

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1200

 Session of 1997

INTRODUCED BY B. SMITH, APRIL 8, 1997

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 16, 1997

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, FURTHER PROVIDING FOR FOX HUNTING; providing for <—
3 PROGRAM AND FINANCIAL ACCOUNTABILITY, FOR PERFORMANCE <—
4 MEASUREMENT, FOR CERTAIN EMPLOYEE COMPLEMENTS, FOR additional
5 classes of licenses and, FOR special stamps AND FOR ISSUING <—
6 AGENT BONDS; and increasing and adding license fees; AND <—
7 PROVIDING FOR THE STRATEGIC PLAN OF THE PENNSYLVANIA GAME
8 COMMISSION AND FOR ADDITIONAL EMPLOYEES OF THE COMMISSION.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 ~~Section 1. Section 2705(7) of Title 34 of the Pennsylvania~~ <—
12 ~~Consolidated Statutes is amended and the section is amended by~~
13 ~~adding paragraphs to read:~~

14 SECTION 1. TITLE 34 OF THE PENNSYLVANIA CONSOLIDATED <—
15 STATUTES IS AMENDED BY ADDING A SECTION TO READ:

16 § 305. EMPLOYEE COMPLEMENT OF BUREAU OF LAND MANAGEMENT.

17 WITHIN THREE YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION,
18 THE COMMISSION SHALL EMPLOY AN ADDITIONAL 35 FOOD AND COVER
19 INDIVIDUALS WITHIN THE BUREAU OF LAND MANAGEMENT FOR THE SOLE
20 PURPOSE OF IMPROVING HABITATS ON STATE GAME LANDS AND ON OTHER

1 AREAS WHERE THE COMMISSION OVERSEES HABITAT MAINTENANCE FOR
2 PUBLIC HUNTING. IF ON JULY 1, 2002, THE COMMISSION HAS NOT
3 COMPLIED WITH THE PROVISIONS OF THIS SECTION, THEN LICENSE FEES
4 UNDER SECTION 2709 (RELATING TO LICENSE COSTS AND FEES) SHALL
5 REVERT TO THE FEES IN EFFECT ON JULY 1, 1996.

6 SECTION 2. SECTION 322 OF TITLE 34 IS AMENDED BY ADDING A
7 SUBSECTION TO READ:

8 § 322. POWERS AND DUTIES OF COMMISSION.

9 * * *

10 (D) STRATEGIC PLAN.--THE COMMISSION SHALL DEVELOP,
11 IMPLEMENT, ADMINISTER AND PERIODICALLY REVISE A STRATEGIC PLAN
12 WHICH WILL ADDRESS THE LONG-RANGE GOALS OF THE COMMISSION,
13 ENHANCE PROGRAM PLANNING AND ANALYSIS CAPABILITIES AND BE
14 CONNECTED WITH THE BUDGETING PROCESS TO PROVIDE DIRECTION AND
15 RESOURCES FOR GOALS, PRIORITIES, PROGRAMS AND HUMAN RESOURCES.
16 THE STRATEGIC PLAN SHALL BE UPDATED PERIODICALLY IN RESPONSE TO
17 RECOMMENDATIONS FROM BUDGET REVIEWS AND CHANGING PRIORITIES. THE
18 INITIAL STRATEGIC PLAN OF THE COMMISSION SHALL BE PROMULGATED
19 AND ADOPTED NO LATER THAN JANUARY 1, 1998.

20 SECTION 3. TITLE 34 IS AMENDED BY ADDING A SECTION TO READ:
21 § 328. ACCOUNTABILITY.

22 (A) RELATIONSHIP WITH PUBLIC.--THE COMMISSION SHALL
23 IMPLEMENT POLICIES AND PROGRAMS TO IMPROVE ITS RELATIONSHIP WITH
24 THE GENERAL PUBLIC AND WITH ITS LICENSEES. THESE PROGRAMS SHALL
25 INCLUDE CONSUMER SURVEYS OF THE GENERAL PUBLIC AND LICENSEES.

26 (B) PROGRAM ACCOUNTABILITY.--THE COMMISSION SHALL REQUIRE
27 PROGRAM ACCOUNTABILITY OF ITS VARIOUS FUNCTIONS THROUGH PROGRAM
28 PERFORMANCE MEASUREMENT.

29 (C) FINANCIAL ACCOUNTABILITY.--THE COMMISSION SHALL IMPROVE
30 THE FINANCIAL ACCOUNTABILITY OF ITS VARIOUS FUNCTIONS THROUGH

1 PERFORMANCE MEASUREMENT.

2 (D) REPORTS TO GENERAL ASSEMBLY.--THE COMMISSION SHALL MAKE
3 BIANNUAL PROGRESS REPORTS ON THE MATTERS DESCRIBED IN
4 SUBSECTIONS (A), (B) AND (C) TO THE GAME AND FISHERIES COMMITTEE
5 OF THE SENATE AND THE GAME AND FISHERIES COMMITTEE OF THE HOUSE
6 OF REPRESENTATIVES.

