

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

Agency Name

Division of Wildlife

Division

Ben Pendery

Contact

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1501:31-13-07

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Special fishing regulations for water areas owned or controlled by the division of wildlife.**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: **1531.06, 1531.08, 1531.10**

5. Statute(s) the rule, as filed, amplifies or implements: **1531.06, 1531.08, 1531.10**

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

This rule establishes special fishing regulations for water areas owned or controlled by the division of wildlife. Amendments are required to clarify the intent of the existing regulation.

Amendments were also made as a result of recent regulation changes in Pennsylvania . This rule change will be consistent with the state of Pennsylvania to accommodate the shared resource Pymatuning Lake

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:

Amend this rule to include that you cannot take or possess a fish contrary to a posted sign. The current law prohibits possession only.

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:

It is recommended that this rule be also amended to allow persons to take fish on Pymatuning Lake with up to three lines. This rule change will be consistent with the state of Pennsylvania.

Pymatuning Lake is located in northeastern Ohio (southeastern Ashtabula County) and also crosses over into the state of Pennsylvania. It is the largest inland lake in Ohio at 16,349 acres. The fisheries resources of Pymatuning Lake are managed jointly by the Ohio Division of Wildlife and the Pennsylvania Fish and Boat Commission. Boat anglers may have a license from either Ohio or Pennsylvania to legally fish the waters.

12. 119.032 Rule Review Date: **2/4/2011**

(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.

\$0

This change will not affect fees, require additional personnel, or require additional equipment. This rule modification will have no impact on the agencies revenue or expenditures.

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

A.M. Sub HB1, line 740-401

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:

This change will not affect current licenses or require additional licenses, permits, or fees. It will not require any costs for compliance.

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**

