

AMENDMENTS TO SENATE BILL NO. 67

Sponsor: SENATOR ROTHMAN

Printer's No. 1437

1 Amend Bill, page 1, line 2, by inserting after "Statutes,"
2 in Pennsylvania Game Commission, further providing for
3 organization of commission; in game or wildlife protection,
4 further providing for report to commission officer and for
5 surrender of carcass to commission officer;

6 Amend Bill, page 1, line 6, by striking out the period after
7 "permission" and inserting
8 ; and, in special licenses and permits, providing for
9 agriculture access permit list.

10 Amend Bill, page 1, lines 9 and 10, by striking out all of
11 said lines and inserting

12 Section 1. Section 301(a) and (b) introductory paragraph of
13 Title 34 of the Pennsylvania Consolidated Statutes are amended
14 and the section is amended by adding a subsection to read:
15 § 301. Organization of commission.

16 (a) Composition.--The independent administrative commission
17 known as the Pennsylvania Game Commission shall consist of
18 [nine] 10 competent citizens of this Commonwealth who shall be
19 well informed on the subject of wildlife conservation and
20 restoration and who shall be appointed by the Governor, by and
21 with the advice and consent of a majority of the elected members
22 of the Senate.

23 (b) Qualifications.--[The] One member of the commission
24 shall be known as the Agricultural Commissioner At Large. The
25 Agricultural Commissioner At Large shall represent the interest
26 of agricultural commodities that pertain to normal agricultural
27 operations and wildlife. The remaining members of the commission
28 shall be appointed from the various geographical sections of
29 this Commonwealth so that one and only one shall be a resident
30 of each of the following districts:

31 * * *

32 (e) Definitions.--As used in this section, the following
33 words and phrases shall have the meanings given to them in this
34 subsection unless the context clearly indicates otherwise:
35 "Agricultural Commissioner At Large." An individual who

1 raises an agricultural commodity and who owns or leases a normal
2 agricultural operation.

3 "Agricultural commodity." As defined in section 2 of the act
4 of June 10, 1982 (P.L.454, No.133), entitled "An act protecting
5 agricultural operations from nuisance suits and ordinances under
6 certain circumstances."

7 "Normal agricultural operation." As defined in section 2 of
8 the act of June 10, 1982 (P.L.454, No.133), entitled "An act
9 protecting agricultural operations from nuisance suits and
10 ordinances under certain circumstances."

11 Section 2. Sections 2122 and 2125 of Title 34 are amended to
12 read:

13 § 2122. Report to commission officer.

14 Any person who kills any game or wildlife, other than
15 raccoons, under the provisions of this subchapter shall, within
16 24 hours, report, orally or in writing, the killing to an
17 officer of the commission. The report shall set forth the date,
18 time and place of the killing, the number of species killed
19 [and], the sex of the species[.] and the location of each
20 carcass. The commission shall establish a self-reporting system
21 that allows a person assigned to remove deer for crop damage
22 purposes to report each harvest to an officer of the commission
23 via a toll-free telephone number, online application or publicly
24 accessible Internet website.

25 § 2125. Surrender of carcass [to commission officer].

26 Except as otherwise provided in this subchapter, the entire
27 carcass, including the head and hide[,] of all big game animals
28 and the entire carcass of any other game or wildlife, other than
29 raccoons, less entrails, shall be made available, unless
30 otherwise directed by an officer of the commission, intact[,
31 less entrails,] to any commission officer calling for them[.] or
32 delivered to a processor for final disposition. As used in this
33 section, the term "processor" means a location specified by the
34 commission that is willing to accept donations of animals taken
35 under this chapter.

36 Section 3. Section 2303 of Title 34 is repealed:

37 Amend Bill, page 2, line 24, by striking out "2" and

38 inserting

39 4

40 Amend Bill, page 2, line 29, by striking out "for big game"

41 Amend Bill, page 3, line 8, by striking out "3" and inserting

42 5

43 Amend Bill, page 4, line 19, by striking out "SHALL" and

44 inserting

1 may

2 Amend Bill, page 5, by inserting between lines 10 and 11

3 Section 6. Title 34 is amended by adding a section to read:
4 § 2931. Agriculture access permit list.

5 (a) Permit list.--The commission shall create the
6 agriculture access permit list to connect licensed hunters with
7 private agricultural landowners for the purpose of crop damage
8 mediation.

