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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 514 Session of  
2019

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INTRODUCED BY ROAE, BARRAR, JAMES, MILLARD AND LAWRENCE,  
FEBRUARY 19, 2019

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REFERRED TO COMMITTEE ON GAME AND FISHERIES, FEBRUARY 19, 2019

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AN ACT

1 Amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania  
2 Consolidated Statutes, merging the Pennsylvania Fish and Boat  
3 Commission and the Pennsylvania Game Commission; in  
4 preliminary provisions, in preliminary provisions relating to  
5 fish, further providing for definitions; in Pennsylvania Fish  
6 and Boat Commission, further providing for organization of  
7 commission, for executive director, for assistant executive  
8 directors, for waterways patrolmen and employees, for Boating  
9 Advisory Board, for designation of commission and for  
10 publications; in Atlantic States Marine Fisheries Compact,  
11 further providing for members of commission from  
12 Pennsylvania; in preliminary provisions relating to game,  
13 further providing for definitions; in Pennsylvania Game  
14 Commission, further providing for organization of commission,  
15 for director, for Game Commission officers and employees, for  
16 deputy Game Commission officers and for junior hunter  
17 projects; and, in enforcement relating to game, further  
18 providing for powers and duties of enforcement officers and  
19 for deputy Game Commission officers; adding transitional  
20 provisions; and making editorial changes.

21 The General Assembly of the Commonwealth of Pennsylvania  
22 hereby enacts as follows:

23 Section 1. The definitions of "commission" and "executive  
24 director" in section 102 of Title 30 of the Pennsylvania  
25 Consolidated Statutes are amended and the section is amended by  
26 adding a definition to read:

27 § 102. Definitions.

1 Subject to additional definitions contained in subsequent  
2 provisions of this title which are applicable to specific  
3 provisions of this title, the following words and phrases when  
4 used in this title shall have, unless the context clearly  
5 indicates otherwise, the meanings given to them in this section:

6 \* \* \*

7 "Commission." The Pennsylvania Game and Fish [and Boat]  
8 Commission of the Commonwealth established in 34 Pa.C.S. § 301  
9 (relating to organization of commission and division).

10 \* \* \*

11 "Division." The Division of Fish and Boats within the  
12 Pennsylvania Game and Fish Commission.

13 \* \* \*

14 "Executive director." The executive director of the  
15 Division of Fish and Boats within the Pennsylvania Game and Fish  
16 [and Boat] Commission.

17 \* \* \*

18 Section 2. Chapter 3 heading and sections 301, 302, 303,  
19 304, 306(a), 308, 323 and 7102(a) and (b) of Title 30 are  
20 amended to read:

21 CHAPTER 3  
22 PENNSYLVANIA GAME AND FISH [AND BOAT] COMMISSION AND DIVISION OF  
23 FISH AND BOATS

24 § 301. Organization of commission and division.

25 (a) Composition.--The Pennsylvania Game and Fish [and Boat]  
26 Commission is [continued as] an independent administrative  
27 commission and shall consist of [ten competent citizens of this  
28 Commonwealth who shall be appointed by the Governor by and with  
29 the advice and consent of a majority of the members elected to  
30 the Senate.] members with such qualifications as provided in 34

1 Pa.C.S. § 301 (relating to organization of commission). The  
2 Division of Fish and Boats is established within the commission.

3 [(b) Qualifications.--Two members of the commission shall  
4 serve at-large and be experienced in boating and water safety  
5 education and be a registered boat owner in Pennsylvania. The  
6 two boatmen members shall represent the various geographical  
7 sections and boating interests of this Commonwealth. The  
8 remaining eight members shall be persons well informed on the  
9 subject of conservation, restoration, fish and fishing and boats  
10 and boating and shall be appointed, insofar as practicable, on a  
11 bipartisan basis and from the various geographic districts of  
12 this Commonwealth so that at all times one and only one member  
13 shall be a resident of each of the following districts:

14 (1) First district, consisting of the counties of Erie,  
15 Crawford, Mercer, Lawrence, Venango, Butler, Warren, Forest  
16 and Clarion.

17 (2) Second district, consisting of the counties of  
18 Beaver, Allegheny, Washington, Greene, Armstrong, Indiana,  
19 Westmoreland and Fayette.

