

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

Form #2

Do Not Write In This Box

FILED

Nov 13 2 25 PM '98

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF COMMENT PERIOD ON A PROPOSED RULE**

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

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

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 48

TITLE OF RULE BEING AMENDED: SPECIAL BEAR HUNTING RULE


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 December 16, 1998 AT 4:30 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

GORDON ROBERTSON, DEPUTY CHIEF  
DIVISION OF NATURAL RESOURCES  
WILDLIFE RESOURCES SECTION  
ROOM 842, BLDG. 3, CAPITOL COMPLEX  
CHARLESTON, WEST VIRGINIA 25305

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

  
\_\_\_\_\_  
JOHN B. RADER, DIRECTOR

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

\$3.20

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

**SERIES 48  
SPECIAL BEAR HUNTING RULE**

**SUMMARY**

Series 48, Special Bear Hunting Rule, is no longer required.

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

**SERIES 48  
SPECIAL BEAR HUNTING RULE**

**CIRCUMSTANCES**

Series 48, Special Bear Hunting Rule, is being repealed because the seasons for the type of bear seasons described in Series 48 are established in Series 45, Hunting and Trapping Rules, an exempt rule promulgated after public review by the Natural Resources Commission.

## FISCAL NOTE FOR PROPOSED RULE

**Rule Title:** Series 48, Special Bear Hunting Rule

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

**Agency**    Division of Natural Resources, Wildlife Resources Section

**Address**    Capitol Complex

Building 3, Room 842

Charleston, WV 25305

**1. Effect of Proposed Rule**

	ANNUAL			FISCAL YEAR	
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<b>ESTIMATED TOTAL COST</b>	0	0	0	0	0
<b>PERSONAL SERVICES</b>	0	0	0	0	0
<b>CURRENT EXPENSE</b>	0	0	0	0	0
<b>REPAIRS &amp; ALTERATIONS</b>	0	0	0	0	0
<b>EQUIPMENT</b>	0	0	0	0	0
<b>OTHER</b>	0	0	0	0	0

**2. Explanation of above estimates:** n/a

**3. Objectives of these rules:** n/a

**4. Explanation of overall Economic Impact of Proposed Rule.**

**A. Economic Impact on State Government:** n/a

**Rule Title:** Series 48, Special Bear Hunting Rule

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**B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:** n/a

**C. Economic Impact on Citizens/Public at Large:** n/a

**Date:** 11-13-98

**Signature of Agency or  
Authorized Representative:**



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JOHN B. RADER, DIRECTOR

FILED

TITLE 58  
LEGISLATIVE RULE  
BUREAU OF COMMERCE  
DIVISION OF NATURAL RESOURCES

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SERIES 48  
~~SPECIAL BEAR HUNTING RULE~~

~~§58-48-1. General:~~

~~1.1. Scope and Purpose. -- The purpose of this rule is to control the taking of bear 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. 11C "Special Bear Hunting Rule" that were filed on June 24, 1993 and became effective June 24, 1993.~~

~~§58-48-2. Definitions:~~

~~2.1. All terms have the meaning prescribed to them in the Rule Defining The Terms To Be Used Concerning All Hunting and Trapping Regulations (58 C.S.R. 46).~~

~~§58-48-3. The Use of Dogs:~~

~~3.1. The use of dogs while hunting for bear during the firearms bear season is illegal in the following counties: Barbour (East of State Route 92), Boone, Fayette, Kanawha, Nicholas, Preston, and Raleigh.~~

~~3.2. Except as provided for in the Hunting and Trapping Rule (Exempt Rule) (58 C.S.R. 45), the use of dogs while bow hunting for bear is legal during any portion of the archery bear season which may coincide with an open firearms bear season.~~