

**FEBRUARY 1**

AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

February 1, 1988 - 11:00 a.m.

COMMITTEE MEETING ROOM, M-438

1. Approval of Minutes - Meeting January 27, 1988
2. Unfinished Business - Motion by Delegate Pritt to call up procedural rules of Dept. of Energy
3. REVIEW OF LEGISLATIVE RULES:
  1. Dept. of Energy - Surface Mining Reclamation Regulations
  2. Civil Service System - Rules and Regulations of the WV Civil Service System
  3. Racing Commission - Thoroughbred Rules
3. Other Business:

Monday, February 1, 1988

11:00 a.m.

Legislative Rule-Making Review Committee  
(Code §29A-3-10)

Dan Tonkovich,  
ex officio nonvoting member

Robert "Chuck" Chambers,  
ex officio nonvoting member

Senate

House

Tucker, Chairman  
Boettner  
Holmes  
Tomblin  
Harman  
Hylton

Knight, Chairman  
Burk (Absent)  
Murphy  
Givens  
Faircloth  
Pritt

The meeting was called to order by Mr. Tucker, Co-Chairman.

The minutes of the January 27, 1988, meeting were approved.

Under unfinished business, Mr. Knight discussed Ms. Pritt's motion to bring before the Committee the procedural rule proposed by the Department of Energy - Rules and Regulations Governing Requests for Information.

After discussion, Ms. Pritt's motion was adopted.

Ms. Pritt moved to amend the procedural rule by striking all language requiring persons to submit information a statement as to the nature of the request and how the information is to be used and by striking all set fees and instead providing for reasonable fees to be justified by the Department of Energy. The motion was adopted.

Mike Mowery, Committee Counsel, told the Committee that he would need at least a week to review the rule proposed by the Department of Energy - Surface Mining Reclamation Regulations.

Mr. Hylton moved that the proposed rule lie over until the next meeting. The motion was adopted.

Tim Basford, Acting Director of Personnel, Civil Service Commission, answered questions on the rule proposed by the Civil Service System - Rules and Regulations of the West Virginia Civil Service System.

Mr. Knight moved that the Committee recommend that the rule be withdrawn by the Civil Service System and specify that the system not file the rule as an emergency rule pending action of the Legislature. The motion was adopted.

John Yaquina, representing Horsemen Protective Benevolent Association, Mountaineer Park, addressed the Committee regarding jockey fees as addressed in the rule proposed by the Racing Commission - Thoroughbred Rules. He distributed a comparison of the purse structure at Mountaineer and Charles Town tracks.

John Poffenbarger, representing the Racing Commission, answered questions from the Committee.

Mr. Holmes moved that the Committee withdraw the amendment it had previously made to the rule regarding jockey fees.

Mr. Givens moved to amend the amendment to exempt certain tracks from the jockey fee provisions. The motion was rejected.

Fred Kratz, representing the Jockeys' Guild, Inc., distributed information regarding jockey fees and answered questions from the Committee.

Mr. Holmes' motion was adopted.

Mr. Knight moved that the authorizing bills for all proposed rules be reported out of Committee and sent to the Senate and House Clerks for introduction. The motion was adopted.

The meeting was adjourned.

ROLL CALL - LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

DATE: Feb. 1, 1988

TIME: 11:00 A.M.

NAME	Present	Absent	Yeas	Nays
Chambers, Robert "Chuck", Speaker				
Knight, Thomas A.	✓			
Burk, Robert W., Jr.				
Givens, Roy E.	✓			
Pritt, Charlotte	✓			
Larry V. Faircloth	✓			
Murphy, Patrick H.	✓			
Tonkovich, Dan, President				
Tucker, Larry A.	✓			
Boettner, John "Si"	✓			
Harman, C. N.	✓			
Holmes, Darrell E.	✓			
Hylton, Tracy W.	✓			
Tomblin, Earl Ray				
TOTAL				

RE: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

REGISTRATION OF PUBLIC  
AT  
COMMITTEE MEETINGS  
WEST VIRGINIA LEGISLATURE

COMMITTEE: Leg. Rule-Making Review

DATE: 2-1-88

11:00 AM.