20 (3) Third district, consisting of the counties of  
21 McKean, Elk, Jefferson, Potter, Cameron, Clearfield, Clinton  
22 and Centre.

23 (4) Fourth district, consisting of the counties of  
24 Cambria, Somerset, Blair, Bedford, Huntingdon, Fulton,  
25 Mifflin and Juniata.

26 (5) Fifth district, consisting of the counties of Tioga,  
27 Lycoming, Union, Snyder, Bradford, Sullivan, Columbia,  
28 Montour and Northumberland.

29 (6) Sixth district, consisting of the counties of  
30 Franklin, Perry, Cumberland, Adams, Dauphin, York, Lebanon

1 and Lancaster.

2 (7) Seventh district, consisting of the counties of  
3 Susquehanna, Wyoming, Luzerne, Lackawanna, Carbon, Wayne,  
4 Pike and Monroe.

5 (8) Eighth district, consisting of the counties of  
6 Schuylkill, Berks, Chester, Northampton, Lehigh, Bucks,  
7 Montgomery, Philadelphia and Delaware.

8 (c) Terms of office and compensation.--The members shall  
9 hold office for terms of four years each and may continue to  
10 hold office for a period of time not to exceed six months or  
11 until a successor is appointed and qualified, whichever occurs  
12 first. A member who serves three consecutive terms shall not be  
13 eligible for reappointment to the commission. The members shall  
14 receive no compensation for their services but may be reimbursed  
15 for travel expenses. When performing any function on behalf of  
16 the commission or acting within the scope of their official  
17 duties, members of the commission shall be authorized to operate  
18 Commonwealth vehicles and watercraft and shall be treated as  
19 employees of the Commonwealth for the purposes of automotive and  
20 general liability and the act of June 2, 1915 (P.L.736, No.338),  
21 known as the Workers' Compensation Act.

22 (d) Vacancies.--Upon the death, resignation or removal from  
23 office of any member, the Governor shall appoint a competent  
24 person to serve for the unexpired term.

25 (e) Meetings, officers and quorum.--The commission shall  
26 have an office in the Harrisburg area and shall hold meetings in  
27 the Harrisburg area in January and July and at such other times  
28 and places within this Commonwealth as the commission shall  
29 designate for the transaction of business. At the meeting held  
30 in July of each year, the commission shall elect one of its

1 members as president and one of its members as vice president  
2 who shall hold office for one year. Six members shall constitute  
3 a quorum.]

4 (f) Powers of waterways patrolmen.--Except for the power  
5 conferred by section 925 (relating to acknowledgment of guilt  
6 and receipts for payment), members of the commission may  
7 exercise any of the powers conferred by this title on waterways  
8 patrolmen.

9 § 302. Executive director.

10 (a) Appointment and compensation.--The commission shall  
11 appoint to serve at its pleasure and, with the approval of the  
12 Governor, fix the compensation of an executive director who  
13 shall be the chief executive officer of the [commission]  
14 division and attend to [its] the administrative work of the  
15 division and have charge of all activities under the  
16 jurisdiction of the commission as they relate to this title. The  
17 executive director shall be the chief waterways patrolman of the  
18 [commission] division and shall have charge of, direct,  
19 supervise, and control all waterways patrolmen, deputy waterways  
20 patrolmen and employees of the [commission] division. No member  
21 of the commission nor any person who has served as a member  
22 thereof within one year shall be eligible for appointment as  
23 executive director.

24 (b) Power to catch, kill or possess fish.--The executive  
25 director or his agent may catch, take, kill or possess any fish  
26 at any time, in any season of the year and with any kind of net  
27 or device.

28 § 303. Assistant executive directors.

29 (a) Appointment and compensation.--The executive director,  
30 with the approval of the commission, may, in accordance with law

1 and the classification and compensation plans of the  
2 Commonwealth as established by the Executive Board, appoint and  
3 fix the compensation of two assistant executive directors of the  
4 division, one of whom shall be in charge of and responsible for  
5 watercraft safety and the other of whom shall be in charge of  
6 and responsible for fisheries and engineering.

