

# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

[ 58 PA. CODE CH. 147 ]

#### Special Permits; Mentored Youth Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 29, 2013, meeting amended § 147.804 (relating to general) to allow a mentor to transfer a valid Deer Management Assistance Program (DMAP) permit issued to him 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 42 Pa.B. 6760 (October 27, 2012).

##### 1. Purpose and Authority

Sporting organizations and other interested groups have continued to express an interest in having the Commission expand mentored youth hunting opportunities within this Commonwealth. These groups supported the amendment to § 147.804 to permit the transfer of no more than one DMAP permit to a mentored youth hunter per license year. This will not significantly increase antlerless deer harvest and is consistent with the goal of providing additional mentored youth hunting opportunity.

Section 2711(a.1) of the code (relating to unlawful acts concerning licenses) states that "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 subsection (a)(1), (3), (5) and (8)." 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 amendments to § 147.804 were adopted under this authority.

##### 2. Regulatory Requirements

The final-form rulemaking amends § 147.804 to allow a mentor to transfer a valid DMAP permit issued to him 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 mentored youth hunting program will be affected by the final-form rulemaking.

##### 4. Comment and Response Summary

The Commission received two comments in support of the final-form rulemaking.

##### 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 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 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 the 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 statutes, 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 42 Pa.B. 6760.

(b) The Executive Director of the Commission shall certify this order and 42 Pa.B. 6760 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 48-349 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 13-768. Filed for public inspection April 26, 2013, 9:00 a.m.]