

**Rule Summary and Fiscal Analysis (Part A)****Department Of Natural Resources**

Agency Name

**Division Of Wildlife**

Division

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**1501:31-13-08**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Fish daily bag limits: protected species.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **1531.08**

5. Statute(s) the rule, as filed, amplifies or implements: **1531.08**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule regulates daily bag limits of fish

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Paragraph (A) was amended and the words "or within one quarter mile" was deleted.

Paragraph (C) was amended and the words "and", "stored in a person's abode" and "or when transported or stored in a conveyance more than one quarter mile from lake Erie, or any stream, river or other body of water where fishing therein requires the license set forth in section 1533.32 of the Revised code, provided that the fish so stored or transported were taken in accordance with the above daily limits" was deleted and the words "and (L)", "transported" and "commercial" were added.

Paragraph (J) was amended and the words "when the fish are placed in a container or vehicle at shore on or near a dock or pier, or when leaving the shore in a vehicle after unloading the boat at or" were deleted and the words "while fishing from shore" and "Provided further, it shall be lawful to possess fish in the whole or as a fillet with the skin attached while returning from Lake erie Islands on a commercial ferry boat." were added

Paragraph (L) was deleted which contained the words "It shall be unlawful to take or have in one possession more than thirty yellow perch (*Perca flavescens*) in any one day while on or within one quarter mile of the lake erie sport fishing district"

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously

filed version of this rule; if none, please state so:

Question number seven on the rule summary was corrected to contain the correct summary of the proposed amendments to the rule.

12. 119.032 Rule Review Date: 2/3/2005

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

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This proposal will have no impact on revenues or expenditures

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

A.M.Sub. H.B.95, line 740-701

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

N/A

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component

dealing with environmental protection as defined in R. C. 121.39? **No**