NAME	ADDRESS	REPRESENTING	PLEASE CHECK (X) IF YOU DESIRE TO MAKE A STATEMENT
Please print or write plainly			
John T. Puffenbarger	Charleston WV	WV Paraj Comm	
Leonard S. Casman	"	Goodwill Business	X
Jud. Leah	Charles Town, WV	Jacky's Quilt, Inc.	X
C. W. M. Self	Charleston WV	Jacky's Quilt	
JOHN LUKENS	CHARLESTON, WV	CHARLES TOWN RACES MOUNTAINEER PARK	X
Marilyn Kendall	Charleston, WV	CWA LOCAL 205T	X
John Yaguinta	CHESTER W. VA.	HPBA MOUNTAINEER PK.	X
Stephen HEROLD	Charleston WV	A Horsey General	
Max Farley	Charleston WV	Civil Service	
Lowell Basford	Char. WV	Civil Service	
Robert M. Bell	Char. WV	DOE	
Robert McCauley	Charleston	AFSCME/WV	X

*Merchant*  
*2-1-88*

Comparison of Purse Structure  
at Waterford (Mountaineer)  
and Charles Town Track

	Total Parimutuel Pool 1968 (even thousand)	Total Parimutuel Pool 1986 same
Charles Town	\$75,327,000	\$94,760,000
Waterford	74,943,000	49,515,000
	Total Purse Distributed 1968	Total Purse Distributed 1986
Charles Town	4,332,000	7,382,000
Waterford	4,342,000	4,511,000
	Actual Racing Days 1968	Actual Racing Days 1986
Charles Town	247	238
Waterford	262	237
	Average Purse Paid Per Race 1968	Average Purse Paid Per race 1986
Charles Town	1,948	3,389
Waterford	1,841	1,821



*Amended  
1-88  
Revised*

The revised jockey fees required by this amended rule shall not apply to thoroughbred racing associations having a total parimutuel pool of \$60,000,000 or less for the previous calendar year. Those fees in effect for such association as of January 1, 1988 are hereby continued until such time as the total parimutuel pool for a calendar year exceeds \$60,000,000.



Jockey's Guild Inc.

*Herbert*  
*2-1-88*

FRED W. KRATZ

R. D. #1, Box T-114  
CHARLES TOWN, W. VA 25414  
(304) 725-1877

JANUARY 31, 1988

STATES THAT ADOPTED THE 1984 N.A.S.R.C. JOCKEY FEE SCALE

ALABAMA	1987
ARIZONA	1987
ARKANSAS	1986
CALIFORNIA	1986
DELAWARE	1987
FLORIDA	1986
IDAHO	1985
ILLINOIS	1986
KENTUCKY	1986
MARYLAND	1987
MASSACHUSETTS	1985
MICHIGAN	1987
MINNESOTA	1985
MONTANA	1985
NAVADA	1985
NEW HAMPSHIRE	1985
NEW JERSEY	1984
NEW MEXICO	1978
OHIO	1983
OKLAHOMA	1984
OREGON	1986
PENNSYLVANNIA	1979
WASHINGTON	1986
WYOMING	1984

TOTAL: 24 STATES



# The National Association of State Racing Commissioners

P.O. BOX 4216 • LEXINGTON, KENTUCKY 40504 • (606) 278-5460

# 50<sup>th</sup> anniversary

## JOCKEY MOUNT FEES

<u>Purse</u>	<u>Win</u>	<u>2nd</u>	<u>3rd</u>	<u>Unplaced</u>
\$400 and under	27	19	17	16
\$500	30	20	17	16
\$600	36	22	17	16
\$700 - \$900	10%	25	22	20
\$1,000 - \$1,400	10%	30	25	22
\$1,500 - \$1,900	10%	35	30	28
\$2,000 - \$3,400	10%	45	35	33
\$3,500 - \$4,900	10%	55	45	35
\$5,000 - \$9,900	10%	65	50	40
\$10,000 - \$14,900	10%	5%	5%	45
\$15,000 - \$24,900	10%	5%	5%	50
\$25,000 - \$49,900	10%	5%	5%	60
\$50,000 - \$99,900	10%	5%	5%	75
\$100,000 and up	10%	5%	5%	100

These rules approved at NASRC Convention, April, 1984, Denver, Colorado



Jockeys' Guild Inc.

FRED W. KRATZ

R. D. #1, Box T-114  
CHARLES TOWN, W. VA 25414  
(304) 725-1977

JANUARY 31, 1988

STATES THAT ADOPTED THE 1979 N.A.S.R.C. JOCKEY FEE SCALE

COLORADO  
LOUISIANA  
NEBRASKA  
NEW YORK  
SOUTH DAKOTA

TOTAL:           5 STATES



# The National Association of State Racing Commissioners

P. O. BOX 4216  
LEXINGTON, KENTUCKY 40504  
(606) 278-5460

CHART I.

