

RULES AND REGULATIONS

Title 4—ADMINISTRATION

PART V. EMERGENCY MANAGEMENT AGENCY

[4 PA. CODE CH. 116]

Corrective Amendment to 4 Pa. Code § 116.2

The Pennsylvania Emergency Management Agency has discovered a discrepancy between the agency text of 4 Pa. Code § 116.2 (relating to purpose), as deposited with the Legislative Reference Bureau, and the official text as published at 29 Pa.B. 3201 (June 26, 1999) and the text which will appear in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 298), September 1999. The amendment to § 116.2, deleting the text of paragraph (3), was omitted.

Therefore, under 45 Pa.C.S. § 901: The Pennsylvania Emergency Management Agency has deposited with the Legislative Reference Bureau a corrective amendment to 4 Pa. Code § 116.2. The corrective amendment to 4 Pa. Code § 116.2 is effective as of June 26, 1999.

The correct version of 4 Pa. Code § 116.2 appears in Annex A.

Annex A

TITLE 4. ADMINISTRATION

PART V. EMERGENCY MANAGEMENT AGENCY

CHAPTER 116. RADIATION EMERGENCY RESPONSE FUND

§ 116.2. Purpose.

The purpose of this chapter is:

(1) To establish within the Agency a program for administering the RERF under section 503(a) of the act (35 P. S. § 7110.503(a)).

(2) To establish within the Agency a financial assistance program that will provide for the payment of expenses incurred by eligible risk and support counties,

risk municipalities, school districts, volunteer organizations, and State agencies as a result of their direct participation in the development and implementation of the Agency's Radiation Emergency Response Program.

[Pa.B. Doc. No. 99-1319. Filed for public inspection August 13, 1999, 9:00 a.m.]

Title 25—ENVIRONMENTAL PROTECTION

DEPARTMENT OF ENVIRONMENTAL PROTECTION

[25 PA. CODE CH. 93]

Corrective Amendment to 25 Pa. Code § 93.9z (Drainage List Z)

The Department of Environmental Protection has discovered a discrepancy between the agency text of 25 Pa. Code § 93.9z (relating to Drainage List Z), as deposited with the Legislative Reference Bureau and published at 27 Pa.B. 5247, 5252 (October 11, 1997) and the official text as published in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 277 (December 1997)), and as currently exists in the *Pennsylvania Code*. The amendment to § 93.9z made by the Department at 27 Pa.B. 5247, 5252 was codified incorrectly.

Therefore, under 45 Pa.C.S. § 901: The Department of Environmental Protection has deposited with the Legislative Reference Bureau a corrective amendment to 25 Pa. Code § 93.9z (Drainage List Z). The corrective amendment to 25 Pa. Code § 93.9z (Drainage List Z) is effective as of October 11, 1997, the date the defective text appeared in the *Pennsylvania Bulletin*.

The correct version of 25 Pa. Code § 93.9z (Drainage List Z) appears in Annex A, with ellipses referring to the existing text of the regulation.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 93. WATER QUALITY STANDARDS

§ 93.9z. Drainage List Z.

Potomac River Basin in Pennsylvania

Potomac River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
		* * *		
2—Sideling Hill Creek				
3—West Branch Sideling Hill Creek	Basin, Source to Confluence with East Branch	Bedford	EV	None
3—East Branch Sideling Hill Creek	Basin, Source to Confluence with West Branch	Bedford	EV	None

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
2—Sideling Hill Creek	Basin, Confluence of West and East Branches to PA-MD State Border	Fulton	EV	None
3—Crooked Run	Basin (all sections in PA)	Fulton	EV	None
2—Sideling Hill Creek (MD)				
3—Unnamed Tributaries to Sideling Hill Creek	Basins (all sections in PA), PA-MD State Border to Mouth	Fulton	EV	None
3—Bear Creek	Basin (all sections in PA)	Fulton	EV	None
2—Little Tonoloway Creek (MD)				

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[Pa.B. Doc. No. 99-1320. Filed for public inspection August 13, 1999, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CHS. 131 AND 135]

Field Acknowledgment of Guilt; Controlled Goose Hunting

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its June 8, 1999, meeting, adopted the following changes:

Add § 131.7 (relating to use of the field acknowledgment of guilt in Philadelphia County) to allow district wildlife conservation officers to accept penalties for guilty pleas with the field acknowledgment of guilt, therefore assuring that the penalties will be deposited in the Game Fund.

