
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 91 Session of
2009

INTRODUCED BY D. WHITE, SCARNATI, FOLMER, RAFFERTY, GORDNER,
M. WHITE AND PIPPY, FEBRUARY 17, 2009

REFERRED TO GAME AND FISHERIES, FEBRUARY 17, 2009

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated
2 Statutes, further providing for regulations and for
3 threatened and endangered species.

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

6 Section 1. The definitions of "endangered species" and
7 "threatened species" in section 102 of Title 30 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 102. Definitions.

10 Subject to additional definitions contained in subsequent
11 provisions of this title which are applicable to specific
12 provisions of this title, the following words and phrases when
13 used in this title shall have, unless the context clearly
14 indicates otherwise, the meanings given to them in this section:

15 * * *

16 "Endangered species." All species and subspecies of fish
17 which[:

18 (1)] have been declared by the Secretary of the United

1 States Department of the Interior to be threatened with
2 extinction and appear on the Endangered Species List or the
3 Native Endangered Species List published in the Federal
4 Register[; or

5 (2) have been declared by the executive director to be
6 threatened with extinction and appear on the Pennsylvania
7 Endangered Species List published in the Pennsylvania
8 Bulletin].

9 * * *

10 "Threatened species." All species and subspecies of fish
11 which[:

12 (1)] have been declared by the Secretary of the United
13 States Department of the Interior to be in such small numbers
14 throughout their range that they may become endangered if
15 their environment worsens and appear on a Threatened Species
16 List published in the Federal Register[; or

17 (2) have been declared by the executive director to be
18 in such small numbers throughout their range that they may
19 become endangered if their environment worsens and appear on
20 the Pennsylvania Threatened Species List published in the
21 Pennsylvania Bulletin].

22 * * *

23 Section 2. Sections 322 and 2305(a) of Title 30 are amended
24 to read:

25 § 322. Rules and regulations.

26 (a) Authority.--The commission may promulgate rules and
27 regulations concerning:

28 (1) Fishing to aid in the better protection,
29 preservation and management of fish.

30 (2) Boating and the management and operation of boats.

1 (b) Procedure.--

2 (1) Proposed rulemaking, soliciting public comment and
3 announcing a public hearing, must be published in the
4 Pennsylvania Bulletin.

5 (2) A hearing must be held.

6 (3) The final promulgation may not take effect until at
7 least 30 days after publication of the proposed rulemaking.

8 § 2305. Threatened and endangered species.

9 (a) [Establishment and publication of lists.--The executive
10 director shall establish a Pennsylvania Threatened Species List
11 and a Pennsylvania Endangered Species List. The lists, and any
12 revisions thereto, shall be published in the Pennsylvania
13 Bulletin] (Reserved).

14 * * *

15 Section 3. This act shall take effect in 60 days.