
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2169 Session of
2014

INTRODUCED BY GABLER, GERGELY, CAUSER, CALTAGIRONE, D. COSTA,
DENLINGER, DiGIROLAMO, EVERETT, FARINA, GIBBONS, GOODMAN,
HANNA, HARHAI, HEFFLEY, JAMES, KORTZ, LAWRENCE, LUCAS,
MILLARD, MOUL, RAPP, READSHAW, ROCK, KIRKLAND AND CLYMER,
APRIL 9, 2014

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 9, 2014

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, reenacting and further providing for elk hunting
3 licenses; and abrogating a regulation.

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

6 Section 1. Section 2706.2 of Title 34 of the Pennsylvania
7 Consolidated Statutes is reenacted and amended to read:

8 § 2706.2. Elk hunting licenses.

9 (a) Application limitation.--Whenever the commission makes a
10 determination to authorize a hunting season for the taking of
11 elk, no person may submit more than one application for an elk
12 hunting license in any license year.

13 (b) [License] Special conservation license auction.--The
14 commission is authorized to auction off a special license to
15 hunters interested in the opportunity to hunt one elk subject to
16 the following:

17 (1) One license shall be auctioned annually.

1 (2) The auction shall be open to residents and
2 nonresidents of this Commonwealth.

3 (3) The commission may, under 62 Pa.C.S. Pt. I (relating
4 to Commonwealth Procurement Code), contract with a wildlife
5 conservation organization to implement and conduct the
6 auction. The commission shall promulgate regulations for the
7 use of the license, remitting funds to the commission and
8 conduct of the auction.

9 (4) [The contracted organization shall retain no more
10 than 20% of the proceeds from the auction. The contracted
11 organization shall report annually to the commission on the
12 use of the proceeds from the auction. The remaining proceeds
13 from the auction shall be used by the commission for the elk
14 program in this Commonwealth in addition to any other funds
15 available to the commission for that purpose. The commission
16 shall include in its annual report to the General Assembly
17 the use of all proceeds from the auction.] The contracted
18 organization under paragraph (3):

19 (i) May retain administrative costs associated with
20 the auction. The administrative costs shall be determined
21 and agreed to by the contracted organization receiving
22 the license prior to the license being awarded.

23 (ii) Shall return the proceeds remaining after
24 retention of administrative costs under subparagraph (i)
25 to the commission to be used pursuant to the contract
26 under paragraph (3) in a manner consistent with the
27 commission's elk management plan.

28 (iii) Shall report annually to the commission on the
29 use of the proceeds from the auction. The commission
30 shall, in its annual report to the General Assembly,

1 include the use of all proceeds from the auction.

2 (5) All license fees shall be paid to the commission.

3 [(6) This subsection shall expire July 1, 2013.]

4 (c) Special-license fundraiser.--In addition to any other
5 elk license provided for under this section, the commission may
6 hold a special-license fundraiser for hunters interested in the
7 opportunity to hunt one elk, subject to the following:

8 (1) The commission may enter into a contract with a
9 Pennsylvania-based nonprofit organization whose primary
10 mission is the advancement of education, stewardship and
11 habitat for the elk population in this Commonwealth and that
12 is a participant in a public-private partnership for the
13 management and operation of the Elk Country Visitor's Center
14 in Benezette Township, Elk County, to auction or raffle one
15 elk license annually.

16 (2) The entity which contracts with the commission under
17 paragraph (1) may conduct a fundraiser for the opportunity
18 for interested hunters to purchase the elk license. The
19 fundraiser shall be open to all residents and nonresidents of
20 this Commonwealth who wish to obtain the license. The
21 subsequent use of the license must meet Federal and State
22 hunting regulations.

23 (3) The entity which contracts with the commission under
24 paragraph (1) may retain administrative costs associated with
25 the auction. The administrative costs shall be determined and
26 agreed to by the entity receiving the license prior to the
27 license being awarded.

28 (4) The proceeds remaining after retention of
29 administrative costs under paragraph (3) shall be returned to
30 the commission and shall be used pursuant to the contract

1 under paragraph (1) in a manner consistent with the
2 commission's elk management plan.

3 (5) The entity shall report annually to the commission
4 on the use of the proceeds from the special-license
5 fundraiser. The commission shall, in its annual report to the
6 General Assembly, include the use of all proceeds from the
7 special-license fundraiser.

8 (6) This subsection shall expire July 1, 2018.

9 (d) Background check.--A recipient selected to receive a
10 license under subsection (b) or (c) must be subjected to a
11 background check prior to being awarded the license. If one or
12 more serious game law violations resulting in license revocation
13 within the preceding ten years, or three or more game law
14 violations within the preceding ten years are found, the license
15 may not be awarded to the recipient and another recipient shall
16 be chosen.

17 Section 2. The regulation of the Pennsylvania Game
18 Commission in 58 Pa. Code § 143.203(a) (relating to drawing) is
19 abrogated to the extent that it is inconsistent with 34 Pa.C.S.
20 § 2706.2(a).

21 Section 3. This act shall take effect immediately.