7 (b) Assistant for watercraft safety.--The assistant  
8 executive director of the [commission] division in charge of  
9 watercraft safety shall reside in this Commonwealth at the time  
10 of appointment and have five or more years of experience with  
11 ships or boats and have either a college degree or at least ten  
12 years experience in administration. The assistant executive  
13 director shall:

14 (1) Direct, administer and coordinate the activities of  
15 the commission relating to watercraft, boats and boating,  
16 including the enforcement of Part III (relating to boats and  
17 boating) and the rules and regulations promulgated  
18 thereunder, and the improvement and maintenance of waterway  
19 facilities including aids to navigation.

20 (2) Coordinate and supervise all expenditures from the  
21 Boat Fund.

22 (3) Administer the boating education programs of the  
23 commission.

24 § 304. Waterways patrolmen and employees.

25 (a) Appointment and compensation.--The executive director,  
26 with the approval of the commission, shall, in accordance with  
27 law and the classification and compensation plans of the  
28 Commonwealth as established by the Executive Board, appoint and  
29 fix the compensation of such number of waterways patrolmen and  
30 other employees of the division as the commission deems

1 necessary to enforce and carry out the provisions of this title  
2 and perform the functions and work of the commission as they  
3 relate to this title.

4 (b) Status.--This title does not change the status of  
5 waterways patrolmen for the purposes of the act of July 23, 1970  
6 (P.L.563, No.195), known as the "Public Employe Relations Act,"  
7 or cause waterways patrolmen to be considered policemen for the  
8 purposes of the act of June 24, 1968 (P.L.237, No.111), referred  
9 to as the Policemen and Firemen Collective Bargaining Act.

10 § 306. Boating Advisory Board.

11 (a) Composition.--There is hereby continued within the  
12 commission a Boating Advisory Board. The board shall consist of  
13 the Secretary of Environmental [Resources] Protection, or his  
14 designee, the executive director of the [commission] division  
15 and the assistant executive director of the [commission]  
16 division in charge of watercraft safety, all of whom shall be ex  
17 officio members, and five volunteer members to be appointed by  
18 the Governor for terms of five years or, in the case of a  
19 vacancy, for the remainder of the unexpired term.

20 \* \* \*

21 § 308. Designation of commission.

22 The Pennsylvania Fish and Boat Commission is designated the  
23 Pennsylvania Game and Fish [and Boat] Commission. Prosecutions,  
24 licenses, contracts, deeds, enforcement actions and other  
25 official actions by the commission shall not be affected by the  
26 use of the designation of the commission as the Pennsylvania  
27 Fish Commission. The commission may continue to use the name  
28 Pennsylvania Fish and Boat Commission on badges, citations,  
29 field acknowledgments, contracts, licenses, registrations,  
30 stationery or any other official documents or emblems until

1 existing supplies are exhausted. The commission may substitute  
2 the title "Pennsylvania Game and Fish [and Boat] Commission" for  
3 the title "Pennsylvania Fish and Boat Commission" on its  
4 documents and materials on such schedule as it deems  
5 appropriate.

6 § 323. Publications.

7 The executive director may have printed the annual report of  
8 the commission as it relates to this title and such bulletins,  
9 literature, posters and other printing as may be appropriate to  
10 the work of the commission relating to this title including the  
11 magazine known as the Pennsylvania Angler. The commission [shall  
12 from time to time establish the subscription rates] may not  
13 establish, impose or collect a fee for the Pennsylvania Angler  
14 [and charges for] or its other publications relating to this  
15 title. All publications published by the commission shall be  
16 nonpartisan.

17 § 7102. Members of commission from Pennsylvania.

