

AMENDMENTS TO SENATE BILL NO. 1166

Sponsor: SENATOR STEFANO

Printer's No. 1625

1 Amend Bill, page 1, line 3, by inserting after "commission"
2 and for accountability

3 Amend Bill, page 1, line 3, by striking out "and,"

4 Amend Bill, page 1, line 5, by inserting after "fees"
5 ; and making an editorial change

6 Amend Bill, page 1, lines 16 through 19; page 2, lines 1
7 through 8; by striking out all of said lines on said pages and
8 inserting

9 (14) Following submission of the analysis required under
10 section 328(f) (relating to accountability), establish fees
11 for licenses as follows:

12 (i) The commission shall publish a notice of
13 proposed rulemaking containing the proposed fee change in
14 accordance with section 201 of the act of July 31, 1968
15 (P.L.769, No.240), referred to as the Commonwealth
16 Documents Law. The commission shall give at least 30 days
17 for the submission of written comments and shall hold at
18 least one public hearing on the proposed change.

19 (ii) Prior to adoption of a final-form regulation
20 containing a fee change, the commission shall review and
21 consider any public comments and may modify the text of
22 the final-form regulation as it deems necessary under
23 section 202 of the Commonwealth Documents Law.

24 (iii) After adoption of a final-form regulation
25 containing a fee change, the commission shall submit the
26 final-form regulation, copies of all public comments and
27 the transcript of the public hearing to the Game and
28 Fisheries Committee of the Senate and the Game and
29 Fisheries Committee of the House of Representatives.

30 (iv) Either committee under subparagraph (iii) may
31 report a concurrent resolution recommending disapproval
32 of the fee change within 30 days of the submission under
33 subparagraph (iii). If neither committee reports a

1 concurrent resolution recommending disapproval within the
2 time prescribed in this subparagraph, the fee change
3 shall be deemed approved.

4 (v) If either committee reports a concurrent
5 resolution under subparagraph (iv) and the General
6 Assembly does not adopt it within 30 days of the date on
7 which the concurrent resolution is reported, the fee
8 change shall be deemed approved.

9 (vi) If the General Assembly adopts a concurrent
10 resolution under subparagraph (iv) within 30 days of the
11 date on which the concurrent resolution is reported, the
12 following shall apply:

13 (A) The concurrent resolution shall be presented
14 to the Governor in accordance with section 9 of
15 Article III of the Constitution of Pennsylvania.

16 (B) If the Governor does not veto the concurrent
17 resolution of the General Assembly within 10 days
18 after it is presented, the fee change shall be deemed
19 disapproved.

20 (C) If the Governor vetoes the concurrent
21 resolution within 10 days after it is presented, the
22 General Assembly may, within 30 days of the veto,
23 override the veto by a two-thirds vote in each house.
24 If the General Assembly does not override the veto in
25 the time prescribed in this clause, the fee change
26 shall be deemed approved. If the General Assembly
27 overrides the veto in the time prescribed in this
28 clause, the fee change shall be deemed disapproved.

29 (vii) If the fee change is deemed approved under
30 subparagraph (iv), subparagraph (v) or subparagraph (vi)
31 (C), the commission shall:

32 (A) submit the final-form regulation containing
33 the fee change to the Office of Attorney General for
34 approval as to legality; and

35 (B) publish an order adopting the final-form
36 regulation containing the fee change and deposit the
37 text of the order with the Legislative Reference
38 Bureau in accordance with section 207 of the
39 Commonwealth Documents Law.

40 (viii) Except for this subparagraph, this paragraph
41 shall expire July 15, 2019. Upon expiration, final-form
42 regulations promulgated under subparagraph (vi)(B) shall
43 remain in effect.

44 Section 2. Section 328 of Title 34 is amended by adding a
45 subsection to read:

46 § 328. Accountability.

47 * * *

48 (f) Financial analysis.--Prior to the establishment of fees
49 under section 322(c)(14) (relating to powers and duties of
50 commission), the Legislative Budget and Finance Committee shall
51 prepare a financial analysis of fees, fines, penalties,

1 royalties, Federal and State appropriations and other sources of
2 revenue received by the commission and of expenditures,
3 including annual operating costs, investments, land purchases
4 and capital projects. To carry out the financial analysis under
5 this section:

6 (1) The commission shall provide records, financial
7 statements and other documents reflecting the revenue and
8 expenditures subject to the analysis.

9 (2) The commission shall respond to inquiries and
10 requests for information from the committee in a timely
11 manner.

12 (3) The Legislative Budget and Finance Committee shall
13 include its most recent performance audit under section
14 522(b) (relating to appropriation and audit of moneys).

15 (4) The Legislative Budget and Finance Committee shall
16 complete the report within 90 days of the effective date of
17 this subsection. The report shall be submitted to the
18 President pro tempore of the Senate and the Speaker of the
19 House of Representatives. The report shall be public
20 information.

21 Section 3. Section 2709 heading and (a) introductory
22 paragraph of Title 34 are amended, subsection (a) is amended by
23 adding paragraphs and the section is amended by adding a
24 subsection to read:

25 § 2709. License [costs and] fees.

26 (a) License [costs.--Any] fees.--Subject to subsections
27 (a.1) and (c), any person who qualifies under the

28 Amend Bill, page 2, line 10, by inserting a bracket before
29 "costs"

30 Amend Bill, page 2, line 11, by inserting after "fee"
31] fees

32 Amend Bill, page 2, lines 12 through 30; page 3, lines 1
33 through 30; page 4, lines 1 through 8; by striking out all of
34 said lines on said pages and inserting

35 * * *

36 (23) Hunting and furtaking:

37 (i) Senior nonresident hunting - to be set by
38 commission.

39 (ii) Senior nonresident furtaker - to be set by
40 commission.

41 (iii) Senior nonresident combination hunting and
42 furtaker - to be set by commission.

43 (24) Ultimate outdoorsman combination license, including
44 bear, archery, muzzleloader, furtaker, migratory game bird
45 and special wild turkey:

- 1 (i) Resident - to be set by commission.
- 2 (ii) Nonresident - to be set by commission.

3 (a.1) Fee setting.--

4 (1) A fee set under subsection (a)(23) or (24) must be
5 made under section 322(c)(14) (relating to powers and duties
6 of commission).

7 (2) A change in a fee under subsection (a) must be made
8 under section 322(c)(14).

9 * * *

10 Section 4. Section 2712(b) of Title 34 is amended to read:
11 § 2712. Vouchers for licenses and permits.

12 * * *

13 (b) Fees.--A person purchasing a voucher shall pay the costs
14 for the type of license or permit being purchased and the
15 issuing agent fee as provided in sections 2709 (relating to
16 license [costs and] fees) and 2904 (relating to permit fees).

17 * * *

18 Section 5. This act shall take effect as follows:

19 (1) The following provisions shall take effect
20 immediately:

21 (i) The addition of 34 Pa.C.S. § 328(f).

22 (ii) This section.

23 (2) The remainder of this act shall take effect in 90
24 days.