7 SECTION 4. SECTION 2361 OF TITLE 34 IS AMENDED BY ADDING A
8 SUBSECTION TO READ:

9 § 2361. UNLAWFUL ACTS CONCERNING TAKING OF FURBEARERS.

10 * * *

11 (C) TAKING OF FOXES.--NOTWITHSTANDING ANY PROVISIONS OF THIS
12 TITLE TO THE CONTRARY, IT SHALL BE LAWFUL FOR ANY PERSON HOLDING
13 A LICENSE UNDER SECTION 2705(1), (2), (3), (8) OR (9) (RELATING
14 TO CLASSES OF LICENSES) OR 2706(A) (RELATING TO RESIDENT LICENSE
15 EXEMPTIONS) TO TAKE FOXES WITH A FIREARM DURING BOTH THE HUNTING
16 AND TRAPPING SEASON FOR FOXES WITHOUT ANY REQUIREMENT TO HOLD A
17 FURTAKE LICENSE.

18 SECTION 5. SECTION 2705(7) OF TITLE 34 IS AMENDED AND THE
19 SECTION IS AMENDED BY ADDING PARAGRAPHS TO READ:

20 § 2705. Classes of licenses.

21 Unless otherwise provided, any person wishing to exercise any
22 of the privileges granted by this title shall first secure the
23 applicable resident or nonresident hunting or furtaker license
24 as follows:

25 * * *

26 (7) [(Reserved).] Senior lifetime resident combination
27 hunting and furtaker license to residents who have reached or
28 will reach their 65th birthday in the year of the application
29 for the license. The commission shall develop, implement and
30 administer a system to provide tags, report cards and

1 applications to those residents who hold a senior lifetime
2 resident hunting license issued under this paragraph. The
3 system shall require the applicant or license holder to pay
4 any approved fee assessed by the issuing agent.

5 (7.1) Junior resident combination hunting and furtaker
6 license, INCLUDING AN ARCHERY STAMP, A MUZZLELOADER STAMP AND <—
7 A BEAR LICENSE, to residents who have reached or will reach
8 their 12th birthday in the calendar year of application for a
9 license but who have not reached their 17th birthday prior to
10 the date of the application for the license and who present a
11 written request, containing the signature of a parent or
12 guardian, for the issuance of a license. The actual
13 privileges granted to the holder of a junior resident
14 combination license shall not be exercised until that person
15 in fact is 12 years of age.

16 * * *

17 (11.1) Junior nonresident combination hunting and
18 furtaker license, INCLUDING AN ARCHERY STAMP, A MUZZLELOADER <—
19 STAMP AND A BEAR LICENSE, to nonresidents who have reached or
20 will reach their 12th birthday in the calendar year of
21 application for a license but who have not reached their 17th
22 birthday prior to the date of the application for the license
23 and who present a written request, containing the signature
24 of a parent or guardian, for the issuance of a license. The
25 actual privileges granted to the holder of a junior
26 nonresident combination license shall not be exercised until
27 that person in fact is 12 years of age.

28 * * *

29 (15) Conservation stamp required by each holder of an
30 adult resident hunting license, an adult resident furtaker

1 license, a nonresident adult hunting license and a
2 nonresident adult furtaker license. ONLY INDIVIDUALS LICENSED <—
3 UNDER THIS TITLE SHALL BE ENTITLED TO PURCHASE THE
4 CONSERVATION STAMP. THERE SHALL BE NO ISSUING FEE ASSESSED
5 FOR ANY CONSERVATION STAMP. Fees from the issuance of each
6 conservation stamp shall be used as follows: <—

7 ~~(i) For habitat improvement, \$1.~~

8 ~~(ii) For in lieu of tax payments, \$1.~~

9 ~~(iii) For the purchase of additional State Game~~
10 ~~Lands, \$1. FOR HABITAT IMPROVEMENT.~~ <—

11 ~~Section 2. Section 2709 of Title 34 is amended to read:~~ <—

12 SECTION 6. SECTIONS 2709 AND 2723 OF TITLE 34 ARE AMENDED TO <—

13 READ:

14 § 2709. License costs and fees.

15 (a) License costs.--Any person who qualifies under the
16 provisions of this chapter shall be issued the applicable
17 license upon payment of the following costs and the issuing
18 agent's fee:

19 (1) (i) Junior resident hunting - \$5.

20 (ii) Junior resident combination hunting and
21 furtaker - \$8.

22 (2) Adult resident hunting - [\$12] \$17.

23 (3) (i) Senior resident hunting - [\$10] \$12.

24 (ii) Senior lifetime resident hunting - \$50.

25 (iii) Senior lifetime resident combination hunting
26 and furtaker - \$100.

27 (4) Bear hunting:

28 (i) Resident - [\$10] \$15.

29 (ii) Nonresident - [\$25] \$50.