## 1979 SCALE OF FEES

	<u>Purse</u>	<u>Win</u>	<u>2nd</u>	<u>3rd</u>	<u>Unplaced</u>
"A"	\$400 and under	27	19	17	16
	\$500	30	20	17	16
	\$600	36	22	17	16
	\$700 - \$900	10%	25	22	20
-----					
"B"	\$1,000 - \$1,400	10%	30	25	22
	\$1,500 - \$1,900	10%	35	30	28
	\$2,000 - \$3,400	10%	45	35	33
	\$3,500 - \$4,900	10%	55	45	35
-----					
"C"	\$5,000 - \$9,900	10%	65	50	40
	\$10,000 - \$14,900	10%	75	60	45
	\$15,000 - \$24,900	10%	100	75	50
-----					
"D"	\$25,000 - \$49,900	10%	150	100	60
	\$50,000 - \$99,900	10%	225	150	75
	\$100,000 and up	10%	400	250	100

BERTRAM D. SARAFAN  
President

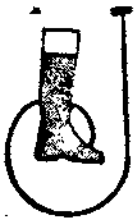
HARRY L. BUCH  
First Vice President

JOHN K. GOODMAN  
Second Vice President

BROWNELL COMBS II  
Third Vice President

R. ALLAN PAUL  
Treasurer

WARREN D. SCHWEDEF  
Executive Vice President



Jockeys' Guild Inc.

FRED W. KRATZ

R. D. #1, Box T-114

CHARLES TOWN, W. VA 25414

(304) 725-1977

JANUARY 31, 1988

STATES THAT ADOPTED THE 1968 JOCKEY FEE SCALE

WEST VIRGINIA

TOTAL: 1 STATE

OFFICERS

WALTER BLUM  
PRESIDENT  
  
NORMAN MERCIER  
VICE-PRES.  
EASTERN SECTION  
  
LARRY SNYDER  
VICE-PRES.  
CENTRAL SECTION  
  
WILLIAM SHOEMAKER  
VICE-PRES.  
WESTERN SECTION

NICK JEMAS  
NATIONAL MANAGING  
DIRECTOR-SECRETARY  
  
ERIC GUERIN  
TREASURER  
  
JOE SERVIS  
ASSISTANT SECRETARY  
MANAGER  
  
ALICE D. ALEXHA  
ASSISTANT SECRETARY  
OFFICE MANAGER  
  
ALFRED POPARA  
MANAGER

ADVISORY COUNCIL

DR. ALEXANDER KAYE  
EDWARD ARCARD

DANIEL L. RITCHIE  
WILLIAM BOLAND  
ROOM 1501

EASTERN SECTION

BLUM, WALTER  
DENLAVY, TERENCE  
GHYANHI, JOHN  
GRIMM, PHILIP  
GUERIN, ERIC  
  
KORTE KARL  
MERCIER, NORMAN  
PASSMORE, WILLIAM J.  
SHUK, NICK  
SIOLER, WARD  
WOODHOUSE, HEDLEY

CENTRAL SECTION

BORGEMINKE RALPH  
CARTWRIGHT, NORMAN  
HOLMES, DONALD  
NICHOLS, JAMES  
SNYDER, LARRY  
WEILER, DANIEL

WESTERN SECTION

BANKS, RONALD  
LEONARD JACK M.  
PIERCE, DONALD  
ROCK, WILLIAM  
SHOEMAKER, WILLIAM  
YEAGER, BOB



ESTABLISHED 1968

JOCKEY MOUNT FEES

Purse	Winning Mount	Second Mount	Third Mount	Losing Mount
\$ 400 & Under	27.00	18.00	16.00	15.00
500	30.00	20.00	17.00	15.00
600	36.00	22.00	17.00	15.00
700 - 900	10% of Win Purse	25.00	22.00	19.00
1,000 - 1,400	10% of Win Purse	30.00	25.00	20.00
1,500 - 1,900	10% of Win Purse	35.00	30.00	25.00
2,000 - 3,400	10% of Win Purse	45.00	35.00	30.00
3,500 - 4,900	10% of Win Purse	50.00	40.00	30.00
5,000 & Up	10% of Win Purse	55.00	45.00	35.00

# THE JIM BEAM BREEDERS CLASSIC



**\$100,000 STAKES**

**TRIFECTA RACE &  
EXACTA RACE**

For Three-Year-Olds and Upward Registered West Virginia Bred or Sired.  
Three-Year-Olds ..... 116 lbs.; Older ..... 122 lbs.