18 (a) Designation and term.--In pursuance of Article III of  
19 the compact, there shall be three members (hereinafter called  
20 commissioners) of the Atlantic States Marine Fisheries  
21 Commission (hereinafter called commission) from this  
22 Commonwealth. The first commissioner shall be the executive  
23 director of the Division of Fish and Boats within the  
24 Pennsylvania Game and Fish [and Boat] Commission, ex officio,  
25 and the term of this commissioner shall terminate at the time he  
26 ceases to hold the office of executive director and his  
27 successor as commissioner shall be his successor as executive  
28 director. The second commissioner shall be a legislator and  
29 member of the Pennsylvania Commission on Interstate Cooperation,  
30 ex officio, designated by the Pennsylvania Commission on



1 Interstate Cooperation, and the term of this commissioner shall  
2 terminate at the time he ceases to hold legislative office or  
3 office as a member of the Pennsylvania Commission on Interstate  
4 Cooperation and his successor as commissioner shall be named in  
5 like manner. The Governor (by and with the advice and consent of  
6 the Senate) shall appoint a citizen as a third commissioner who  
7 shall have a knowledge of and interest in the marine fisheries  
8 problem. The term of this commissioner shall be three years and  
9 he shall hold office until his successor is appointed and  
10 qualified. Vacancies occurring in the office of this  
11 commissioner from any reason or cause shall be filled by  
12 appointment by the Governor (by and with the advice and consent  
13 of the Senate) for the unexpired term.

14 (b) Delegate of executive director.--The executive director  
15 of the Division of Fish and Boats within the Pennsylvania Game  
16 and Fish [and Boat] Commission, as ex officio commissioner, may  
17 delegate from time to time to any assistant or other subordinate  
18 in his agency or office, the power to be present and  
19 participate, including voting, as his representative or  
20 substitute at any meeting of or hearing by or other proceeding  
21 of the commission.

22 \* \* \*

23 Section 3. The definitions of "commission", "director",  
24 "migratory game bird" and "officer" in section 102 of Title 34  
25 are amended and the section is amended by adding a definition to  
26 read:

27 § 102. Definitions.

28 Subject to additional definitions contained in subsequent  
29 provisions of this title which are applicable to specific  
30 provisions of this title, the following words and phrases when

1 used in this title shall have the meanings given to them in this  
2 section unless the context clearly indicates otherwise:

3 \* \* \*

4 "Commission." The Pennsylvania Game and Fish Commission of  
5 the Commonwealth.

6 \* \* \*

7 "Director." The Executive Director of the Division of Game  
8 within the Pennsylvania Game and Fish Commission or any person  
9 to whom authority has been delegated by the director.

10 "Division." The Division of Game within the Pennsylvania  
11 Game and Fish Commission of the Commonwealth.

12 \* \* \*

13 "Migratory game bird." Any game bird defined in 50 CFR 20.11  
14 (relating to meaning of terms), except as otherwise provided in  
15 Pennsylvania Game and Fish Commission regulations.

16 \* \* \*

17 "Officer." Any Game [Commission] Division officer or deputy  
18 Game [Commission] Division officer appointed by the commission  
19 or any other person with law enforcement powers who is  
20 designated by the director to enforce this title.

21 \* \* \*

22 Section 4. Chapter 3 heading and sections 301, 302, 303, 304  
23 and 327(a) and (b) (2) of Title 34 are amended to read:

24 CHAPTER 3

25 PENNSYLVANIA GAME AND FISH COMMISSION AND DIVISION OF GAME

26 § 301. Organization of commission and division.

27 (a) Composition.--

28 (1) The independent administrative commission known as  
29 the Pennsylvania Game and Fish Commission shall consist of

30 [eight] 18 competent citizens of this Commonwealth [who]. The

1 Division of Game is established within the commission.

2 (2) Eight of the members of the commission shall be well  
3 informed on the subject of wildlife conservation and  
4 restoration [and who].

5 (3) Two members of the commission shall serve at-large  
6 and be experienced in boating and water safety education and  
7 be a registered boat owner in this Commonwealth. The two  
8 boatmen members shall represent the various geographical  
9 sections and boating interests of this Commonwealth.

10 (4) Eight members of the commission shall be persons  
11 well informed on the subject of conservation, restoration,  
12 fish and fishing and boats and boating and shall be  
13 appointed, insofar as practicable, on a bipartisan basis from  
14 the various geographic fish and boat districts of this  
15 Commonwealth as provided in subsection (b.1) so that at all  
16 times one and only one member shall be a resident of each of  
17 the fish and boat districts.

18 (5) All members shall be appointed by the Governor, by  
19 and with the advice and consent of a majority of the elected  
20 members of the Senate.

