

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits; Mentored Hunting Program Permit; Safety

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its April 13, 2024, meeting to amend § 147.805 (relating to safety) to allow a mentor to accompany up to three of any combination of mentored youth and mentored adults at a time.

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

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

This proposed rulemaking was made public at the April 13, 2024, meeting of the Commission. Comments can be sent until July 10, 2024, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

Since the mentored hunting program's initial inception in 2006, the program has gradually grown and expanded to include additional species of game and wildlife and age groups eligible to participate in the program. With each progressive expansion, the mentored hunting program has come into closer alignment to the Commission's traditional hunting license structures. The Commission is now proposing to amend § 147.805 to allow a mentor to accompany up to three of any combination of mentored youth and mentored adults at a time. This maximum limit of three would also include any junior hunter present and otherwise requiring accompaniment by the mentor as required under section 2711(a)(8) of the code (relating to unlawful acts concerning licenses) when the person is also serving as a mentor. This change will not expand the one lawful hunting device limit for mentored youth, but it will allow mentored adults and junior hunters to possess their own hunting implement while accompanied by a common mentor. The Commission has evaluated the relevant safety data and determined that the amendments will not create an unreasonable safety risk to the persons participating in the hunt or other persons in the vicinity of the hunt.

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." The amendments to § 147.805 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 147.805 to allow a mentor to accompany up to three of any combination of mentored youth and mentored adults at a time.

3. Persons Affected

Persons participating in the mentored hunting program within this Commonwealth may be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

5. Effective Date

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

6. Contact Person

For further information about this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

STEPHEN SMITH,
Executive Director

Fiscal Note: 48-508. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter X. MENTORED HUNTING PROGRAM PERMIT

§ 147.805. Safety.

While engaged in mentored hunting activities:

(1) A mentored youth shall be stationary, within **[arms reach] arm's reach** and subject to the immediate control of the mentor at all times while in possession of any lawful hunting device. This limitation may not be construed to apply to mentored adults. Mentored adults shall be accompanied by the mentor within eyesight and in close proximity so that verbal instruction and guidance can easily be understood without the aid of electronic communication devices or sound amplification devices.

(2) A mentor may not accompany more than **[one] three** mentored youth or mentored **[adult] adults** at any given time. A mentor may **[not]** accompany a junior hunter in addition to accompanying a mentored youth or mentored adult **within the same maximum total of three. The authorizations of this paragraph are not intended to expand the lawful hunting device limitation set forth in paragraph (3).**

(3) A mentor and mentored youth may not collectively possess more than one lawful hunting device at any given time. This limitation may not be construed to apply to mentors and mentored adults participating in the mentored adult hunting program **or junior hunters joining a mentored youth hunt.**

(4) A mentor and mentored youth or mentored adult shall each comply with section 2524 of the act (relating to protective material required) and with any regulations promulgated by the Commission relating to protective material.

[Pa.B. Doc. No. 24-760. Filed for public inspection May 31, 2024, 9:00 a.m.]