Track Record: Lexington Park 9-21-73 1:50 1/5 126 lbs.

## MAKE SELECTION BY NUMBER

	OWNER	TRAINER	Probable Odds JOCKEY
<b>1</b>	Patricia W. Sperow WHITE, Green and Yellow Diamond, Green "SRF"	Michelle Sperow 122	Duane Center 20
	<b>NATIVE BEHAVIOR WV</b> Dk.B. or Br.g. 8, Shy Native—Behaving Lassie		
<b>2</b>	Chilly Hollow Stables (E. Lemley et. al.) YELLOW, Green Shamrock and Stripes on Sleeves	Victor M. Espinosa 122	Larry Dupuy 9-2
	<b>FAMOUS COMIC WV (L)</b> B.g. 4, Comical Clown—Famous Fanny		
<b>3</b>	R.T. Stable (Duane Royal) BURGUNDY, Burgundy "RT" on White Ball	Larry C. Metz 122	Jesse Davidson 9-2
	<b>KISS MY TAN WV (L)</b> Dk.B. or Br.c. 4, Cortan—Kissing Lizzie		
<b>4</b>	Mary G. Ketrer BLUE AND WHITE DIAGONAL QUARTERS, Blue and White "WM"	Bruce M. Kravets 122	Oriando Moreno 2
	<b>BOB'S BOOMER WV</b> Ch.g. 9, Gala Skipper—Li'l Miss 2ND		
<b>5</b>	O'Sullivan Farms (R.C. Funkhouser) ROYAL BLUE AND GOLD Quarters, Blue Sleeves	Randy Funkhouser 122	Mark Munden 20
	<b>GILDED ROOSTER WV</b> B.c. 4, Chieftain—Hail Quail		
<b>6</b>	D.C. Wilson and C.A. Woodson, Jr. BLUE, Yellow Cross Sashes	Charles A. Woodson, Jr. 122	William R. Lewis, Jr. 2
	<b>ONION JUICE WV</b> B. 7, Quartermaster—Manage		
<b>7</b>	Arthur L. Latimer, Jr. RED, White Star and Sleeves	Drexel E. Crouse 122	William J. Gray 20
	<b>NASHUA'S ARMOR WV</b> Dk.B. or Br.h. 9, Alaskan Reindeer—Mald's Plight		
<b>8</b>	Lauren Stables (J.L. Fitzgerald & J.W. Post) WHITE, Black Coal and Pick on Back, Black Collar and Cuffs	Robert P. Rawlings 122	Phillip Grove 20
	<b>POKER DICE WV</b> B.g. 6, Poker—D'Bukey		
<b>9</b>	Heavenly Acres Farm (D.P. Saville) BLUE, Gold Blocks, Blue Cuffs on Gold Sleeves	Donald P. Saville 119	Cedric Lewis 10
	<b>B.J. PENNY WV</b> B.f. 4, Royal John—Penny's Bunny		

### Program Selections—6 - 4 - 2

TRAINER STANDINGS BY WINS  
AS OF 8/7/87

* TRAINER	STARTS	WINS	PLACES	SHOWS	WIN PERCENT	IN-THE-MONEY PERCENT
1 Householder N	85	23	11	10	26%	50%
2 Hinton R	105	13	17	20	12%	48%
3 Walters D.	31	12	2	5	39%	61%
4 Mercer H.	73	12	9	14	16%	49%
5 Espinosa V.	43	11	10	7	26%	63%
6 Jackson D.	49	11	7	7	22%	51%
7 Gott W.	81	11	13	8	14%	52%
8 Berger J.	69	11	5	10	16%	38%
9 Jones T. Jr.	52	10	6	8	19%	39%
10 Spears L.	38	9	1	5	24%	39%





Unplaced Jockey Riding Fee Expenses

Purses

1,500 - 1,900

25.00 Gross - Unplaced  
6.25 Agent 25%  
4.50 Jockeys' Guild  
2.50 Valet 10%  
-----  
11.75 Net

2,000 - 3,400

30.00 Gross - Unplaced  
7.50 Agent 25%  
4.50 Jockeys' Guild  
3.00 Valet 10%  
-----  
15.00 Net

3,500 - 4,900

35.00 Gross - Unplaced  
8.75 Agent 25%  
4.50 Jockeys' Guild  
3.50 Valet 10%  
-----  
18.25 Net

AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

February 22, 1988 - 11:00 a.m.

