

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

Form #2

Do Not Write In This Box

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MAY 3 1 22 PM '99

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: 67

TITLE OF RULE BEING AMENDED: LIFETIME HUNTING, TRAPPING AND FISHING LICENSES

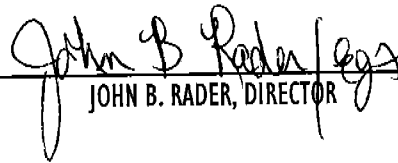
IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

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 June 1, 1999 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

\$2.40

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

**SERIES 67  
LIFETIME HUNTING, TRAPPING AND FISHING LICENSES**

**SUMMARY**

This rule establishes fees for lifetime hunting, trapping and fishing licenses.

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

**SERIES 67  
LIFETIME HUNTING, TRAPPING AND FISHING LICENSES**

**CIRCUMSTANCES**

The Division of Natural Resources is directed by SB 74 to file an emergency rule that establishes a financially sound fee structure for the prices of lifetime hunting, trapping and fishing licenses.

## FISCAL NOTE FOR PROPOSED RULE

**Rule Title:** Series 67, Lifetime Hunting, Trapping and Fishing Licenses

**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
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES	0	0	0	0	0
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER	0	0	0	0	0

**2. Explanation of above estimates:** The Division is already administering the sale of lifetime hunting, trapping and fishing licenses and no additional cost is expected.

**3. Objectives of these rules:** To establish lifetime hunting, trapping, and fishing fees that are financially sound for the Division.

**4. Explanation of overall Economic Impact of Proposed Rule.** Since 1989 fees, for lifetime hunting, trapping and fishing licenses have not be been comparable to their annual license equivalents. The fee structure in this rule corrects this problem.

**Rule Title:** Series 67, Lifetime Hunting, Trapping and Fishing Licenses

**A. Economic Impact on State Government:** Fees from lifetime hunting and fishing licenses are directed to the WV Wildlife Endowment Fund. The Division may use only the interest from the this fund.

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

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

**Date:** March 18, 1999

**Signature of Agency or  
Authorized Representative:**

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

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

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SECRETARY OF STATE

**SERIES 67  
LIFETIME HUNTING, TRAPPING AND FISHING LICENSES**

**§58-67-1. General.**

1.1. Scope and Purpose. -- This legislative rule establishes fees and the method for determining fees of lifetime hunting and fishing licenses for West Virginia residents.

1.2. Authority. -- West Virginia Code §20-2B-7

1.3. Filing Date. -- April 1, 1999

1.4. Effective Date. -- April 10, 1999

**§58-67-2. Definitions.**

2.1. "Director" means the Director of the West Virginia Division of Natural Resources.

2.2. "Division" means the West Virginia Division of Natural Resources.

2.3. "Infant" means a domiciled West Virginia resident who has not yet reached the age of two years.

2.4. "Resident" means any person who is a citizen of the United States and who has been a domiciled resident of the state of West Virginia for a period of thirty (30) consecutive days immediately prior to the date of his or her application for a license.

**§58-67-3. Lifetime Hunting, Trapping and Fishing License Requirements.**

3.1. Applicants must be domiciled residents of the state of West Virginia.

3.2. An infant application must be accompanied by a certified birth certificate or other notarized record of birth.

3.2.1. The parent or legal guardian must sign and provide his/her own West Virginia driver's license number or a West Virginia Division of Motor Vehicles nondriver identification card number.

3.2.2. Applications for infant licenses must be received by the Division, or postmarked, before the infant reaches his/her second birthday.

3.3. If applying for a lifetime license that includes hunting privileges, each license applicant born on or after January 1, 1975 must present proof of successful completion of an approved Hunter Education course at the time of application for the license. Provided, that any person holding a lifetime hunting license obtained prior to his or her fifteenth birthday shall be required to obtain a certificate of training as provided for in § 20-2-30a before hunting or trapping pursuant to said license.

**§58-67-4. Determination of Fees for Lifetime Hunting, Trapping and Fishing Licenses.**

4.1. The fees for all infant lifetime licenses shall be one-half the price of the equivalent adult lifetime licenses rounded up to the nearest dollar.

4.2. The fees for lifetime licenses shall be established in a manner that is revenue neutral to the Division until the age of the license buyer reaches 65.

**§58-67-5. Fees for Lifetime Hunting, Trapping and Fishing Licenses.**

5.1. The fee for a Class A-L lifetime hunting and trapping licenses shall be \$425.

5.2. The fee for a Class AB-L lifetime hunting, trapping and fishing license shall be \$570.

5.3. The fee for a Class B-L lifetime fishing license shall be \$325.

5.4. The fee for a Class O-L lifetime trout license shall be \$150.