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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 1371** Session of  
2008

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INTRODUCED BY RHOADES, APRIL 14, 2008

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REFERRED TO GAME AND FISHERIES, APRIL 14, 2008

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AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, further providing for powers and duties of  
3 commission; and providing for citizen advisory committees.

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

6 Section 1. Sections 322 and 2102(b) of Title 34 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 322. Powers and duties of commission.

9 (a) Duties.--It shall be the duty of the commission to  
10 protect, propagate, manage and preserve the game or wildlife of  
11 this Commonwealth and to enforce, by proper actions and  
12 proceedings, the laws of this Commonwealth relating thereto.

13 (b) General powers and duties.--The commission has the power  
14 and duty to take all actions necessary for the administration  
15 and enforcement of this title.

16 (c) Specific powers and duties.--In order to administrate  
17 and enforce this title, the commission through proper action  
18 shall:

1           (1) Subject to [section] sections 2102(b) (relating to  
2 seasons, possession, bag limits and devices) and 2104  
3 (relating to citizen advisory committees), fix seasons, daily  
4 shooting or taking hours, and any modification thereof, and  
5 daily, season and possession limits for any species of game  
6 or wildlife.

7           (2) Remove protection, declare an open season or  
8 increase, reduce or close a season.

9           (3) Increase or reduce bag limits or possession limits.

10          (4) Define geographic limitations or restrictions.

11          (5) Fix the type and number of devices which may be used  
12 to take game or wildlife.

13          (6) Limit the number of hunters or furtakers in any  
14 designated area and prescribe the lawful methods of hunting  
15 or taking furbearers in these areas.

16          (7) Govern the use of recorded calls or sounds or  
17 amplified calls or sounds of any description for taking or  
18 hunting game or wildlife.

19          (8) Add to or change the classification of any wild bird  
20 or wild animal.

21          (9) Prohibit the possession, importation, exportation or  
22 release of any species of birds or animals which may be  
23 considered dangerous or injurious to the general public or to  
24 the wildlife of this Commonwealth.

25          (10) Manage and develop its lands and waters and other  
26 government or private lands and waters under agreement with  
27 the owners as it considers advisable and, by proper action  
28 and proceedings, enact and enforce regulations to insure the  
29 prudent and proper use of these lands.

30          (11) Collect, classify and preserve such statistics,

1 data and information as in its judgment will tend to promote  
2 the object of this title and take charge of and keep all  
3 reports, books, papers and documents which shall, in the  
4 discharge of its duties, come into its possession or under  
5 its control.

6 (12) Take any necessary action to accomplish and assure  
7 the purposes of this title.

8 (13) Serve the interest of sportsmen by preserving and  
9 promoting our special heritage of recreational hunting and  
10 furtaking by providing adequate opportunity to hunt and trap  
11 the wildlife resources of this Commonwealth.

12 (14) Establish a citizen advisory committee for each  
13 wildlife management unit.

14 § 2102. Regulations.

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16 (b) Seasons, possession, bag limits and devices.--

17 (1) (i) The commission shall promulgate regulations  
18 relating to seasons and bag limits for hunting or  
19 furtaking, the possession of certain species or parts  
20 thereof, the number and types of devices and equipment  
21 allowed, the identification of devices and the use and  
22 possession of devices.

23 (ii) Prior to establishing seasons and bag limits,  
24 the commission shall consider recommendations contained  
25 in the written report submitted by the citizen advisory  
26 committees pursuant to section 2104 (relating to citizen  
27 advisory committees).

28 (iii) If the commission does not implement the  
29 recommendations submitted by the citizen advisory  
30 committees, the commission shall set forth in writing the

1 rationale for not implementing the recommendations, which  
2 shall be provided to the chairman and minority chairman  
3 of the Game and Fisheries Committee of the Senate and the  
4 chairman and minority chairman of the Game and Fisheries  
5 Committee of the House of Representatives and shall also  
6 be available on the commission's publicly accessible  
7 Internet website.

8 (2) If in any year the commission fails to establish  
9 seasons or bag limits or fails to establish other hunting or  
10 furtaking regulations under authority of this title, the open  
11 seasons and bag limits for game or furbearers, Sundays  
12 excepted, unless otherwise provided by this title, and all  
13 other hunting or furtaking regulations adopted under  
14 authority of this title, shall be the same as set by  
15 regulation of the commission for the previous license year,  
16 and all seasons shall open and close one calendar day earlier  
17 than the previous license year. In the event the commission  
18 fails to establish seasons and bag limits for a license year  
19 beginning in a leap year, the seasons shall open and close  
20 two calendar days earlier than the previous license year.

21 \* \* \*

22 Section 2. Title 34 is amended by adding a section to read:

23 § 2104. Citizen advisory committees.

24 (a) Membership.--Each citizen advisory committee established  
25 pursuant to section 322(c)(14) (relating to powers and duties of  
26 commission) shall include no more than 24 members from  
27 stakeholder groups, including, but not limited to, sportsmen,  
28 conservationists, farmers, homeowners and forest representatives  
29 from each wildlife management unit. No fewer than 50% of the  
30 members of each advisory committee shall have participated in

1 one of the Commonwealth's antlered or antlerless deer seasons  
2 within the preceding three years.

3 (b) Meetings and annual report.--

4 (1) The committee shall meet at least quarterly and  
5 shall annually submit a written report to the commission  
6 recommending seasons and bag limits for hunting or furtaking,  
7 the possession of certain species or parts thereof.

8 (2) The written report shall be provided to the chairman  
9 and minority chairman of the Game and Fisheries Committee of  
10 the Senate and the chairman and minority chairman of the Game  
11 and Fisheries Committee of the House of Representatives and  
12 shall also be made available on the commission's publicly  
13 accessible Internet website.

14 Section 3. This act shall take effect immediately.