

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1190 Session of 2013

INTRODUCED BY ALLOWAY, WAUGH AND SCARNATI, NOVEMBER 22, 2013

SENATOR ALLOWAY, GAME AND FISHERIES, AS AMENDED, DECEMBER 4, 2013

AN ACT

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

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

6 Section 1. Section 2706.2(b) of Title 34 of the Pennsylvania <--
7 Consolidated Statutes is reenacted and the section is amended by
8 adding subsections to read:

9 SECTION 1. SECTION 2706.2 OF TITLE 34 OF THE PENNSYLVANIA <--
10 CONSOLIDATED STATUTES IS REENACTED AND AMENDED TO READ:

11 § 2706.2. Elk hunting licenses.

12 * * * <--

13 (A) APPLICATION LIMITATION.--WHENEVER THE COMMISSION MAKES A <--
14 DETERMINATION TO AUTHORIZE A HUNTING SEASON FOR THE TAKING OF
15 ELK, NO PERSON MAY SUBMIT MORE THAN ONE APPLICATION FOR AN ELK
16 HUNTING LICENSE IN ANY LICENSE YEAR. THE COMMISSION SHALL HOLD A
17 RANDOM DRAWING OF APPLICATIONS FOR THE ISSUANCE OF ELK LICENSES
18 IN THE TOWNSHIP OF BENEZETTE IN CONJUNCTION WITH THE KEYSTONE

1 ELK COUNTRY ALLIANCE ELK FESTIVAL.

2 (b) License auction.--The commission is authorized to
3 auction off a special license to hunters interested in the
4 opportunity to hunt one elk subject to the following:

5 (1) One license shall be auctioned annually.

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

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

14 (4) The contracted organization shall retain no more
15 than 20% of the proceeds from the auction. The contracted
16 organization shall report annually to the commission on the
17 use of the proceeds from the auction. The remaining proceeds
18 from the auction shall be used by the commission for the elk
19 program in this Commonwealth in addition to any other funds
20 available to the commission for that purpose. The commission
21 shall include in its annual report to the General Assembly
22 the use of all proceeds from the auction.

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

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

25 (c) Special-license fundraiser.--The commission is
26 authorized to hold a special-license fundraiser for hunters
27 interested in the opportunity to hunt one elk, subject to the
28 following:

29 (1) One license shall be offered annually.

30 (2) The fundraiser shall be open to residents and

1 nonresidents of this Commonwealth.

2 (3) The commission shall contract with the Keystone Elk
3 Country Alliance to implement and conduct the special-license
4 fundraiser.

5 (4) The Keystone Elk Country Alliance shall retain the
6 proceeds from the special-license fundraiser. The funds must
7 be used for elk management, conservation and habitat, as well
8 as the overall elk program in this Commonwealth. The Keystone
9 Elk Country Alliance shall report annually to the commission
10 on the use of the proceeds from the special-license
11 fundraiser. In its annual report to the General Assembly, the
12 commission shall include the use of the proceeds from the
13 special-license fundraiser.

14 (5) The license fees shall be paid to the commission.

15 (d) Background check.--The recipient selected to receive the
16 special license must be subjected to a background check prior to
17 being awarded the special license. Should one or more serious
18 game law violations be found from conducting the background
19 check, the special license shall not be awarded to the recipient
20 and another recipient shall be chosen.

21 SECTION 2. THE REGULATION OF THE PENNSYLVANIA GAME <--
22 COMMISSION IN 58 PA. CODE § 143.203(A) (RELATING TO DRAWING) IS
23 ABROGATED TO THE EXTENT THAT IT IS INCONSISTENT WITH 34 PA.C.S.
24 § 2706.2(A).

25 Section ~~2~~ 3. This act shall take effect immediately. <--