30 (5) Antlerless deer[,]:

1 (i) Resident, including resident military, resident
2 disabled veteran and landowner - \$5.
3 (ii) Nonresident - \$40.
4 (6) Archery deer[- \$5]:
5 (i) Resident - \$15.
6 (ii) Nonresident - \$40.
7 (7) Muzzleloader deer[- \$5.]:
8 (i) Resident - \$5.
9 (ii) Nonresident - \$25.
10 (9) Adult nonresident hunting - [\$80] ~~\$110~~ \$100. <—
11 (10) (i) Junior nonresident hunting - \$40.
12 (ii) Junior nonresident COMBINATION hunting and <—
13 furtaker - \$50.
14 (11) Seven-day nonresident small game - [\$15] ~~\$30~~.
15 (12) Junior resident furtakers - \$5.
16 (13) Adult resident furtakers - \$12.
17 (14) (i) Senior resident furtakers - [\$10] ~~\$12~~.
18 (ii) Senior lifetime resident furtaker - \$50.
19 (15) Adult nonresident furtaker - \$80.
20 (16) Junior nonresident furtaker - \$40.
21 (17) Resident disabled veteran hunting or furtaker under
22 section 2706(b) (relating to disabled veterans) - no cost.
23 (18) Replacement license - \$5. Antlerless deer and bear
24 licenses shall be replaced by the original issuing agent
25 only.
26 (19) Owners or possessors of land open to public hunting
27 under section 2706(d) (relating to owners or possessors of
28 land open to public hunting) - \$3.
29 (20) Migratory game bird hunting license[- issuing
30 agent fee only]:

1 (i) Resident - \$2.

2 (ii) Nonresident - \$5.

3 (21) Conservation stamp - \$3.

4 (b) Refunds.--Except as provided in section 501 (relating to
5 refund of moneys paid erroneously or unjustly), license fees are
6 not refundable.

7 (c) Agent fee.--Issuing agents shall be entitled to and may
8 retain as full compensation for their services an additional sum
9 of 75¢ for each license or replacement license.

10 § 2723. AGENT BONDING REQUIREMENTS. <—

11 EXCEPT FOR AGENTS ALREADY UNDER BOND TO RECEIVE AND DISBURSE
12 PUBLIC FUNDS, EVERY OTHER AGENT SHALL FURNISH SECURITY IN A FORM
13 SATISFACTORY TO THE COMMISSION AND IN AN AMOUNT APPROVED BY THE
14 COMMISSION. THE MONETARY AMOUNT OF ANY BOND REQUIRED UNDER THIS
15 SECTION SHALL NOT BE INCREASED BEYOND THE MONETARY AMOUNT IN
16 EFFECT ON JULY 1, 1996.

17 SECTION 7. NOTWITHSTANDING ANY OTHER LAW OR REGULATION TO
18 THE CONTRARY, ANY SENIOR RESIDENT WHO HOLDS A LIFETIME LICENSE
19 UNDER 34 PA.C.S. § 2705(3) OR (6) SHALL HAVE THE OPPORTUNITY,
20 FOR A PERIOD OF ONE LICENSE YEAR FROM JULY 1, 1998, TO JUNE 30,
21 1999, TO PURCHASE THE NEW SENIOR LIFETIME RESIDENT COMBINATION
22 HUNTING AND FUR TAKER LICENSE FOR \$50. THEREAFTER, ALL SUCH
23 LICENSES SHALL BE PURCHASED FOR THE PRICE SET FORTH IN 34
24 PA.C.S. § 2709(A)(3)(III).

25 SECTION 8. THE PENNSYLVANIA GAME COMMISSION SHALL INCREASE
26 ITS EMPLOYEE COMPLEMENT AS FOLLOWS:

27 (1) WITHIN TWO YEARS OF THE EFFECTIVE DATE OF THIS
28 SECTION, THE COMMISSION SHALL EMPLOY AN ADDITIONAL 35
29 INDIVIDUALS AS ENTRY-LEVEL GAME LANDS MAINTENANCE WORKERS.

30 (2) WITHIN THREE YEARS OF THE EFFECTIVE DATE OF THIS

SECTION, THE COMMISSION SHALL EMPLOY AN ADDITIONAL 12
INDIVIDUALS AS FOLLOWS:

(I) SIX INDIVIDUALS SHALL BE COMMUNICATIONS
EMPLOYEES; AND

(II) SIX INDIVIDUALS SHALL BE EMPLOYED AS EDUCATION
SPECIALISTS.

~~Section 3. This act shall apply to the license year~~ <—

SECTION 9. THE AMENDMENT OR ADDITION OF 34 PA.C.S. §§ 2705 <—
AND 2709 SHALL APPLY TO THE LICENSE YEAR beginning on July 1,
~~1998~~ 1997, and to each license year thereafter. <—

~~Section 4~~ 10. This act shall take effect July 1, 1997, or <—
immediately, whichever is later.