

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 926 Session of  
2007

INTRODUCED BY FUMO, TARTAGLIONE, FONTANA, GREENLEAF, D. WHITE,  
McILHINNEY, LOGAN, RHOADES AND FERLO, JUNE 11, 2007

REFERRED TO GAME AND FISHERIES, JUNE 11, 2007

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated  
2 Statutes, further providing for organization of commission.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Section 301 of Title 30 of the Pennsylvania  
6 Consolidated Statutes is amended to read:

7 § 301. Organization of commission.

8 (a) Composition.--The Pennsylvania Fish and Boat Commission  
9 is continued as an independent administrative commission and  
10 shall consist of [ten] 14 competent citizens of this  
11 Commonwealth who shall be appointed as follows:

12 (1) Ten members by the Governor by and with the advice  
13 and consent of [two-thirds] a majority of the members elected  
14 to the Senate, [for terms of eight years and until their  
15 successors are appointed and qualified.]

16 (2) One member by the President pro tempore of the  
17 Senate who is not an elected official.

18 (3) One member by the Minority Leader of the Senate who

1     is not an elected official.

2             (4) One member by the Speaker of the House of  
3     Representatives who is not an elected official.

4             (5) One member by the Minority Leader of the House of  
5     Representatives who is not an elected official.

6     (b) Qualifications.--Two members of the commission appointed  
7     by the Governor shall serve at-large and be experienced in  
8     boating and water safety education and be a registered boat  
9     owner in Pennsylvania. The two boatmen members shall represent  
10    the various geographical sections and boating interests of this  
11    Commonwealth. The remaining [eight] members shall be persons  
12    well informed on the subject of conservation, restoration, fish  
13    and fishing and boats and boating, and the Governor's remaining  
14    appointees shall be appointed, insofar as practicable, on a  
15    bipartisan basis and from the various geographic districts of  
16    this Commonwealth so that at all times one and only one member  
17    shall be a resident of each of the following districts:

18            (1) First district, consisting of the counties of Erie,  
19     Crawford, Mercer, Lawrence, Venango, Butler, Warren, Forest  
20     and Clarion.

21            (2) Second district, consisting of the counties of  
22     Beaver, Allegheny, Washington, Greene, Armstrong, Indiana,  
23     Westmoreland and Fayette.

24            (3) Third district, consisting of the counties of  
25     McKean, Elk, Jefferson, Potter, Cameron, Clearfield, Clinton  
26     and Centre.

27            (4) Fourth district, consisting of the counties of  
28     Cambria, Somerset, Blair, Bedford, Huntingdon, Fulton,  
29     Mifflin and Juniata.

30            (5) Fifth district, consisting of the counties of Tioga,

1 Lycoming, Union, Snyder, Bradford, Sullivan, Columbia,  
2 Montour and Northumberland.

3 (6) Sixth district, consisting of the counties of  
4 Franklin, Perry, Cumberland, Adams, Dauphin, York, Lebanon  
5 and Lancaster.

6 (7) Seventh district, consisting of the counties of  
7 Susquehanna, Wyoming, Luzerne, Lackawanna, Carbon, Wayne,  
8 Pike and Monroe.

9 (8) Eighth district, consisting of the counties of  
10 Schuylkill, Berks, Chester, Northampton, Lehigh, Bucks,  
11 Montgomery, Philadelphia and Delaware.

12 (c) Terms of office and compensation.--The members appointed  
13 by the Governor shall hold office for terms of eight years and  
14 may continue to hold office for a period of time not to exceed  
15 six months or until a successor is appointed and qualified,  
16 whichever occurs first. A member appointed to fill a vacancy for  
17 a period of four years or less may be eligible for appointment  
18 to a full eight-year term. A member who serves a full eight-year  
19 term or fills a vacancy for a period of more than four years  
20 shall not be eligible for reappointment to the commission until  
21 a period of eight years expires. All other commissioners shall  
22 serve terms of office coterminous with that of each  
23 commissioner's appointing authority. The members shall receive  
24 no compensation for their services but may be reimbursed for  
25 travel expenses. When performing any function on behalf of the  
26 commission or acting within the scope of their official duties,  
27 members of the commission shall be authorized to operate  
28 Commonwealth vehicles and watercraft and shall be treated as  
29 employees of the Commonwealth for the purposes of automotive and  
30 general liability and the act of June 2, 1915 (P.L.736, No.338),

1 known as the Workers' Compensation Act.

2 (d) Vacancies.--Upon the death, resignation or removal from  
3 office of any member, the [Governor] respective appointing  
4 authority shall appoint a competent person to serve for the  
5 unexpired term.

6 (e) Meetings, officers and quorum.--The commission shall  
7 have an office in the Harrisburg area and shall hold meetings in  
8 the Harrisburg area in January and July and at such other times  
9 and places within this Commonwealth as the commission shall  
10 designate for the transaction of business. At the meeting held  
11 in July of each year, the commission shall elect one of its  
12 members as president and one of its members as vice president  
13 who shall hold office for one year. [Six] Eight members shall  
14 constitute a quorum.

15 (f) Powers of waterways patrolmen.--Except for the power  
16 conferred by section 925 (relating to acknowledgment of guilt  
17 and receipts for payment), members of the commission may  
18 exercise any of the powers conferred by this title on waterways  
19 patrolmen.

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