21 (b) Qualifications for game district members.--The eight  
22 members of the commission specified in subsection (a)(2) shall  
23 be appointed from the various geographical sections of this  
24 Commonwealth so that one and only one shall be a resident of  
25 each of the following game districts:

26 (1) The counties of Erie, Crawford, Mercer, Lawrence,  
27 Venango, Butler, Warren, Forest and Clarion, constituting the  
28 first district.

29 (2) The counties of Beaver, Allegheny, Washington,  
30 Greene, Armstrong, Indiana, Westmoreland and Fayette,

1 constituting the second district.

2 (3) The counties of McKean, Elk, Jefferson, Potter,  
3 Cameron, Clearfield, Clinton and Centre, constituting the  
4 third district.

5 (4) The counties of Cambria, Somerset, Blair, Bedford,  
6 Huntingdon and Fulton, constituting the fourth district.

7 (5) The counties of Tioga, Lycoming, Union, Bradford,  
8 Sullivan, Columbia, Montour and Northumberland, constituting  
9 the fifth district.

10 (6) The counties of Snyder, Mifflin, Juniata, Franklin,  
11 Perry, Cumberland, Adams, Dauphin, York, Lebanon and  
12 Lancaster, constituting the sixth district.

13 (7) The counties of Susquehanna, Wyoming, Luzerne,  
14 Lackawanna, Carbon, Wayne, Pike and Monroe, constituting the  
15 seventh district.

16 (8) The counties of Schuylkill, Berks, Chester,  
17 Northampton, Lehigh, Bucks, Montgomery, Philadelphia and  
18 Delaware, constituting the eighth district.

19 (b.1) Qualifications for fish and boat district members.--

20 The eight members of the commission specified in subsection (a)  
21 (4) shall be appointed from the various geographical sections of  
22 this Commonwealth so that one and only one shall be a resident  
23 of each of the following fish and boat districts:

24 (1) First district, consisting of the counties of Erie,  
25 Crawford, Mercer, Lawrence, Venango, Butler, Warren, Forest  
26 and Clarion.

27 (2) Second district, consisting of the counties of  
28 Beaver, Allegheny, Washington, Greene, Armstrong, Indiana,  
29 Westmoreland and Fayette.

30 (3) Third district, consisting of the counties of

1 McKean, Elk, Jefferson, Potter, Cameron, Clearfield, Clinton  
2 and Centre.

3 (4) Fourth district, consisting of the counties of  
4 Cambria, Somerset, Blair, Bedford, Huntingdon, Fulton,  
5 Mifflin and Juniata.

6 (5) Fifth district, consisting of the counties of Tioga,  
7 Lycoming, Union, Snyder, Bradford, Sullivan, Columbia,  
8 Montour and Northumberland.

9 (6) Sixth district, consisting of the counties of  
10 Franklin, Perry, Cumberland, Adams, Dauphin, York, Lebanon  
11 and Lancaster.

12 (7) Seventh district, consisting of the counties of  
13 Susquehanna, Wyoming, Luzerne, Lackawanna, Carbon, Wayne,  
14 Pike and Monroe.

15 (8) Eighth district, consisting of the counties of  
16 Schuylkill, Berks, Chester, Northampton, Lehigh, Bucks,  
17 Montgomery, Philadelphia and Delaware.

18 (c) Term of office and compensation.--The members of the  
19 commission shall hold office for terms of four years each and  
20 may continue to hold office for a period of time not to exceed  
21 six months or until a successor is appointed and qualified,  
22 whichever occurs first. A member of the commission who serves  
23 three consecutive terms shall not be eligible for reappointment  
24 to the commission. Commissioners shall receive no compensation  
25 for their services, but may be reimbursed for travel expenses.

26 (d) Vacancies.--Upon the death, resignation or removal from  
27 office of any person so appointed, the Governor shall appoint a  
28 competent person to serve for the unexpired term as provided in  
29 subsection (a).

30 § 302. Director.

1 (a) Appointment.--The commission shall select a director of  
2 the division. No member of the commission nor anyone who has  
3 served as a member of the commission within one year after  
4 service shall be eligible for selection as director. The  
5 director shall serve as such at the pleasure of the commission.