Amend Chapter 135, Subchapter F (relating to special wildlife management areas) to allow the administration of special wildlife management areas at Middle Creek and Pymatuning to more efficiently manage these areas as well as provide more opportunities to hunters and trappers.

These amendments are adopted under the authority of 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Addition of § 131.7

1. Introduction

To more effectively administer the code, the Commission at its April 9, 1999, meeting proposed and at its June 8, 1999, meeting finally adopted adding § 131.7 to provide for the use of field acknowledgments of guilt in Philadelphia County. This addition was necessitated by and adopted as a result of changes to section 926 of the code (relating to acknowledgment of guilt and receipt for payment), made by the act of December 21, 1998 (P. L. 1274, No. 166) (Act 166).

2. Purpose and Authority

Act 166 added subsection (d) to section 926 of the code which reads as follows:

(d) *Limitations of acknowledgments of guilt.* On and after June 30, 1999, acknowledgments of guilt pursuant to this section shall be used only in such counties as the commission may designate by regula-

tion for such use. The commission shall only designate such counties for continued use of field acknowledgment as it finds to have summary offense procedures that differ from Statewide summary offense procedures.

The Commission has determined that there is only one county that currently fits that description—Philadelphia County. As a result, the Commission has designated Philadelphia County for continued use of field acknowledgments of guilt on and after June 30, 1999.

3. Regulatory Requirements

The designation does not change anything from what currently exists in Philadelphia County.

4. Persons Affected

Individuals violating the code in Philadelphia County could be affected by the designation.

5. Cost and Paperwork Requirements

None, over what currently exists.

6. Effective Date

This change will be effective June 30, 1999, and will remain in effect until changed by the Commission.

Amendment of Chapter 135, Subchapter F

1. Introduction

To better administer the special wildlife management areas at Middle Creek and Pymatuning, the Commission at its April 9, 1999, meeting proposed and at its June 8, 1999, meeting finally adopted several changes to Subchapter F. The changes include a provision for the issuance of trapping permits by drawing in addition to the current first-come issuance, provisions changing the application deadlines and drawing dates for controlled goose hunting area blinds, a reduction in the goose limit in the controlled goose hunting areas at the Middle Creek Wildlife Management Area (MCWMA); a reduction in the number of controlled duck hunting area blinds at Pymatuning Wildlife Management Area (PWMA); and a provision for a designee to set dates for drawings of permits for special rabbit and squirrel hunts. These changes were adopted under the authority contained in section 721(a) of code (relating to control of property).

2. Purpose and Authority

The administration of the special wildlife management areas at Middle Creek and Pymatuning is a dynamic process which sometimes requires adjustments to procedures. The providing of an option for the random drawing of names of applicants for trapping permits and adjustment of timing of the random drawing of applications for goose blinds should make the processes more efficient and equitable. It has also been decided that the bag limit for geese in the controlled goose hunting areas at MCWMA should be reduced from two to one and that the number of permits to hunt in the controlled duck hunting areas at PWMA should be reduced from 100 to 85.

Additionally, the Commission has adopted that the Executive Director be authorized to delegate the setting of the dates for drawing of applications for permits to participate in special rabbit and squirrel hunts in controlled hunting areas of MCWMA. These changes were adopted under authority contained in section 721(a) of the code which requires the Commission to promulgate regulations necessary to properly manage State game lands.

3. Regulatory Requirements

For the most part, the amendment involves changes to procedures with no additional requirements. The bag limit in the controlled goose hunting areas at MCWMA and the number of permits to hunt ducks in the controlled duck hunting area of PWMA will be reduced.

4. Persons Affected

Persons wishing to engage in the specified activities at PWMA and MCWMA will be affected by the changes.

5. Comment and Response Summary

No official comments were received with regard to the adopted changes.

6. Cost and Paperwork Requirements

The changes would not result in any additional cost or paperwork.

7. Effective Date

These changes will be effective on final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

8. Contact Person

For further information on the adopted changes, contact Thomas R. Littwin, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of these amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Game Commission, 58 Pa. Code, Chapters 131 and 135, are amended by amending §§ 131.7, 135.102—135.104, 135.106 and 135.107 to read as set forth at 29 Pa.B. 2578 (May 15, 1999).

(b) The Executive Director of the Game Commission shall submit this order and 29 Pa.B. 2578, and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final publication in the *Pennsylvania Bulletin*.

VERNON R. ROSS,
Executive Director

Fiscal Note: Fiscal Note 48-110 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 99-1321. Filed for public inspection August 13, 1999, 9:00 a.m.]