

Final Rule 68A-13.008
Consent Agenda Item 4
November 20, 2013

Notice of Proposed Rule

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-13.008: Hunting Regulations for Migratory Birds Other than Ducks and Coots

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to establish regulations and bag limits for taking crows and migratory game birds other than ducks and coots in conformance with federal regulations. Rule wording would be increase possession limits for migratory game birds other than ducks and coots to three times the bag limit.

SUMMARY: This rule amends regulations and bag limits for taking crows and migratory game birds other than ducks and coots.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission's regular meeting, November 20-21, 2013, 8:30 a.m. each day.

PLACE: Bonaventure Conference Center, 250 Racquet Club Road, Weston, FL 33326

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-13.008 Hunting Regulations for Migratory Birds Other than Ducks and Coots.

The Commission has approved the following regulations and bag limits for taking crows and migratory game birds other than ducks and coots:

(1) Mourning doves and white-winged doves:

(a) through (b) No change.

(c) Limits:

1. Daily bag: 15.

2. Possession: ~~45~~30.

3. The daily bag limit of doves shall be 15 mourning and white-winged doves in the aggregate.

(2) Rails and Common moorhens:

(a) through (b) No change.

(c) Limits:

1. Rails: Clapper and king.

a. Daily bag: 15.

b. Possession: ~~45~~30, singly or in the aggregate.

2. Rails: Virginia and sora.

a. Daily bag: 25.

b. Possession: ~~75~~25, singly or in the aggregate.

3. Common moorhens:

a. Daily bag: 15.

b. Possession: ~~45~~30.

(3) Woodcock:

(a) through (b) No change.

(c) Limits:

1. Daily bag: three.

2. Possession: ~~ninesix~~.

(4) Snipe:

(a) through (b) No change.

(c) Limits:

1. Daily bag: eight.

2. Possession: ~~24~~6.

(5) No change.

(6) Falconry:

(a) Migratory game birds other than ducks and coots may be taken from one-half hour before sunrise to sunset by the use of a falcon during the open season. The daily bag limit for all migratory bird species shall be three birds, singly or in the aggregate, and ~~three~~ two days' bag may be possessed.

(b) No change.

PROPOSED EFFECTIVE DATE: As soon as possible after adoption by the Commission.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-17-89, Amended 8-9-90, 8-22-91, 8-23-92, 9-2-93, 9-15-94, 9-15-96, 9-7-97, Formerly 39-13.008, Amended 7-1-01, 7-1-04, 1-9-07, 1-6-09, 7-1-10, 1-4-12,

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2013