6 (b) Compensation.--Notwithstanding any provision of law to  
7 the contrary, the Executive Board of the Commonwealth shall fix  
8 the compensation of the director.

9 (c) Function.--The director shall be the chief  
10 administrative officer of the [commission] division and attend  
11 to its administrative work relating to this title and have  
12 charge of all activities under the jurisdiction of the  
13 [commission] division and this title. The director shall be the  
14 chief Game [Commission] Division officer and shall direct,  
15 supervise and control all employees of the [commission] division  
16 and report to the commission any negligence, dereliction of duty  
17 or incompetence on the part of any employee of the division,  
18 with the facts relevant thereto, and shall make any further  
19 reports as may be required by the commission.

20 (d) Certification of commission action.--The director may  
21 certify any action of the commission relating to this title as  
22 being their official act.

23 (e) Publications.--Subject to section 325 (relating to  
24 limitation on disclosure of certain records), the director may  
25 have printed such bulletins, posters, literature and other  
26 printing as may be necessary to the work of the commission  
27 relating to this title, including publications of general  
28 interest to persons concerned with conservation of our natural  
29 resources. Publications and forms used to convey information,  
30 whether in electronic, print or other media format, may contain

1 advertisements. The publications shall at all times be  
2 [maintained as a] nonpartisan [publication] and shall be made  
3 available without charge.

4 (f) Execution of contracts, leases and agreements.--The  
5 director shall represent the commission in the execution of land  
6 purchase contracts and in the execution of leases and other  
7 similar agreements.

8 § 303. Game [Commission] Division officers and employees.

9 (a) Appointment.--The director shall select competent  
10 persons as Game [Commission] Division officers, assigned to  
11 field, administrative or office duties, and other competent  
12 persons for other duties as may be necessary to fulfill the  
13 requirements of this title.

14 (b) Status.--Except for the director, all personnel shall be  
15 employed in accordance with the classification and compensation  
16 plans of the Commonwealth and regulations of the commission.

17 (c) Power and authority.--Every officer, employee or  
18 representative of the commission in the exercise of their powers  
19 and duties under this title shall have the right and authority  
20 to go upon or enter any property, posted or otherwise, outside  
21 of buildings.

22 § 304. Deputy Game [Commission] Division officers.

23 (a) Appointment.--The commission may appoint deputy Game  
24 [Commission] Division officers as necessary. Except as otherwise  
25 provided, they shall possess the rights and powers given by law  
26 to Game [Commission] Division officers and be subject to all  
27 requirements and regulations, either of the law or of the  
28 commission, controlling the action of Game [Commission] Division  
29 officers.

30 (b) Compensation and expenses.--Deputy Game [Commission]

1 Division officers shall not be entitled to compensation for  
2 either time or expenses incurred in the performance of their  
3 duties unless specifically employed for special duties by  
4 written order of the director. The commission shall, from time  
5 to time, fix the rate of compensation and allowable expenses for  
6 special duty services.

7 (c) Collection of fees.--Any deputy Game [Commission]  
8 Division officer not specifically employed, in writing, for  
9 special duties under subsection (b) shall, with written  
10 authorization of the director, be entitled to collect the fees  
11 as are now or may hereafter be paid to constables, to be  
12 assessed and collected as costs of prosecution for services  
13 legally rendered in the performance of any duties in the  
14 enforcement of this title.

15 § 327. Junior hunter projects.

16 (a) General rule.--It shall be the duty of the commission to  
17 initiate, implement and administer two or more junior license  
18 hunter projects for the purpose of increasing and sustaining  
19 interest in hunting among young persons of this Commonwealth.  
20 Except for the requirement to actually hold a junior hunting  
21 license under section 2705(2) or (9) (relating to classes of  
22 licenses) and as may otherwise be modified by commission  
23 regulations, all participants in any junior hunter project shall  
24 comply with all of the provisions of this title and the  
25 regulations promulgated [hereunder] under this title.

26 (b) Specific projects.--

27 \* \* \*

28 (2) One of the projects shall consist of a Pennsylvania  
29 Game and Fish Commission program subject to the review of  
30 both the Game and Fisheries Committee of the House of



1 Representatives and the Game and Fisheries Committee of the  
2 Senate. The respective committees shall have 60 days to  
3 review the program and submit comments to the commission.  
4 Prior to completion of the review by the respective  
5 committees, the commission shall not take any action to  
6 initiate the program.

