

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1395 Session of  
1983

INTRODUCED BY LETTERMAN, W. W. FOSTER, HASAY, SCHEETZ, FEE,  
MERRY, GODSHALL, CALTAGIRONE, PETRONE, LIVENGOD, SALOOM,  
WOZNIAK, RUDY, McHALE, KUKOVICH, CLARK, MAYERNIK, BALDWIN,  
JAROLIN, DeWEESE, McCALL, FREEMAN, D. W. SNYDER, GRUITZA,  
ZWIKL, GRIECO, CIMINI, MARKOSEK AND TIGUE, JULY 21, 1983

REFERRED TO COMMITTEE ON GAME AND FISHERIES, JULY 21, 1983

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated  
2 Statutes, further providing for the designation of waterways  
3 patrolmen; and providing for inchoate violations of this  
4 title.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 102 of Title 30 of the Pennsylvania  
8 Consolidated Statutes is amended by adding definitions to read:  
9 § 102. Definitions.

10 Subject to additional definitions contained in subsequent  
11 provisions of this title which are applicable to specific  
12 provisions of this title, the following words and phrases when  
13 used in this title shall have, unless the context clearly  
14 indicates otherwise, the meanings given to them in this section:

15 \* \* \*

16 "Deputy waterways conservation officers." Officers formerly  
17 designated as deputy waterways patrolmen appointed under section

1 305 (relating to deputy waterways patrolmen).

2 "Deputy waterways patrolman." A deputy waterways  
3 conservation officer.

4 \* \* \*

5 "Waterways conservation officers." Officers formerly  
6 designated as waterways patrolmen appointed under section 304  
7 (relating to waterways patrolmen and employees).

8 "Waterways patrolman." A waterways conservation officer.

9 Section 2. Title 30 is amended by adding sections to read:

10 § 307. Designation of law enforcement officers.

11 (a) Waterways patrolmen.--Waterways patrolmen of the  
12 commission are designated as waterways conservation officers.  
13 The commission may substitute the term "waterways conservation  
14 officer" for the term "waterways patrolmen" on its documents and  
15 materials on a schedule it deems appropriate.

16 (b) Deputy waterways patrolmen.--Deputy waterways patrolmen  
17 of the commission are designated deputy waterways conservation  
18 officers. The commission may substitute the term "deputy  
19 waterways conservation officer" for the term "deputy waterways  
20 patrolman" on its documents and materials on a schedule it deems  
21 appropriate.

22 (c) Saving provision.--Prosecutions, enforcement actions and  
23 other official duties of waterways conservation officers and  
24 deputy waterways conservation officers shall not be affected by  
25 the use of the designation waterways patrolmen or deputy  
26 waterways patrolmen on forms, documents, materials, badges and  
27 other items issued or prepared by the commission.

28 § 931. Inchoate violations.

29 (a) General rule.--A person commits an inchoate violation of  
30 this title if the person:

1       (1) Attempts, as defined in 18 Pa.C.S. § 901 (relating  
2       to criminal attempt), to violate any provision of this title  
3       or regulations promulgated under this title.

4       (2) Solicits, as defined in 18 Pa.C.S. § 902 (relating  
5       to criminal solicitation), another person to engage in  
6       specific conduct in violation of this title or the  
7       regulations promulgated under this title.

8       (3) Engages in a conspiracy, as defined in 18 Pa.C.S. §  
9       903 (relating to criminal conspiracy), with another person or  
10      persons to violate this title or the regulations promulgated  
11      thereunder.

12      (b) Grading.--Inchoate violations of this title and the  
13      regulations promulgated under this title are offenses of the  
14      same grade or degree as the most serious violation which is  
15      attempted or solicited or which is the object of a conspiracy.  
16      If the particular conduct charged as an inchoate violation of  
17      this title is inherently unlikely to result or culminate in a  
18      violation of this title or the regulations promulgated under  
19      this title, the court or issuing authority may dismiss the  
20      prosecution.

21      (c) Defense.--It is a defense to a charge under this section  
22      that if the object of the attempt, solicitation or conspiracy  
23      were achieved, the actor would not be guilty of a violation of  
24      this title or the regulations promulgated under this title.

25      Section 3. This act shall take effect in 60 days.