

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 260

By Senator Jeffries

[Introduced January 17, 2023; referred
to the Committee on Agriculture and Natural
Resources]

1 A BILL to amend and reenact §20-1-17 of the Code of West Virginia, 1931, as amended, relating to
 2 prohibiting the Natural Resources Commission from establishing a bag limit for antlered
 3 deer at three or more.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. ORGANIZATION AND ADMINISTRATION.

§20-1-17. Natural Resources Commission -- Organization and services.

1 (a) Members of the Natural Resources Commission shall take and subscribe to the public
 2 officer's oath prescribed by the Constitution before entering upon the duties of their office. All such
 3 executed oaths shall be filed in the office of the Secretary of State. Members of the commission
 4 ~~shall~~ may receive no compensation as such, but each shall be reimbursed for his or her actual and
 5 necessary traveling expenses incurred in the performance of his or her official duties.

6 (b) The director of the division ~~shall be~~ is an *ex officio* a member of the commission and its
 7 presiding officer. A majority of the commission ~~shall constitute~~ is a quorum for transaction of
 8 business. Four regular meetings of the commission shall be held each year. One meeting shall be
 9 held in each quarter of the calendar year. The date of the meeting ~~shall be~~ is at the discretion of the
 10 director of the Division of Natural Resources. Special meetings may be convened by the Governor,
 11 the director, or by a majority of the commission. The meetings of the commission shall be regularly
 12 held at locations designated by the director. The time and place of the meeting shall be announced
 13 in accordance with §6-9A-1 *et seq.* of this code. The director shall furnish all articles and supplies
 14 required by the commission in the performance of its duties and shall provide necessary
 15 stenographic, secretarial and clerical assistance therefor. All such materials and services shall be
 16 paid for from department funds.

17 The director, at any regular or special meeting of the commission, may submit to the
 18 commission any program or policy matters on which he or she wishes to obtain the advice,
 19 counsel and opinion of the commission and may consult with members of the commission on
 20 functions, services, policies and practices of the department at any time. The commission shall

21 serve as a body advisory to the director and shall perform all other duties assigned to it by law. It
22 shall have the following powers and duties:

23 (1) To consider and study the entire field of legislation and administrative methods
24 concerning the forests and their maintenance and development, the protection of fish and game,
25 the beautification of the state and its highways, and the development of lands, minerals, waters
26 and other natural resources;

27 (2) To advise with the director concerning the conservation problems of particular localities
28 or districts of the state;

29 (3) To recommend policies and practices to the director relative to any duties imposed
30 upon him or her by law;

31 (4) To investigate the work of the director, and for this purpose to have access at
32 reasonable times to all official books, papers, documents and records;

33 (5) To advise or make recommendations to the Governor relative to natural resources of
34 the state;

35 (6) To keep minutes of the transactions of each session, regular or special, which shall be
36 public records and filed with the director; and

37 (7) To fix by ~~regulation~~ rule which it is hereby empowered to promulgate, in accordance
38 with the provisions of chapter 29A of this code, the open seasons and the bag, creel, size, age,
39 weight and sex limits with respect to wildlife in this state: Provided, That the commission may not
40 propose for legislative approval or otherwise propose a rule establishing an antlered deer annual
41 bag limit of three or more, and any rule of the commission in effect as of the effective date of this
42 section enacted during the 2023 regular legislative session that provides otherwise shall be
43 construed to include an annual bag limit of two antlered deer.

NOTE: The purpose of this bill is to prohibit the Natural Resources Commission from establishing a bag limit for antlered deer at three or more.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.