED: _____

**THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS September 19, 1996**


CHARLES B. FELTON, JR., DIRECTOR

TITLE 58
PROCEDURAL RULES
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES

SERIES 17
FUR DEALER TRANSACTIONS

§58-17-1. 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. -- July 12, 1996

1.4. Effective Date. -- September 10, 1996

§58-17-2. 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.

§58-17-3. 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 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 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.

§58-17-4. Renewal of Issued Licenses and Permits.

4.1. A license or permit issued under 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.

§58-17-5. 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 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 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 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)

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

STEPHEN N. REED
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 558-8000
Corporations: (304) 558-8000
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FILED

WILLIAM H. HARRINGTON
Chief of Staff

OCT 24 10 49 AM '96

JUDY COOPER
Director, Administrative Law

PENNEY BARKER
Supervisor, Corporations

STATE OF WEST VIRGINIA

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

RECEIVED
(Plus all the volunteer help we can get)
OCT 8 1996
L.F.D.

TO: BILL DANIEL

AGENCY: NATURAL RESOURCES

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: October 3, 1996

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 17 TITLE: 58 NATURAL RESOURCES

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: MB Daniel, Deputy

TITLE OF PERSON SIGNING: Deputy Chief, Law Enforcement

DATE: 10/22/96

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.