



SENATE OF PENNSYLVANIA BILL SUMMARY

Senate Bill 192 Printer's No. 224

Prime Sponsor: Stefano
Committee: Game and Fisheries

SYNOPSIS:

Amends Title 34 (Game Code) to authorize the PA Game Commission (PGC) to establish the fees for hunting and furtaking licenses by regulatory action, and require the Legislative Budget and Finance Committee to prepare a financial analysis of PGC's revenue and expenditures prior to the establishment of fees.

SUMMARY:

Amends the Game Code by adding a new subsection (f) under Section 328 (relating to accountability) requiring the Legislative Budget and Finance Committee (LBFC), prior to authorizing PGC to establish fees for hunting and furtaking licenses, to prepare a financial analysis of all sources of revenue received by PGC and all expenditures.

PGC is required to provide records, financial statements and other documents reflecting the revenue and expenditures subject to the analysis, and to respond to inquiries and requests for information from LBFC in a timely manner.

As part of its financial analysis report, LBFC is required to include its most recent performance audit of PGC. The report is required to be completed within 90 days of the bill's effective date, and to be submitted to the Senate President Pro Tempore and the House Speaker. The report shall be public information.

This bill also amends Section 322 (relating to PGC powers and duties) by adding a paragraph to authorize the PGC, after submission of the report, to establish fees for hunting and furtaking licenses as follows:

- Requires PGC to publish a notice of proposed rulemaking containing the proposed fee change in accordance with the Commonwealth Documents Law, to allow at least 30 days for the submission of written comments, and to hold at least one public hearing on the proposed change.
- Prior to adoption of a final-form regulation containing a fee change, PGC is required to review and consider any public comments and may modify the text of the regulation as it deems necessary.
- After adoption of a final-form regulation containing a fee change, PGC is required to submit the final-form regulation, all public comments and the transcript of the public hearing to the House and Senate Game and Fisheries Committees.

- Either legislative committee may report a concurrent resolution recommending disapproval of the fee change within 30 days or 10 legislative session days, whichever is later, of the submission of the regulation to the legislative committee. If neither legislative committee reports a concurrent resolution recommending disapproval within the time prescribed, the fee change is deemed approved.
- If either legislative committee reports a concurrent resolution recommending disapproval and the General Assembly does not adopt it within 30 days or 10 legislative session days, whichever is later, of the date on which the concurrent resolution is reported, the fee change is deemed approved.
- If the General Assembly adopts a concurrent resolution recommending disapproval within 30 days or 10 legislative session days, whichever is later, of the date on which the concurrent resolution is reported, the concurrent resolution shall be presented to the Governor, and the following applies:
 - If the Governor does not veto the resolution within 10 days after it is presented, the fee change is deemed disapproved.
 - If the Governor vetoes the concurrent resolution within 10 days, the General Assembly may, within 30 days or 10 legislative session days, whichever is later, of the veto, override the veto by a two-thirds vote in each chamber. If the General Assembly does not override the veto, the fee change is deemed approved. If the General Assembly overrides the veto, the fee change shall be deemed disapproved.
- If the fee is deemed approved, PGC shall submit the final-form regulation to the Office of Attorney General for approval as to legality; publish an order adopting the final-form regulation; and submit the text of the order to the Legislative Reference Bureau in accordance with the Commonwealth Documents Law.

Additionally, the bill amends Section 2709 (relating to license costs and fees) to create the following new licenses, and provides that the fees for these licenses shall be established by PGC: Senior Nonresident Hunting; Senior Nonresident Furtaking; Senior Nonresident Hunting and Furtaking; Ultimate Outdoorsman Combination License, including Bear, Archery, Muzzleloader, Furtaker, Migratory Game Bird and Special Wild Turkey for both resident and nonresident hunters.

Lastly, this bill includes a three year sunset provision stipulating that the provisions authorizing PGC to establish fees for hunting and furtaking licenses expires July 15, 2020. Any final-form regulations promulgated by PGC prior to the expiration will remain in effect.

Effective Date: 90 Days

BILL HISTORY:

Prepared by: Fetzko 1/24/2017