

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

Form #7

Do Not Mark In This Box
Filing Date.

APR 1 3 19 PM '99

OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

4-1-99

Effective Date

NOTICE OF AN EMERGENCY RULE

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

CITE AUTHORITY: 20-2B-7

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING FILED AS AN EMERGENCY: 67

TITLE OF RULE BEING FILED AS AN EMERGENCY: Lifetime Hunting, Trapping and Fishing Licenses

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR ^{42nd} ~~30th~~ DAY AFTER FILING, WHICHEVER OCCURS FIRST.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS: Filed per direction of WV Code (20-2B-7) and SB 74

Use additional sheets if necessary



John B. Rader, Director

\$2.60

**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.

DATE: March 18, 1999

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: DNR - WILDLIFE RESOURCES SECTION

LEGISLATIVE RULE TITLE: LIFETIME HUNTING, TRAPPING AND FISHING LICENSES

1. Authorizing statute(s) citation 20-2B-7

2. a. Date filed in State Register with Notice of Hearing N/A

b. What other notice, including advertising, did you give of the hearing

c. Date of Hearing(s) N/A

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached _____ No comments received None

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

N/A

f. Name and phone number(s) of agency persons(s) to contact for additional information:

Gordon Robertson - 304-558-2771

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: 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

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**

FILED

APR 1 3 19 PM '99

OFFICE OF WEST VIRGINIA
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.