

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 143]

Hunting and Furtaker Licenses

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 26, 2005, meeting, proposed the following rule-making:

Amend § 143.84 (relating to application) to replace the language establishing the deadline by which muzzleloader licenses must be purchased with language more consistent with the application process for other various licenses.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

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

The proposed rulemaking was made public at the April 26, 2005, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until July 28, 2005.

1. Purpose and Authority

Currently, § 143.84 requires that all applications for muzzleloader licenses shall be made no later than the second Saturday in November. The Commission has determined that this deadline is no longer necessary. Therefore, the Commission is proposing to amend § 143.84 by replacing the language establishing the deadline with language more consistent with the application process for other various licenses. This change, through its effect, causes the subsequent language allowing collectors to purchase a flintlock (muzzleloader) license after the close of the special flintlock season to be no longer relevant, therefore this language will also be eliminated.

Section 2722(g) of the code (relating to authorized license-issuing agents) directs the Commission to adopt regulations for the administration, control and performance of license issuing activities. Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth..." The amendment to § 143.84 was proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will amend § 143.84 to replace the language establishing the deadline by which muzzleloader licenses must be purchased with language more consistent with the application process for other various licenses.

3. Persons Affected

Persons wishing to apply for and purchase muzzleloader licenses will be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

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

6. Contact Person

For further information regarding the proposed rule-making, contact Michael A. Dubaich, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

VERNON R. ROSS,
Executive Director

Fiscal Note: 48-207. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 143. HUNTING AND FURTAKER LICENSES

Subchapter E. FLINTLOCK (MUZZLELOADER) DEER LICENSES

§ 143.84. Application.

(a) [Application shall be made no later than the second Saturday in November.] Applications for flintlock (muzzleloader) deer licenses shall be submitted to authorized issuing agents for licenses issued by them under the act and this subchapter.

(b) [A collector may, upon completing an application, purchase a muzzleloading firearm deer season license only after the close of the special flintlock season and is not bound by the procedures in this section.] Applications for flintlock (muzzleloader) deer licenses may be made when purchasing a regular hunting license, or any time thereafter, upon presentation of the regular hunting license.

[Pa.B. Doc. No. 05-1210. Filed for public inspection June 24, 2005, 9:00 a.m.]

[58 PA. CODE CH. 147]

Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 26, 2005, meeting, proposed the following rule-making:

Amend § 147.122 (relating to application) to increase the examination fee for the taxidermy permit.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

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

The proposed rulemaking was made public at the April 26, 2005, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until July 28, 2005.

1. *Purpose and Authority*

The cost of providing the taxidermy examination to applicants currently exceeds the revenue generated by the fee charged to take the examination. The Commission is proposing to amend § 147.122 by increasing the taxidermy examination fee from \$50 to \$300 to allow the Commission to recover expenses.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendment to § 147.122 was proposed under this authority.

2. *Regulatory Requirements*

The proposed rulemaking will amend § 147.122 by increasing the taxidermy examination fee from \$50 to \$300.

3. *Persons Affected*

Persons wishing to apply for a taxidermy permit from the Commission will be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

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

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Michael A. Dubaich, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

VERNON R. ROSS,
Executive Director

Fiscal Note: 48-209. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART III. GAME COMMISSION
CHAPTER 147. SPECIAL PERMITS
Subchapter G. TAXIDERMY

§ 147.122. Application.

(a) An application for examination shall be submitted on a form supplied by the Commission. A nonrefundable fee of [~~\$50~~] **\$300** shall be submitted with the application. **A retake fee for any part of the examination will be \$50.** An additional \$100 shall be submitted for the permit if the examination is passed.

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[Pa.B. Doc. No. 05-1211. Filed for public inspection June 24, 2005, 9:00 a.m.]