

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In This Box

FILED
2015 JUL 30 A 11:51

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

AGENCY: DOC, DNR Wildlife Resources Section TITLE NUMBER: 58

CITE AUTHORITY: 20-1-7(30)

AMENDMENT TO AN EXISTING RULE: YES X 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

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: 7/30/2015

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) DOC, DNR, Wildlife Resources Section
324 4th Avenue
So. Charleston, WV 25303

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 23, 2015

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 the State Journal and a statewide News Release.

c. Date of Public Hearing(s) *or* Public Comment Period ended:

July 22, 2015

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)

Paul R. Johansen, Chief
DNR Wildlife Resources Section
324 4th Avenue
So. Charleston, WV 25303

- 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

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

**SERIES 52
WILD BOAR HUNTING RULE**

SUMMARY:

Series 52 revises the current Wild Boar Hunting Rule. Revisions to this rule include modifying the language relating to the electronic registration of wild boar and the addition of crossbows to the weapons permitted during the boar firearms season.

CIRCUMSTANCES:

This rule establishes requirements which a person must comply with when in pursuit or taking of wild boar within the boundaries of this State.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

58CSR52. Wild Boar Hunting Rule

Rule Title: _____

Type of Rule:

☒ Legislative ☐ Interpretive ☐ Procedural

Agency:

Dept. of Commerce, Division of Natural Resources, Wildlife Resources Section

Address:

324 Fourth Avenue

South Charleston, WV 25303

Phone Number:

304-558-2771

Email: Billie.J.Shearer@wv.gov**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

There is no change anticipated to the administrative expenditures as a result of this rule.

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	0.00	0.00	0.00

58CSR52. Wild Boar Hunting Rule

Rule Title: _____

Rule Title: _____

3. Explanation of above estimates (including long-range effect):

Please include any increase or decrease in fees in your estimated total revenues.

No impact.

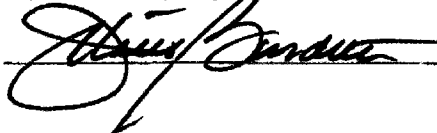
MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule would not have a fiscal impact, and/or any special issues not captured elsewhere on this form.

Revisions to this rule include the addition of crossbows to the weapons permitted during the boar firearms season and a technical change relating to the electronic registration of wild boar.

Date: 7/29/15

Signature of Agency Head or Authorized Representative



TITLE 58
LEGISLATIVE RULE
BUREAU OF COMMERCE
DIVISION OF NATURAL RESOURCES

FILED

SERIES 52
WILD BOAR HUNTING RULE

2015 JUL 30 A 11:51

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§58-52-1. General.

1.1. Scope and Purpose. -- The purpose of this rule is to establish requirements which a person must comply when in pursuit or taking of wild boar within the boundaries of this State.

1.2. Authority. -- W. Va. Code §20-1-7(30).

1.3. Filing Date. -- April 7, 2006.

1.4. Effective Date. -- April 7, 2006.

3.4. No person may kill or wound a boar while the boar is in any stream, lake, or pond.

3.5. The use of dogs to hunt wild boar is prohibited.

3.6. A person killing a wild boar shall, 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.~~ electronically register the boar.

§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 Rule (58 C.S.R. 46).

§58-52-3. Wild Boar Hunting Rules.

3.1. Only resident hunters who possess a valid hunting license or are exempt from purchasing a license may hunt wild boar.

3.2. During wild boar season a person may hunt for any species for which a season is open.

3.3. A hunter may legally take boar during the firearms wild boar season with a bow, crossbow or with a firearm using ammunition legal in West Virginia for the taking of deer.