

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 2331**

BY Delegate D. Smith

[Originating in the Committee on Government  
Organization; Reported on February 25, 2025]

1 A BILL to amend and reenact §64-10-1 *et seq.* of the Code of West Virginia, 1931, as amended,  
2 relating to authorizing certain agencies of the Department of Commerce to promulgate  
3 legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-  
4 Making Review Committee; authorizing the Office of Miners' Health, Safety and Training to  
5 promulgate a legislative rule relating to the certification, recertification and training of EMT  
6 miners and the certification of EMT-M instructors; authorizing the Division of Natural  
7 Resources to promulgate a legislative rule relating to transporting and selling wildlife parts  
8 and pelts; authorizing the Division of Natural Resources to promulgate a legislative rule  
9 relating to boating; authorizing the Division of Natural Resources to promulgate a  
10 legislative rule relating to special boating; authorizing the Division of Natural Resources to  
11 promulgate a legislative rule relating to public use of campgrounds in West Virginia State  
12 Parks and State Forests and Campsites in State Rail Trails under the Division of Natural  
13 Resources; authorizing the Division of Natural Resources to promulgate a legislative rule  
14 relating to special projects and grants for West Virginia State Parks, State Forests, and  
15 State Rail Trails under the Division of Natural Resources; authorizing the Division of  
16 Natural Resources to promulgate a legislative rule relating to prohibitions when hunting  
17 and trapping; authorizing the Division of Natural Resources to promulgate a legislative rule  
18 relating to general hunting; authorizing the Division of Natural Resources to promulgate a  
19 legislative rule relating to special waterfowl hunting; authorizing the Division of Natural  
20 Resources to promulgate a legislative rule relating to special fishing; authorizing the  
21 Division of Natural Resources to promulgate a legislative rule relating to catching and  
22 selling bait fish; and authorizing the Division of Natural Resources to promulgate a  
23 legislative rule relating to falconry.

24 .

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 10. AUTHORIZATION FOR DEPARTMENT OF COMMERCE TO  
PROMULGATE LEGISLATIVE RULES.**

**§64-10-1. Office of Miners' Health, Safety, and Training**

1 The legislative rule filed in the State Register on November 7, 2024, authorized under the  
2 authority of §22A-10-3 of this code, relating to the Office Miners' Health, Safety, and Training  
3 (certification, recertification, and training of EMT-Miners and the certification of EMT-M instructors,  
4 [56 CSR 22](#)), is authorized

**§64-10-2. Division of Natural Resources.**

1 (a) The legislative rule filed in the State Register on September 3, 2024, authorized  
2 under the authority of §20-2-11 of this code, relating to the Division of Natural Resources  
3 (transporting and selling wildlife parts and pelts, [58 CSR 16](#)), is authorized.

4 (b) The legislative rule filed in the State Register on August 14, 2024, authorized under  
5 the authority of §20-7-13 of this code, relating to the Division of Natural Resources (boating, [58](#)  
6 [CSR 25](#)), is authorized.

7 (c) The legislative rule filed in the State Register on August 14, 2024, authorized under  
8 the authority of §20-7-13 of this code, relating to the Division of Natural Resources (special  
9 boating, [58 CSR 26](#)), is authorized.

10 (d) The legislative rule filed in the State Register on August 14, 2024, authorized under  
11 the authority of §20-5-2 of this code, modified by the Division of Natural Resources to meet the  
12 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
13 September 3, 2024, relating to the Division of Natural Resources (public use of campgrounds in  
14 West Virginia State Parks and State Forests and Campsites in State Rail Trails under the Division  
15 of Natural Resources, [58 CSR 32](#)), is authorized.

(e) The legislative rule filed in the State Register on August 14, 2024, authorized under the authority of §20-5-2 of this code, relating to the Division of Natural Resources (special projects and grants for West Virginia State Parks, State Forests, and State Rail Trails under the Division of Natural Resources, [58 CSR 34](#)), is authorized.

(f) The legislative rule filed in the State Register on September 3, 2024, authorized under the authority of §20-1-7 of this code, modified by the Division of Natural Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 3, 2024, relating to the Division of Natural Resources (prohibitions when hunting and trapping, [58 CSR 47](#)), is authorized with the following amendments:

On page 2, by striking out all of subsection 3.9.;

And,

By renumbering the remaining subsections.

(g) The legislative rule filed in the State Register on September 3, 2024, authorized under the authority of §20-1-7 of this code, relating to the Division of Natural Resources (general hunting, [58 CSR 49](#)), is authorized.

(h) The legislative rule filed in the State Register on September 3, 2024, authorized under the authority of §20-1-7 of this code, relating to the Division of Natural Resources (special waterfowl hunting, [58 CSR 58](#)), is authorized.

(i) The legislative rule filed in the State Register on August 14, 2024, authorized under the authority of §20-1-7 of this code, relating to the Division of Natural Resources (special fishing, [58 CSR 61](#)), is authorized.

(j) The legislative rule filed in the State Register on August 14, 2024, authorized under the authority of §20-1-7 of this code, relating to the Division of Natural Resources (catching and selling baitfish, [58 CSR 62](#)), is authorized.

(k) The legislative rule filed in the State Register on September 3, 2024, authorized under the authority of §20-1-7 of this code, relating to the Division of Natural Resources (falconry,

42    58 CSR 65), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Commerce and certain agencies within the department to promulgate legislative rules.

This section is new; therefore, strike-throughs and underscoring have been omitted.