

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Big Game

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 24, 2018, meeting, amended §§ 141.43, 141.44 and 141.47 (relating to deer; bear; and elk) to authorize the Statewide use of semiautomatic, centerfire shotguns to hunt for deer, bear and elk.

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

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

Notice of proposed rulemaking was published at 48 Pa.B. 1682 (March 24, 2018).

1. Purpose and Authority

In an effort to expand hunting opportunities in this Commonwealth, the Commission amends §§ 141.43, 141.44 and 141.47 to authorize the use of semiautomatic, centerfire shotguns to hunt for deer, bear and elk. The Commission has historically permitted the use of semiautomatic shotguns for deer and bear seasons within most areas defined as special regulations areas. The Commission has extended this authorization to the remainder of this Commonwealth.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to §§ 141.43, 141.44 and 141.47 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends §§ 141.43, 141.44 and 141.47 to authorize the Statewide use of semiautomatic, centerfire shotguns to hunt deer, bear and elk.

3. Persons Affected

Persons wishing to use semiautomatic shotguns to hunt or take deer, bear and elk in this Commonwealth may be affected by this final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in additional cost or paperwork.

6. Effective Date

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

7. Contact Person

For further information regarding this final-form rulemaking, contact Randy L. Shoup, 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 the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending §§ 141.43, 141.44 and 141.47 to read as set forth at 48 Pa.B. 1682.

(b) The Executive Director of the Commission shall certify this order and 48 Pa.B. 1682 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*.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-427 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 18-858. Filed for public inspection June 1, 2018, 9:00 a.m.]