
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 192 Session of
2017

INTRODUCED BY STEFANO, BREWSTER, ALLOWAY, SCAVELLO, WARD,
VULAKOVICH AND WAGNER, JANUARY 26, 2017

REFERRED TO GAME AND FISHERIES, JANUARY 26, 2017

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in Pennsylvania Game Commission, further providing
3 for powers and duties of commission and for accountability;
4 and, in hunting and furtaking licenses, further providing for
5 license costs and fees and making an editorial change.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 322(c) of Title 34 of the Pennsylvania
9 Consolidated Statutes is amended by adding a paragraph to read:

10 § 322. Powers and duties of commission.

11 * * *

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

15 * * *

16 (14) Following submission of the analysis required under
17 section 328(f) (relating to accountability), establish fees
18 for licenses as follows:

19 (i) The commission shall publish a notice of

1 proposed rulemaking containing the proposed fee change in
2 accordance with section 201 of the act of July 31, 1968
3 (P.L.769, No.240), referred to as the Commonwealth
4 Documents Law. The commission shall give at least 30 days
5 for the submission of written comments and shall hold at
6 least one public hearing on the proposed change.

7 (ii) Prior to adoption of a final-form regulation
8 containing a fee change, the commission shall review and
9 consider any public comments and may modify the text of
10 the final-form regulation as it deems necessary under
11 section 202 of the Commonwealth Documents Law.

12 (iii) After adoption of a final-form regulation
13 containing a fee change, the commission shall submit the
14 final-form regulation, copies of all public comments and
15 the transcript of the public hearing to the Game and
16 Fisheries Committee of the Senate and the Game and
17 Fisheries Committee of the House of Representatives.

18 (iv) Either committee under subparagraph (iii) may
19 report a concurrent resolution recommending disapproval
20 of the fee change within 30 days of the submission under
21 subparagraph (iii) or within 10 legislative days of the
22 submission, whichever is later. If neither committee
23 reports a concurrent resolution recommending disapproval
24 within the time prescribed in this subparagraph, the fee
25 change shall be deemed approved.

26 (v) If either committee reports a concurrent
27 resolution under subparagraph (iv) and the General
28 Assembly does not adopt it within 30 days of the date on
29 which the concurrent resolution is reported or within 10
30 legislative days of the report, whichever is later, the

1 fee change shall be deemed approved.

2 (vi) If the General Assembly adopts a concurrent
3 resolution under subparagraph (iv) within 30 days of the
4 date on which the concurrent resolution is reported or
5 within 10 legislative days, whichever is later, the
6 following shall apply:

7 (A) The concurrent resolution shall be presented
8 to the Governor in accordance with section 9 of
9 Article III of the Constitution of Pennsylvania.

10 (B) If the Governor does not veto the concurrent
11 resolution of the General Assembly within 10 days
12 after it is presented, the fee change shall be deemed
13 disapproved.

14 (C) If the Governor vetoes the concurrent
15 resolution within 10 days after it is presented, the
16 General Assembly may, within 30 days of the veto or
17 within 10 legislative days of the veto, whichever is
18 later, override the veto by a two-thirds vote in each
19 house. If the General Assembly does not override the
20 veto in the time prescribed in this clause, the fee
21 change shall be deemed approved. If the General
22 Assembly overrides the veto in the time prescribed in
23 this clause, the fee change shall be deemed
24 disapproved.

25 (vii) If the fee change is deemed approved under
26 subparagraph (iv), (v) or (vi)(C), the commission shall:

27 (A) submit the final-form regulation containing
28 the fee change to the Office of Attorney General for
29 approval as to legality; and

30 (B) publish an order adopting the final-form

1 regulation containing the fee change and deposit the
2 text of the order with the Legislative Reference
3 Bureau in accordance with section 207 of the
4 Commonwealth Documents Law.

5 Except for subparagraph (vii)(B), this paragraph shall expire
6 July 15, 2020.

7 Section 2. Section 328 of Title 34 is amended by adding a
8 subsection to read:

9 § 328. Accountability.

10 * * *

11 (f) Financial analysis.--Prior to the establishment of fees
12 under section 322(c)(14) (relating to powers and duties of
13 commission), the Legislative Budget and Finance Committee shall
14 prepare a financial analysis of fees, fines, penalties,
15 royalties, Federal and State appropriations and other sources of
16 revenue received by the commission and of expenditures,
17 including annual operating costs, investments, land purchases
18 and capital projects. To carry out the financial analysis under
19 this section:

20 (1) The commission shall provide records, financial
21 statements and other documents reflecting the revenue and
22 expenditures subject to the analysis.

23 (2) The commission shall respond to inquiries and
24 requests for information from the committee in a timely
25 manner.

26 (3) The Legislative Budget and Finance Committee shall
27 include its most recent performance audit under section
28 522(b) (relating to appropriation and audit of moneys).

29 (4) The Legislative Budget and Finance Committee shall
30 complete the report within 90 days of the effective date of

1 this subsection. The report shall be submitted to the
2 President pro tempore of the Senate and the Speaker of the
3 House of Representatives. The report shall be public
4 information.

5 Section 3. Section 2709 heading and (a) introductory
6 paragraph of Title 34 are amended, subsection (a) is amended by
7 adding paragraphs and the section is amended by adding a
8 subsection to read:

9 § 2709. License [costs and] fees.

10 (a) License [costs.--Any] fees.--Subject to subsections
11 (a.1) and (c), any person who qualifies under the provisions of
12 this chapter shall be issued the applicable license upon payment
13 of the following [costs and the issuing agent's fee] fees:

14 * * *

15 (23) Hunting and furtaking:

16 (i) Senior nonresident hunting - to be set by
17 commission.

18 (ii) Senior nonresident furtaker - to be set by
19 commission.

20 (iii) Senior nonresident combination hunting and
21 furtaker - to be set by commission.

22 (24) Ultimate outdoorsman combination license, including
23 bear, archery, muzzleloader, furtaker, migratory game bird
24 and special wild turkey:

25 (i) Resident - to be set by commission.

26 (ii) Nonresident - to be set by commission.

27 (a.1) Fee setting.--

28 (1) A fee set under subsection (a) (23) or (24) must be
29 made under section 322(c) (14) (relating to powers and duties
30 of commission).

1 (2) A change in a fee under subsection (a) must be made
2 under section 322(c)(14).

3 * * *

4 Section 4. Section 2712(b) of Title 34 is amended to read:

5 § 2712. Vouchers for licenses and permits.

6 * * *

7 (b) Fees.--A person purchasing a voucher shall pay the costs
8 for the type of license or permit being purchased and the
9 issuing agent fee as provided in sections 2709 (relating to
10 license [costs and] fees) and 2904 (relating to permit fees).

11 * * *

12 Section 5. This act shall take effect as follows:

13 (1) The following provisions shall take effect
14 immediately:

15 (i) The addition of 34 Pa.C.S. § 328(f).

16 (ii) This section.

17 (2) The remainder of this act shall take effect in 90
18 days.