

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits; Mentored Youth Hunting Program

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its June 28, 2011, meeting amended § 147.804 (relating to general) to allow a mentor to transfer a valid antlerless license issued to the mentor to an eligible mentored youth upon the harvest of an antlerless deer.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

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

Notice of proposed rulemaking was published at 41 Pa.B. 2701 (May 28, 2011).

1. Purpose and Authority

Since the successful implementation of the Mentored Youth Hunting Program (MYHP) in fall 2006, the Commission has been striving to find ways to improve this innovative program. The Commission reviewed comments from hunters and sporting organizations across this Commonwealth supporting an expansion of the MYHP to allow for limited antlerless deer hunting by mentored youth. The Commission recently determined that the appropriate resources are now available and this initiative can finally move forward. The Commission amends § 147.804 to allow a mentor to transfer a valid antlerless license issued to the mentor to an eligible mentored youth upon the harvest of an antlerless deer. A mentored youth will be eligible to receive a maximum of one antlerless deer license each license year.

Section 2711(a.1) of the code (relating to unlawful acts concerning licenses) states "For the sole purpose of implementing and enhancing a mentored youth hunting program within this Commonwealth, the commission may establish regulations exempting certain limited youth hunting activities from the prohibitions specified in subsections (a)(1), (3), (5) and (8). Such exemption shall include a provision limiting a mentored youth participating in a mentored youth hunting program to the receipt of no more than one antlerless deer license in each license year." The amendments to § 147.804 are adopted under this authority.

2. Regulatory Requirements

The final-form rulemaking amends § 147.804 by adding language to allow a mentor to transfer a valid antlerless license issued to the mentor to an eligible mentored youth upon the harvest of an antlerless deer.

3. Persons Affected

Persons wishing to hunt antlerless deer within this Commonwealth under the MYHP will be affected by the final-form rulemaking.

4. Comment and Response Summary

The Commission received a total of two official comments concerning the final-form rulemaking. One supported and one opposed the transfer of antlerless licenses from a mentor to a mentored youth.

5. Cost and Paperwork Requirements

The final-form rulemaking may result in some additional cost and paperwork associated with the affects transferring tags will have on the Pennsylvania Automated License System. However, the Commission has determined that if there is any additional expense associated with this effort, it will not be substantial and would be absorbed by the current budget.

6. Effective Date

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

7. Contact Person

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendment 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 the amendment 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 Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.804 to read as set forth at 41 Pa.B. 2701.

(b) The Executive Director of the Commission shall certify this order and 41 Pa.B. 2701 and deposit them with the Legislative Reference Bureau as required by law.

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

CARL G. ROE,
Executive Director

Fiscal Note: Fiscal Note 48-329 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 11-1371. Filed for public inspection August 21, 2011, 9:00 a.m.]