

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 141]

Special Regulations Areas; Permitted Devices

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its October 12, 2000, meeting proposed the following amendments to 58 Pa. Code:

Amend § 141.1 (relating to special regulations areas) to add language and clear up existing language making it unlawful to hunt with firearms in Philadelphia County, except buckshot with specific authorization of the Director, to hunt deer with buckshot in Allegheny County, except with specific authorization of the Director, and to hunt with modern handguns in any special regulations areas. This amendment will also clear up existing language making it lawful to use buckshot in any county in the southeast special regulations areas except Philadelphia with permission.

Amend § 141.18 (relating to permitted devices) to authorize the use of firearms with electronic impulse ignition systems while hunting.

These proposed amendments will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposal is 34 Pa.C.S. (relating to the Game and Wildlife Code) (code).

These proposals were made public at the October 12, 2000, meeting of the Commission, and comments on these proposals can be sent to the Executive Director of the Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until January 15, 2001.

Proposed Amendment to § 141.1.

1. Introduction

The Commission at its meeting held on October 12, 2000, proposed changing § 141.1 to make it unlawful to hunt with firearms in Philadelphia County, except buckshot with authorization of the Director; to make it lawful to use buckshot, including semiautomatics, to take deer in the remaining counties in the southeast special regulations area; to make it unlawful to hunt with buckshot in Allegheny County without specific authorization of the Director; and to make it unlawful to hunt with modern handguns in any special regulations area. These changes are proposed under section 2102(d) of the code (relating to regulations).

2. Purpose and Authority

Safety is always a concern in the highly developed counties of the special regulations areas. In addition, areas that can be legally hunted in those areas are very limited. Acknowledging these facts, the Commission has proposed eliminating the use of all firearms in Philadelphia County, except buckshot with specific authorization of the Director; eliminating the use of buckshot in Allegheny County except with specific authorization of the Director; and eliminating the use of modern handguns in all special regulations areas.

Section 2102(d) of the code directs the Commission to "... promulgate regulations stipulating ... the type of firearms and ammunition and other devices which may be used..." The proposal is made under this authority.

3. Regulatory Requirements

The proposal will add language and clear up existing language making it unlawful to hunt with firearms in Philadelphia County, except buckshot with specific authorization of the Director, to hunt deer with buckshot in Allegheny County, except with specific authorization of the Director, and to hunt with modern handguns in any special regulations area. The proposal will also clear up existing language making it lawful to use buckshot in any county in the southeast special regulations area except Philadelphia with permission.

4. Persons Affected

Individuals wishing to hunt in special regulations areas will be affected by the proposed changes.

Proposed Addition of § 141.18

1. Introduction

The Commission at its meeting held on October 12, 2000, proposed adding § 141.18 to authorize the use of firearms with electronic impulse ignition systems while hunting. This change is proposed under authority contained in section 2102(d) of the code.

2. Purpose and Authority

Section 141.6(6) (relating to illegal devices), provides that it is unlawful to "hunt or take wildlife through the use of an electronic contrivance or device not permitted by Commission regulation." In the spring of 2000, the legality of the use of Remington's Etron-X ignition system was called into question. After review by a standing committee, the Commission staff has concluded that the system does not make a firearm significantly different from existing lawful firearms. The only difference is that electronic circuitry is used to detonate the special primer.

The proposed regulation will eliminate any doubt with regard to the legality of using electronic impulse detonating systems. Section 2102(d) of the code directs the Commission to "... promulgate regulations stipulating ... the type of firearms and ammunition and other devices which may be used..." to hunt. This provision provides authority for the proposed rulemaking.

3. Regulatory Requirements

The proposed section will expand what is currently allowed.

4. Persons Affected

Individuals wishing to use firearms equipped with electronic ignition systems to hunt will be allowed to do so.

Cost and Paperwork Requirements

The proposed changes should not result in any additional cost or paperwork.

Effective Date

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

Contact Person

For further information on the change, contact David E. Overcash, Acting Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

VERNON R. ROSS, Executive Director

Fiscal Note: 48-125. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.1. Special regulations areas.

* * * * *

(c) Prohibitions.

