

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1897 Session of
2013

INTRODUCED BY GABLER, GERGELY, CAUSER, CALTAGIRONE, COHEN,
DONATUCCI, GIBBONS, HANNA, HARHAI, KORTZ, KOTIK, LUCAS,
MAJOR, MILLARD, READSHAW AND SANKEY, DECEMBER 9, 2013

REFERRED TO COMMITTEE ON GAME AND FISHERIES, DECEMBER 9, 2013

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. The commission shall hold a
13 random drawing of applications for the issuance of elk licenses
14 under this subsection at the Elk Country Visitor Center in the
15 in the Township of Benezette.

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

1 the following:

2 (1) One license shall be auctioned annually.

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

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

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

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

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

22 (c) Special-license fundraiser.--In addition to any other
23 elk license provided for under this section, the commission is
24 authorized to hold a special-license fundraiser for hunters
25 interested in the opportunity to hunt one elk, subject to the
26 following:

27 (1) One license shall be offered annually.

28 (2) The fundraiser shall be open to residents and
29 nonresidents of this Commonwealth.

30 (3) The commission shall contract with the Keystone Elk

1 Country Alliance to implement and conduct the special-license
2 fundraiser.

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

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

13 (d) Background check.--A recipient selected to receive a
14 license under subsection (b) or (c) must be subjected to a
15 background check prior to being awarded the license. If one or
16 more serious game law violations are found from conducting the
17 background check, the license shall not be awarded to the
18 recipient and another recipient shall be chosen.

19 Section 2. The regulation of the Pennsylvania Game
20 Commission in 58 Pa. Code § 143.203(a) (relating to drawing) is
21 abrogated to the extent that it is inconsistent with 34 Pa.C.S.
22 § 2706.2(a).

23 Section 3. This act shall take effect immediately.