COMMITTEE MEETING ROOM, M-438

1. Approval of Minutes - Meeting February 1, 1987
2. REVIEW OF LEGISLATIVE RULES:
  - a. Department of Energy - Surface Mining Reclamation Regulations
3. Other Business:

Monday, February 22, 1988

11:00 a.m.

Legislative Rule-Making Review Committee  
(Code §29A-3-10)

Dan Tonkovich,  
ex officio nonvoting member

Robert "Chuck" Chambers,  
ex officio nonvoting member

Senate

House

Tucker, Chairman  
Boettner (absent)  
Holmes (Absent)  
Tomblin (absent)  
Harman (absent)  
Hylton

Knight, Chairman  
Burk  
Murphy  
Givens  
Faircloth (absent)  
Pritt

The meeting was called to order by Mr. Knight, Co-Chairman.

The minutes of the February 1, 1988, meeting were approved.

Mr. Tucker told the Committee that Mike Mowery, Committee Counsel, had not yet completed the abstract of the rule proposed by the Department of Energy, Surface Mining Reclamation Regulations.

Members of the Committee discussed the proposed rule and asked questions of Roger Hall, Administrator of the Department of Energy and Bill Raney of the WV Surface Mining Reclamation Association.

The meeting was adjourned.

ROLL CALL - LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

DATE: Feb. 22, 1988

TIME: 11:00 AM.

NAME	Present	Absent	Yeas	Nays
Chambers, Robert "Chuck", Speaker				
Knight, Thomas A.	✓			
Burk, Robert W., Jr.	✓			
Givens, Roy E.	✓			
Pritt, Charlotte	✓			
Larry V. Faircloth				
Murphy, Patrick H.	✓			
Tonkovich, Dan, President				
Tucker, Larry A.	✓			
Boettner, John "Si"				
Harman, C. N.				
Holmes, Darrell E.				
Hylton, Tracy W.	✓			
Tomblin, Earl Ray				
TOTAL				

RE: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

REGISTRATION OF PUBLIC  
AT  
COMMITTEE MEETINGS  
WEST VIRGINIA LEGISLATURE

COMMITTEE: Legislative Role-Making Review

DATE: Feb 22, 1988 11am

NAME	ADDRESS	REPRESENTING	PLEASE CHECK (X) IF YOU DESIRE TO MAKE A STATEMENT
Please print or write plainly			
Roger T. Hall	Charleston	DOE	
Bill RANEY	"	UUMRA	
Judy Cooper	Sec. of state		
Terry Calzone	Fairmont WV.	UMWA	
Charles Johnson	Madison, WV	AMWA	
Alex V. Pietrowski	Morgantown, WV.	UMWA	
Bob NICHOLAS	RAUSKEY WV	U.M.W.A	
M. E. Hamrick	Clarksburg	UMWA	
M. E. Hamrick	Covey, WV	UMWA	

Notified -

Lois Graham's off. 348-2150

John Lukens - 340-1283

Rodney Peters off 725-7001 (Gigi)

Dale Baird off 387-9772 (Fanny)

Leonard Coleman 346-0321

Dan Taylor

Dick Shelton 346-0591

Roger Hall 348-3500

Basford 8-3950

McCaully AFSME

AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

February 1, 1988 - 11:00 a.m.

COMMITTEE MEETING ROOM, M-438

1. Approval of Minutes - Meeting January 27, 1988
2. *amended* Unfinished Business - Motion by Delegate Pritt to call up procedural rules of Dept. of Energy
3. REVIEW OF LEGISLATIVE RULES:
  1. *H.O.* Dept. of Energy - Surface Mining Reclamation Regulations
  2. *Rejected* Civil Service System - Rules and Regulations of the WV Civil Service System
  3. *C.S.M.* Racing Commission - Thoroughbred Rules
3. Other Business: *H. La...*

AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

January 27, 1988 - 10:00 a.m.