9 (b) Applications.--An individual may submit an application
10 for placement on the list and a permit under this section in a
11 form and manner determined by the commission. The commission
12 shall provide an applicant with the option of applying for
13 placement on the list and a permit under this section when the
14 applicant is purchasing the applicant's hunting license. The
15 following shall apply:

16 (1) By selecting the option specified under this
17 subsection, the applicant shall give the commission the right
18 to share the information authorized under subsection (d) upon
19 approval of the application.

20 (2) The applicant may reapply for placement on the list
21 and a permit under this section based on the criteria under
22 subsection (c).

23 (c) Criteria.--In order to be eligible for placement on the
24 list and a permit under this section, an applicant shall meet
25 all of the following criteria at the time of submission of the
26 application under subsection (b):

27 (1) Has not committed an offense under this title in the
28 prior seven years.

29 (2) Be 18 years of age or older.

30 (3) Furnish proof of a valid hunting license and tags
31 for the game or wildlife that the applicant will be hunting
32 on the eligible hunting grounds.

33 (d) Retention of records.--The commission shall retain all
34 of the following:

35 (1) The name of each applicant and corresponding records
36 containing each applicant's name, telephone number and
37 municipality.

38 (2) Each application approved under subsection (e).

39 (3) Each application disapproved under subsection (e)
40 and reasons for the disapproval. Notwithstanding the act of
41 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know
42 Law, or any other provision of law, the commission may not
43 publicly disclose the reasons for the disapproval of an
44 application.

45 (e) Notice.--The commission shall, via telephone, first
46 class mail or email, notify an applicant who has been approved
47 or disapproved for placement on the list and a permit under this
48 section.

49 (f) Duration.--The commission shall issue a permit under

1 this section in accordance with the duration of the license
2 period under section 2707 (relating to license periods). Upon
3 the expiration of the license period, the commission shall
4 remove each permittee from the list.

5 (g) Landowners.--A private agricultural landowner may
6 request the list from the commission, including each permittee's
7 name, telephone number, municipality and county preference.

8 (h) Guidelines.--A permittee shall adhere to guidelines
9 specified by a private agricultural landowner when conducting
10 hunting activities on the landowner's property if the guidelines
11 are in accordance with the commission's regulations, including
12 all of the following:

13 (1) Specific days access is allowed to the property.

14 (2) Specific game species or sex of game species that
15 are available for harvest.

16 (i) Boundaries.--The boundaries of the premises covered by a
17 permit under this section as eligible hunting grounds shall be
18 grounds which are owned by a private agricultural landowner who
19 entered into an agreement with a permittee to conduct hunting
20 activities on the landowner's land.

21 (j) Termination of access.--A private agricultural landowner
22 may terminate an agreement specified under subsection (i) for
23 any reason at any time if the landowner provides 24 hours'
24 notice of the termination to a permittee. Upon the private
25 agricultural landowner providing notice under this subsection,
26 the permittee shall cease hunting activities on the landowner's
27 land.

28 (k) Removal from list.--A permittee shall relinquish the
29 permittee's placement on the list and permit under this section
30 if the permittee:

31 (1) commits an offense under this title;

32 (2) fails to comply with guidelines under subsection

33 (h); or

34 (3) submits a request to the commission to be removed
35 from the list.

36 (l) Limitations.--The commission shall limit the list for
37 the purposes specified under this section, including connecting
38 licensed hunters with private agricultural landowners. The
39 commission may not share the list in a manner not specified
40 under this section.

41 (m) Definitions.--As used in this section, the following
42 words and phrases shall have the meanings given to them in this
43 subsection unless the context clearly indicates otherwise:

44 "Applicant." An individual who submits an application under
45 subsection (b) for placement on the list and a permit under this
46 section.

47 "Eligible hunting grounds." Hunting grounds that are located
48 on any of the following:

49 (1) Privately owned land.

50 (2) Land and water combined where the ground is wholly,
51 or in part, regularly and continuously engaged in cultivating

1 the soil for general farm crop purposes, commercial truck
2 growing, commercial orchards or commercial nurseries.

3 "List." The agriculture access permit list created under
4 subsection (a).

5 "Permittee." An individual who has been placed on the list
6 and holds a permit under this section.

7 Amend Bill, page 5, line 11, by striking out "4" and

8 inserting

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