7 Section 5. Section 901(b.1) of Title 34, amended February  
8 15, 2018 (P.L.6, No.3), is amended to read:

9 § 901. Powers and duties of enforcement officers.

10 \* \* \*

11 (b.1) Exception to the prohibition of interception and  
12 disclosure of communications.--An officer whose duty it is to  
13 enforce this title and who has received training on the use of  
14 an electronic, mechanical or other device which has been  
15 approved under 18 Pa.C.S. § 5706(b) (4) (relating to exceptions  
16 to prohibitions in possession, sale, distribution, manufacture  
17 or advertisement of electronic, mechanical or other devices) in  
18 a course approved by the Pennsylvania State Police shall be an  
19 investigative or law enforcement officer as defined under 18  
20 Pa.C.S. § 5702 (relating to definitions). Such officers may wear  
21 an electronic, mechanical or other device in the performance of  
22 their official duties. This subsection shall not apply to a  
23 deputy Game [Commission] Division officer or deputy wildlife  
24 conservation officer.

25 \* \* \*

26 Section 6. Section 902 of Title 34 is amended to read:

27 § 902. Deputy Game [Commission] Division officers.

28 Except for the powers conferred under section 901(a) (12.1),  
29 (17) and (18) (relating to powers and duties of enforcement  
30 officers), deputy Game [Commission] Division officers shall,

1 unless further restricted by the director, exercise all the  
2 powers and perform all the duties conferred by this title on  
3 Game [Commission] Division officers, except deputy wildlife  
4 conservation officers shall not be authorized to issue citations  
5 or field acknowledgments of guilt for violations and shall  
6 provide the information to the wildlife conservation officer.  
7 Retired wildlife conservation officers, retired waterways  
8 conservation officers, State park rangers, State forest rangers  
9 or current or retired State or municipal police officers shall  
10 exercise all powers and duties conferred on deputy Game  
11 [Commission] Division officers, including the right to issue  
12 citations and field acknowledgments of guilt for violations.

13 Section 7. The following provisions shall apply:

14 (1) The members of the Pennsylvania Fish and Boat  
15 Commission and the Pennsylvania Game Commission in office on  
16 the effective date of this section shall constitute the  
17 Pennsylvania Game and Fish Commission and shall hold their  
18 offices as members of the Pennsylvania Game and Fish  
19 Commission until their successors are appointed as provided  
20 by 34 Pa.C.S. § 301 (relating to organization of commission  
21 and division).

22 (2) The provisions of 34 Pa.C.S. § 301(c) insofar as  
23 they impose limits on the numbers of terms or years of  
24 service shall not apply to the members of the Pennsylvania  
25 Game and Fish Commission in office on the effective date of  
26 this section, who shall be eligible for reappointment without  
27 regard to the limitations.

28 (3) All rules, regulations, orders, permits, decisions  
29 and other actions of the Pennsylvania Fish and Boat  
30 Commission or the Pennsylvania Game Commission shall remain

1 in full force and effect until modified, repealed, suspended,  
2 superseded or otherwise changed by appropriate action of the  
3 Pennsylvania Game and Fish Commission.

4 (4) After the effective date of this section, the  
5 Pennsylvania Game and Fish Commission shall recycle or  
6 continue to use any forms, stationery, business cards or  
7 other office supplies or materials which contain references  
8 to the Pennsylvania Fish and Boat Commission or the  
9 Pennsylvania Game Commission until the time these existing  
10 supplies and materials are depleted. Existing signs on which  
11 the Pennsylvania Fish and Boat Commission or the Pennsylvania  
12 Game Commission designation appears shall not be changed  
13 until the existing signs become worn and require replacement.

14 Section 8. Any reference in any other law or regulation in  
15 effect on the effective date of this section to the Pennsylvania  
16 Fish and Boat Commission or the Pennsylvania Game Commission  
17 shall be deemed to be a reference to the Pennsylvania Game and  
18 Fish Commission.

19 Section 9. This act shall take effect January 1, 2020.