COMMITTEE MEETING ROOM, M-438

1. Approval of Minutes - Meeting January 12, 1988
2. Unfinished Business - Motion by Delegate Pritt to call up procedural rules of Dept. of Energy
3. REVIEW OF LEGISLATIVE RULES:

*No. 4164*

*LO*

1. Dept. of Energy - Surface Mining Reclamation Regulations

*APPAS  
MOD*

2. Health Care Cost Review Authority - Exemptions from Certificate of Need Review

*APP  
AS  
MOD*

3. WV Dept. of Labor - Wage Payment and Collection Act

*APP*

4. Dept. of Human Services - Guidelines for Child Support awards

*LO*

5. Civil Service System - Rules and Regulations of the WV Civil Service System

*APP  
AS  
MOD*

6. WV St. Bd. of Registration for Professional Engineers - Rules of the WV State Board of Registration for Professional Engineers

*WV  
ldr.*

7. Dept. of Commerce - Rules Governing Public Use of WV State Parks, State Forests and State Hunting and Fishing Areas

*APP  
AS  
MOD*

8. State Board of Examiners of Land Surveyors - Rules and Regulations for the practice of land surveying in WV

3. Other Business:

*LO. Racing*



AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

January 12, 1988 --- 1:00-4:00 p.m.

COMMITTEE MEETING ROOM, M-438

1. Approval of Minutes - Meeting December 8, 1987
2. REVIEW OF LEGISLATIVE RULES:
  - \*\*\* a. Workers' Compensation - Medical Fee Schedule
  - \*\*\* *LO* b. Dept. of Energy - Surface Mining Reclamation Regulations
  - \*\*\* *LO* c. Health Care Cost Review Authority - Exemptions from Certificate of Need Review
  - \*\*\* d. Tax Dept. - Consumers Sales and Service Tax and Use Tax
  - e. Health Dept. - Trauma Center or Facility Designation
  - f. Dept. of Highways - Traffic and Safety Rules and Regulations
  - g. Dept. of Highways - Construction and Reconstruction of State Roads
  - h. Dept. Natural Resources - Solid Waste Management Regulations
  - i. WV Dept. of Labor - WV Occupational Safety and Health Act - adoption of Federal Standards
  - LO* j. WV Dept. of Labor - Wage Payment and Collection Act
  - k. WV Dept. of Labor - Steam Boiler Inspection Fee Schedule
  - l. Board of Chiropractic Examiners - Rules of the West Virginia Board of Chiropractic Examiners
  - m. Dept. of Corrections - WV Minimum Standards for Construction, Operation & Maintenance of Jails

- LO* n. Dept. of Human Services - Guidelines for Child Support Awards
- LO* o. Civil Service System - Rules and Regulations of the West Virginia Civil Service System
- LO* p. WV St. Bd. of Registration for Professional Engineers - Rules of the WV State Board of Registration for Professional Engineers
- \*\*\*\*\* *LO* q. Dept. of Commerce - Rules Governing Public Use of WV State Parks, State Forests and State Hunting and Fishing Areas

3. Other Business:

- LO* Racing Commission - Review of operation of dog tracks under 1987 legislation

Review of requirements of the Federal Freedom of Information Act

\*\*\* Carried over

\*\*\*\*\* Previously considered by Committee Modified, Amended and Approved 8-7-87 Motion of Del. Murphy to reconsider

Hand-out  
8-9-87 meeting Lew. Brackeledge

2.15 Uncased firearms, uncased bows and uncased arrows are prohibited in state parks and recreational facilities managed by the Department of Commerce on state forests and state public hunting and fishing areas, except:

1. ~~When the area is open for hunting (hunting is prohibited in state parks and on the Greenbrier River Trail) or~~ When a registered park or forest guest has the written permission of the area superintendent to carry them ~~cased~~ unloaded from his lodge room, cabin or campsite to open hunting areas, or to an officially designated rifle, pistol, skeet, trap, target or shooting range.
2. ~~Properly licensed hunters may carry uncased but unloaded firearms, uncased bows and uncased arrows on the Greenbrier River Trail during open hunting season.~~
- 3 2. Area superintendents may authorize their use in historical reenactments and plays.
- 4 3. The Director of the Division of Parks and Recreation, Department of Commerce, may authorize their use for a limited period in conjunction with recreational and arts and crafts programs.

2.4 No person shall attempt to or hunt, catch, capture, take, kill, trap, pursue or have in his possession any animal, except as provided in Article 2, Chapter 20 of the Code of West Virginia, 1931, as amended. Hunting is prohibited in all state parks ~~and on the Greenbrier River Trail~~; however, legally authorized hunting is permitted in state forests, state hunting and fishing areas, and on the Greenbrier River Trail.

All references to "state hunting and fishing areas" should be changed to "recreational facilities managed by the Department of Commerce on public hunting and fishing areas." The Department of Commerce is without authority to regulate any other areas.