

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

Form #3

Do Not Mark In This Box

**FILED**

**JUL 27 11 12 AM '01**

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: BOC, DNR - Wildlife Resources Section TITLE NUMBER: 58

CITE AUTHORITY: 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 52

TITLE OF RULE BEING AMENDED: Wild Boar Hunting Rule

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



Authorized Signature

\$4.00

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

**SERIES 52  
WILD BOAR HUNTING RULE**

**SUMMARY**

Series 52 outlines the means by which wild boar may be hunted and the licensing requirements of wild boar hunters.

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

**SERIES 52  
WILD BOAR HUNTING RULE**

**CIRCUMSTANCES**

The Division of Natural Resources propose to clarify that concurrent hunting may occur in the areas of the state where wild boar hunting is permitted.

## FISCAL NOTE FOR PROPOSED RULE

**Rule Title:** Series 52, Wild Boar 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>					
<b>REPAIRS &amp; ALTERATIONS</b>					
<b>EQUIPMENT</b>					
<b>OTHER</b>	0	0	0	0	0

**2. Explanation of above estimates:** No cost to enact and enforce this rule.

**3. Objectives of these rules:** To outline the means by which wild boar may be hunted and the licensing requirements of wild boar hunters.

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

**A. Economic Impact on State Government: None**

**Rule Title:** Series 52, Wild Boar Hunting Rule

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

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

**Date:** \_\_\_\_\_

**Signature of Agency or  
Authorized Representative:**

A handwritten signature in cursive script, appearing to read "Ed Hamrick", written over a horizontal line.

ED HAMRICK, DIRECTOR

**QUESTIONNAIRE**

*(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)*

DATE: July 19, 2001

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* BOC, DNR - Wildlife Resources Section

1900 Kanawha Blvd., E.

Charleston, WV 25305

LEGISLATIVE RULE TITLE: Wild Boar Hunting Rule

1. Authorizing statute(s) citation 20-1-7(30)

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
June 15, 2001

b. What other notice, including advertising, did you give of the hearing?  
No public hearing was held. There was a 30 day comment period which was also  
advertised in a Statewide News Release distributed June 22, 2001.

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
July 12, 2001

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.  
Attached \_\_\_\_\_ No comments received X

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

N/A

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all written correspondence regarding this rule: (Please type)

Gordon Robertson, Deputy Chief

DNR Wildlife Resources Section

Capitol Complex, Bldg. 3, Room 842

Charleston, WV 25305

- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

FILED

JUL 27 11 18 AM '01

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

TITLE 58  
LEGISLATIVE RULE  
BUREAU OF COMMERCE  
DIVISION OF NATURAL RESOURCES

SERIES 52  
WILD BOAR HUNTING RULE

**§58-52-1. General.**

1.1. Scope and Purpose. -- The purpose of this rule is to establish requirements which a person must comply with 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. --

1.4. Effective Date. --

~~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.~~

**§58-52-2. 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 (58 C.S.R. 46).

**§58-52-3. 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. Concurrent hunting is permitted for any species for which a season is open during wild boar season.~~

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.

**58-52-4. 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.