

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 747 Session of
2007

INTRODUCED BY GERGELY, CALTAGIRONE, CLYMER, GIBBONS, GOODMAN,
HANNA, HESS, HUTCHINSON, KOTIK, MAHONEY, MENSCH, PETRONE,
PICKETT, PRESTON, PYLE, REICHLEY, SONNEY, STABACK, SURRA,
WALKO, WANSACZ, J. WHITE, WILLIAMS, FABRIZIO, YOUNGBLOOD,
DeLUCA, MURT, SIPTROTH, KORTZ, CONKLIN, AND WATSON,
MARCH 19, 2007

SENATOR ARMSTRONG, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JULY 2, 2008

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, FURTHER PROVIDING FOR DEPUTY GAME COMMISSION
3 OFFICERS; AND providing for a special license and license
4 auction to hunt one elk. <—

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

7 ~~Section 1. Section 2706.2 of Title 34 of the Pennsylvania~~ <—
8 ~~Consolidated Statutes is amended to read:~~

9 SECTION 1. SECTIONS 902 AND 2706.2 OF TITLE 34 OF THE <—
10 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:
11 § 902. DEPUTY GAME COMMISSION OFFICERS.
12 EXCEPT FOR THE POWERS CONFERRED UNDER SECTION 901(A)(2), (6),
13 (7), (8), (12.1), (17) AND (18) (RELATING TO POWERS AND DUTIES
14 OF ENFORCEMENT OFFICERS), DEPUTY GAME COMMISSION OFFICERS SHALL,
15 UNLESS FURTHER RESTRICTED BY THE DIRECTOR, EXERCISE ALL THE
16 POWERS AND PERFORM ALL THE DUTIES CONFERRED BY THIS TITLE ON

1 GAME COMMISSION OFFICERS, EXCEPT DEPUTY WILDLIFE CONSERVATION
2 OFFICERS SHALL NOT BE AUTHORIZED TO ISSUE CITATIONS OR FIELD
3 ACKNOWLEDGMENTS OF GUILT FOR VIOLATIONS AND SHALL PROVIDE THE
4 INFORMATION TO THE WILDLIFE CONSERVATION OFFICER. [RETIRED
5 WILDLIFE CONSERVATION OFFICERS, RETIRED WATERWAYS CONSERVATION
6 OFFICERS, STATE PARK RANGERS, STATE FOREST RANGERS OR CURRENT OR
7 RETIRED STATE OR MUNICIPAL POLICE OFFICERS SHALL EXERCISE ALL
8 POWERS AND DUTIES CONFERRED ON DEPUTY GAME COMMISSION OFFICERS,
9 INCLUDING THE RIGHT TO ISSUE CITATIONS AND FIELD ACKNOWLEDGMENTS
10 OF GUILT FOR VIOLATIONS.]

11 § 2706.2. [Application limitation] Elk hunting licenses.

12 (a) Application limitation.--Whenever the commission makes a
13 determination to authorize a hunting season for the taking of
14 elk, no person may submit more than one application for an elk
15 hunting license in any license year.

16 (b) License auction.--The commission is authorized to
17 auction off a special license to hunters interested in the
18 opportunity to hunt one elk subject to the following:

19 (1) One license shall be auctioned annually.

20 (2) The auction shall be open to residents and
21 nonresidents of this Commonwealth.

22 (3) The commission may, under 62 Pa.C.S. Pt. I (relating
23 to Commonwealth Procurement Code), contract with a person to <—
24 implement and conduct the auction.

25 (4) At least 95% of the proceeds from the auction shall
26 be used to pay for elk habitat improvements in this
27 Commonwealth.

28 (5) All license fees shall be paid to the commission.

29 WILDLIFE CONSERVATION ORGANIZATION TO IMPLEMENT AND CONDUCT <—
30 THE AUCTION. THE COMMISSION SHALL PROMULGATE REGULATIONS FOR

1 THE USE OF THE LICENSE, REMITTING FUNDS TO THE COMMISSION AND
2 CONDUCT OF THE AUCTION.

3 (4) THE CONTRACTED ORGANIZATION SHALL RETAIN NO MORE
4 THAN 20% OF THE PROCEEDS FROM THE AUCTION. THE CONTRACTED
5 ORGANIZATION SHALL REPORT ANNUALLY TO THE COMMISSION ON THE
6 USE OF THE PROCEEDS FROM THE AUCTION. THE REMAINING PROCEEDS
7 FROM THE AUCTION SHALL BE USED BY THE COMMISSION FOR THE ELK
8 PROGRAM IN THIS COMMONWEALTH IN ADDITION TO ANY OTHER FUNDS
9 AVAILABLE TO THE COMMISSION FOR THAT PURPOSE. THE COMMISSION
10 SHALL INCLUDE IN ITS ANNUAL REPORT TO THE GENERAL ASSEMBLY
11 THE USE OF ALL PROCEEDS FROM THE AUCTION.

12 (5) ALL LICENSE FEES SHALL BE PAID TO THE COMMISSION.

13 (6) THIS SUBSECTION SHALL EXPIRE JULY 1, 2013.

14 Section 2. This act shall take effect in 60 days.