(1) [It] Except as provided in subsection (d), it is unlawful to take, kill or attempt to take or kill wildlife through the use of a [rifle] firearm of any description which discharges single-projectile ammunition, or, while hunting for wild birds or wild animals, to possess single-projectile ammunition, except for employes of political subdivisions and other persons who have a valid deer control permit issued under the authority of Chapter 29 of the act (relating to special licenses and permits).

(2) [It is unlawful to hunt or kill wildlife in Philadelphia County, Ridley Creek State Park, Delaware County and Tyler State Park, Bucks County, with a firearm that discharges a single-projectile or to possess single-projectile ammunition.]

It is unlawful to use buckshot in Allegheny or Philadelphia Counties without specific authorization of the Director.

(d) Permitted acts. It is lawful to:

* * * * *

(2) [Use buckshot in designated parts of Philadelphia with authorization of the Director.

(3) Use a shotgun at least 20 gauge—including semiautomatic—with buckshot ammunition only, to take deer within the boundary of Ridley Creek State Park and Tyler State Park.

(4) [Take deer with a shotgun 20 gauge or larger[,]—including semiautomatic—using buckshot in the Southeast area only.

[(5)] (3) * * *

[(6)] (4) * * *

§ 141.18. Permitted devices.

The following devices may be used to hunt or take wildlife:

Any manually operated firearm that uses an electronic impulse to detonate the primer or main powder charge of the cartridge unless manually operated firearms are a specifically prohibited device.

[Pa.B. Doc. No. 00-2262. Filed for public inspection December 29, 2000, 9:00 a.m.]

STATE BOARD OF MEDICINE

[49 PA. CODE CH. 16]

Licensure, Certification, Examination and Registration Fees

On December 2, 2000, the State Board of Medicine (Board) published Proposed Rulemaking pertaining to fees at 30 Pa.B. 6210, 6212 (December 2, 2000). The Annex contained the following typographical errors:

The fee for a graduate license application, graduate of an unaccredited medical college, was indicated to be \$80, when in fact, the proposed fee is \$85.

The fee for an application for a temporary license was indicated to be \$35, when in fact, the proposed fee is \$45.

The fee for registration for a physician assistant supervisor was indicated to be \$45, when in fact, the proposed fee is \$35.

Accordingly, in order to correct these errors, the Board has determined to republish the corrected annex and extend the public comment period by 30 days from publication. The correct version of Annex A appears as follows:

Annex A

TITLE 49. PROFESSIONAL AND OCCUPATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 16. STATE BOARD OF MEDICINE

Subchapter B. GENERAL LICENSURE, CERTIFICATION EXAMINATION AND REGISTRATION PROVISIONS

§ 16.13. Licensure, certification, examination and registration fees.

(a) Fees. The following fees apply:

Medical Doctor License:

License Without Restriction:

Table with 2 columns: Fee description and Amount. Rows include Application, graduate of accredited medical college (\$35), Application, graduate of unaccredited medical college (\$85), and Biennial renewal (\$125).

Extraterritorial License:

Table with 2 columns: Fee description and Amount. Rows include Application (\$30) and Biennial renewal (\$80).

Graduate License:
 Application, graduate of accredited medical college \$30
 Application, graduate of unaccredited medical college \$85
 Annual renewal \$15

Interim Limited License:
 Application \$30
 Biennial renewal \$10

Miscellaneous:
 Application, institutional license \$30
 Application, temporary license \$45
 Biennial renewal, limited license (permanent) \$25

Midwife License:
 Application \$30
 Biennial renewal \$40

Physician Assistant Certificate:
 Application \$30
 Biennial renewal \$40
 Registration, physician assistant supervisor \$35
 Registration of additional supervisors \$ 5
 Satellite location approval \$25

Acupuncturist Registration:
 Application \$30
 Biennial renewal \$40
 Registration, acupuncture supervisor \$30

Drugless Therapist License:
 Biennial renewal \$35

Radiology Technician:
 Application for Examination \$25

Respiratory Care Practitioner Certificate:
 Application, temporary permit \$30
 Application, initial certification \$30
 Biennial renewal \$25

Verification or Certification:
 Verification of status \$15
 Certification of records \$25

(b) Examination fees:

The Board has adopted Nationally recognized examinations in each licensing class. Fees are established by the National owners/providers of the examinations and are indicated in the examination applications.

[Pa.B. Doc. No. 00-2263. Filed for public inspection December 29, 2000, 9:00 a.m.]