Department of State
Division of Publications
312 Rosa L. Parks Avenue, 8th Floor Tennessee Tower
Nashville, TN 37243
Phone: 615-741-2650
Fax: 615-741-5133
Email: sos.information@state.tn.us

For Department of State Use Only

Sequence Number 01-01-09
Rule ID(s): 3946
File Date: 01/02/09
Effective Date: 03/18/09

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing. TCA Section 4-5-205

Agency/Board/Commission:	Tennessee Wildlife Resources Agency
Division:	Region II
Contact Person:	Lisa Crawford
Address:	PO Box 40747, Nashville, TN
Zip:	37204
Phone:	615-781-6606
Email:	Lisa.Crawford@state.tn.us

Revision Type (check all that apply):

X Amendment
___ New
___ Repeal

Rule(s) Revised (for additional chapters, copy and paste table)

Chapter Number	Chapter Title
1660-01-27	Rules and Regulations for Hunter Education Centers and Firing Ranges
Rule Number	**Rule Title**
1660-01-27-.04	Stones River Hunter Education Center and Cheatham WMA Firing Range

Chapter 1660-01-27
Rules and Regulations for Hunter Education Centers and Firing Ranges

Amendment

Rule 1660-01-27-.04 STONES RIVER HUNTER EDUCATION CENTER AND CHEATHAM WMA FIRING RANGE, is amended by placing a comma after "STONES RIVER HUNTER EDUCATION CENTER" and deleting the remainder of the title and then inserting "YANAHLI WMA AND CHEATHAM WMA FIRING RANGES" in the title, to read as follows:

1660-01-27-.04 **STONES RIVER HUNTER EDUCATION CENTER, YANAHLI WMA AND CHEATHAM WMA FIRING RANGES**

Statutory Authority: TCA §§ 70-1-206, 70-2-224 and 70-4-107

The roll-call vote by the Tennessee Wildlife Resources Commission on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent
R. B. "Buddy" Baird	✓			
Mike Chase	✓			
Johnny Coleman	✓			
Thomas H. Edwards	✓			
Jim Fyke	✓			
Ken Givens	✓			
Mike Hayes	✓			
Gary K. Kimsey	✓			
Boyce C. Magli	✓			
Mitchell S. Parks	✓			
Todd A. Shelton				✓
Hugh Simonton, Jr.	✓			
Danya Welch	✓			

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Wildlife Resources Commission on 11/20/2008, and is in compliance with the provisions of TCA §4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 09/29/2008

Notice published in the Tennessee Administrative Register on: *10/01/2008*

Rulemaking Hearing(s) Conducted on: (add more dates). *11/20/2008*

Date: 11/21/08

Signature: Gary T. Myers

Name of Officer: Gary T. Myers

Title of Officer: Executive Director

LISA CRAWFORD STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Subscribed and sworn to before me on: 11/21/08

Notary Public Signature: Lisa Crawford

My commission expires on: 8/23/11

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Robert E. Cooper, Jr.
Attorney General

12-11-08
Date

Department of State Use Only

Filed with the Department of State on: 1/2/09

Effective on: 3/18/09

Riley C. Darnell
Secretary of State

Public Hearing Comments

One copy of a document containing responses to comments made at the public hearing must accompany the filing pursuant to T.C.A. §4-5-222. Agencies shall include only their responses to public hearing comments, which shall be summarized. No letters of inquiry from parties questioning the rule will be accepted. When no comments are received at the public hearing, the agency need only draft a memorandum stating such and include it with the Rulemaking Hearing Rule filing. Minutes of the meeting will not be accepted. Transcripts are not acceptable.

RULE: 1660-1-27-.04

New _____
Amendment __X__
Repeal _____

[✓] There were no public comments to the above-described rule.

[ ] Attached hereto are the responses to public comments.

Regulatory Flexibility Addendum
Pursuant to Public Chapter 464 of the 105th General Assembly, prior to initiating the rule making process as described in § 4-5-202(a)(3) and § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

(1) The type or types of small business and an identification and estimate of the number of small businesses subject to the proposed rule that would bear the cost of, and/or directly benefit from the proposed rule;

The types of small businesses effected are sporting goods stores, convenience markets and farm supply businesses. The one's that are licenses agents for TWRA will benefit the most through sale of firing range permits as well as ammunition and or incidental items. There will be no cost to them.

(2) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record;

There should not be any of these costs as this rule amendment merely adds Yanahli WMA firing range to the existing amendment and permits will be sold through the REAL system.

(3) A statement of the probable effect on impacted small businesses and consumers;

The small businesses should see a small rise in their sales due to the addition of the Yanahli firing range. Consumers, i.e. hunters and target shooters in the Columbia area, will now have a facility that they don't have to drive a long distance to use-saves gas and is convenient. Much safer environment for everyone in the area as it is in a controlled area with backstops etc.

(4) A description of any less burdensome, less intrusive or less costly alternative methods of achieving the purpose and/or objectives of the proposed rule that may exist, and to what extent, such alternative means might be less burdensome to small business;

There are none.

(5) A comparison of the proposed rule with any federal or state counterparts; and

This amendment to the rule adds Yanahli firing range to two other TWRA firing ranges in Region II. The Cheatham range serves the people in the northwest counties and Stones River Hunter Education Center range serves those in the northeast and the northern part of the southeast counties. Yanahli range will serve those in the southwestern part of Region II and part of the southeastern counties.

(6) Analysis of the effect of the possible exemption of small businesses from all or any part of the requirements contained in the proposed rule.

No exemptions contained in the proposed rule.

Additional Information Required

All agencies, upon filing a rule, must also submit the following pursuant to TCA 4-5-226(i)(1).

(A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

This rule addresses regulations dealing with State-owned Hunter Education Centers and Firing Ranges. Rule 1660-1-27-.04 will be amended by adding "Yanahli WMA Firing Range".

(B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

There are none.

(C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

The general sport shooting public and TWRA personnel will be most affected by this rule change. Both entities are supportive of the measure as the funds raised will directly influence the condition of the range facility. Trash removal and adequate target holders will consistently be available.

(D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

There are none.

(E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars ($500,000), whichever is less;

TWRA expenditures should not change. TWRA revenues will increase by $5.50/2 hours/adult and $1.50/2 hours/juvenile or annual fees of $100 and $25/ adult and juvenile, respectively.

(F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Steve Patrick, Region II Manger.

(G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Nat Johnson, TWRA Assistant Executive Director, will explain the rule at the scheduled meeting of the Government Operations Committees.

(H) Office address and telephone number of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Tennessee Wildlife Resources Agency, P.O. Box 40747, Nashville, TN 37204, (615) 781-6555.

(I) Any additional information relevant to the rule proposed for continuation that the committee requests.

This rule change was prompted for consistency on state-owned firing ranges and also for funds necessary for upkeep of the facilities.