



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 2169

PRINTERS NO. 3527

PRIME SPONSOR: Gabler

### COST / (SAVINGS)

FUND	FY 2013/14	FY 2014/15
General Fund	\$0	\$0
Game Fund	\$0	\$0

**SUMMARY:** Amends Title 34 (Game and Wildlife Code) re-authorizing the Special Elk Conservation License and auction, and authorizing a second special license to be awarded via fundraiser in conjunction with the PA-based non-profit elk organization that manages and operates the Elk Country Visitor's Center in Benezette Township, Elk County. Additionally, a restricted Elk Management Area raffle is authorized allowing only residents of the elk management area the opportunity to purchase one license to be awarded annually.

**ANALYSIS:** HB 2169 amends Section 2706.2 (relating to elk hunting licenses) section (a) to require that the PA Game Commission (PGC) hold their random drawings of application for the issuance of elk licenses at the Elk Country Visitor Center in the Township of Benezette. Additionally, Section (b) (relating to license auction), which expired July 1, 2013, is amended to reauthorize the Special Conservation License auction, which allows the PGC to auction off one special license annually to resident or non-resident hunters interested in the opportunity to harvest one elk. PGC may contract with a wildlife conservation organization to implement and conduct the auction, and promulgate regulations necessary for implementation.

The contracted organization may retain administrative costs associated with the auction, to be determined by contract with the PGC, and must report to the PGC on the use of the proceeds. The remaining proceeds shall be returned to the PGC and used pursuant to the contract, and in a manner consistent with the PGC's elk management plan. The use of the proceeds shall be included in the PGC's annual report to the General Assembly. All license fees shall be paid to the PGC.

A new subsection (c) provides for a separate Special-license fundraiser, under which the PGC is authorized to hold an annual special-license fundraiser for resident or non-resident hunters interested in the opportunity to hunt one elk. The PGC must contract with a Pennsylvania-based nonprofit organization whose mission is the advancement of education stewardship and habitat for the elk population in the Commonwealth, and who also is a participant in a public-private partnership for the management and operation of the Elk Country Visitor's Center in Benezette Township, Elk County, to auction or raffle one elk license annually.

The organization that contracts with the PGC may conduct a fundraiser for the opportunity for interested hunters to purchase the elk license. The fundraiser will be open to all residents and nonresidents of the Commonwealth who wish to obtain the license, and the subsequent use of the license must meet Federal and State hunting regulations. The contracted organization may retain administrative costs from the fundraiser. The administrative costs shall be determined and agreed to by the organization receiving the license prior to the license being awarded. The proceeds remaining after retention of administrative costs must be returned to the PGC and shall be used pursuant to the contract in a manner consistent with the PGC's elk management plan. The contracted organization must report annually to the PGC on the use of the funds, and the PGC shall include the use of the funds in its annual report to the General Assembly. All license fees must be paid to the PGC.

A new subsection (d) is added to provide that a recipient of either the Special Conservation License or the Special-license fundraiser tag must be subject to a background check. If one or more serious game law violations are found as a result of the background check, the license will not be awarded to that recipient and another will be chosen.

A new subsection (e) provides for a separate Elk Management Area Raffle. The raffle, which will be restricted to residents of the elk management area only, will provide an opportunity for the purchase of one license to be awarded annually. The opportunity to purchase an antlered elk hunting license would be awarded through the raffle in even-numbered years and the opportunity to purchase an antlerless elk hunting license would be awarded through the raffle in odd-numbered years.

The raffle will be conducted prior to any other awarding of the opportunity to purchase elk hunting licenses, with the exception of the Special Conservation License auction. Except as otherwise provided by law, all applicants in the elk management area raffle, other than the person selected in the elk management area raffle, would be eligible for any other award of an opportunity to purchase an elk hunting license.

Effective date: Immediately

**FISCAL IMPACT:** Enactment of this legislation will have no adverse impact on Commonwealth funds.

**PREPARED BY:** Thomas Gwinn  
House Appropriations Committee (R)

**DATE:** May 5, 2014

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*