

PA Chapter NWTF Legislative Committee Report  
Legislative Bills – October 3, 2010 – for PA Chapter NWTF Board consideration

PA Legislative Bill Locator -- <http://www.legis.state.pa.us/cfdocs/legis/home/session.cfm>

PA General Assembly 2009-2010 legislative session. These firearms and game and wildlife code bills will be monitored from House and Senate Game and Fisheries and Judicial Committees. Underline bills are specific to PA Chapter NWTF consideration.

**HB 40** – Title 18 – Castle Doctrine; referred to Judiciary, Jan 26. Judicial Committee meeting held on November 19, 2009. Judicial Committee meeting held on May 26, 2010. Committee approved legislation as amended. Legislation re-committed to Appropriations Committee on May 26, 2010. Resolution to discharge committee from further consideration of this bill presented, Sept. 16, 2010.

**PANWTF DOES SUPPORT**

**HB 92** – Title 34 – PGC POS transferable license, tag, stamp transaction fee to buyer. Signed in House, July 14, 2009, Signed in Senate, July 15, 2009, Presented to the Governor, July 15, 2009,

**Approved by the Governor, July 17, 2009.**

**PANWTF DOES SUPPORT**

**HB 97** – Title 34 – Increased poaching fines and penalties, in game and wildlife protection act, for unlawful taking or possession of game or wildlife, and many more provisions. Referred to Game and Fisheries Committee, Jan 28, reported as amended, June 2 [[amendments supported by PGC, PFSC, Conservation orgs]], first consideration, June 2; re-committed to Rules June 2; re-reported to as committed, June 16; re-committed to Appropriations June 16; re-reported as committed, June 23; second consideration, June 23 [[NRA sponsored supported amendments were reported too late]]; third consideration June 24; House vote 194-0 to re-commit; re-committed to Game and Fisheries June 24; See House Journal for remarks; voted out of Game and Fisheries Committee, printer number 1976, past printer number 89, July 9. ***Legislative bill has been reintroduced as HB 1859, July 14, 2009.***

**PANWTF DOES SUPPORT, as amended current printer number 1976**

HB 180 – Title 34 – A minimum of 10% of the previous fiscal year's revenues from timber harvesting on commission land shall be used solely for the purpose of forest regeneration activities; referred to Game and Fisheries Committee, Feb. 2.

HB 181 – Title 34 – Further providing for powers and duties of enforcement officers relating to searches and for resisting or interfering with an officer; recommitted to Appropriations; second consideration with amendments, May 12, 2009. On final passage in the House 192-0 on June 1, 2009; bill sent to Senate, referred to Senate Game and Fisheries Committee, June 4. Re-referred to Appropriations March 8, 2010.

HB 184 – Title 34 – Hunting groundhogs on Sunday; referred to Game and Fisheries Committee February 2, 2009

**SB 211** – – Amends the Local Option Small Games of Chance Act further providing for definitions; increases individual prize limits from \$500 to \$1,000; increases weekly limit from \$5,000 to \$20,000; authorizes progressive games with a maximum cash value of \$5,000; allows a licensed eligible organization to sell the raffle tickets of another licensed eligible organization; allows more than one organization to use the same location; increases license fee for an organization from \$100 to \$500; increases license fee for limited occasion licenses from \$10 to \$30 and changes the license renewal from annually to biannually; requires an annual financial report limited to the operation of games of chance detailing gross profit and background check in the application process.

Referred to Finance, Feb. 19; Reported as amended, April 1; First consideration April 1; Re-referred to Appropriations, April 28, 2009. Re-reported as amended Sept. 23, 2009; Second Consideration, Sept. 24, 2009; Laid on the table, Oct. 5, 2009.

**PANWTF DOES SUPPORT**

HB 239 – Title 34 – Safety zone as defined for and when applied to properly licensed furtakers trapping within a permanent watercourse and using traps submerged in water, or making use of any special permit issued in accordance with this title or commission regulations, the area within 50 yards around any occupied dwelling house, residence or other building or camp occupied by human beings, and other provisions; Re-committed to Appropriations, March 10, 2009

**HB 262** – Title 34 – Prescribed Burning Practices Act encourages the continued use of prescribed burning for fuel reduction, ecological, forest, wildlife and grassland management purposes, and other provisions. Signed in House, July 13, 2009; Signed in Senate, July 14, 2009; Presented to the Governor, July 14, 2009; **Approved by the Governor, July 14, 2009.**

**PANWTF DOES SUPPORT**

**HB 281** – Title 34 – PGC MYH exemption for transferable license between mentor to youth hunter. Passed the House 192-0 on April 22; Referred to Senate Game and Fisheries April 24; first consideration April 29, re-referred to Appropriations Committee May 4. Senate amendment for only 1 doe transfer tag to youth hunter per year; Senate amendment for Falconry change to lower age limit from 16 down to 12, and fee increase from \$25 up to \$50.

Third consideration and final passage, April 22, 2009 (192-0); Remarks see House Journal Page 634-635), June 22, 2009. Referred to Senate Game and Fisheries, April 24, 2009; Reported as committed, April 29, 2009; First Consideration, April 29, 2009. Re-referred to Appropriations, May 4, 2009.

Re-reported as amended, September 20, 2010.

**PANWTF DOES SUPPORT**

HB 375 – Title 18 – Firearms registration; referred to Judiciary Committee February 13, 2009.

**HB 419** – Title 34 and 30 – Joint Resolution proposing an amendment to the PA Constitution stating that the right to hunt, fish and harvest game would forever be preserved, subject to state restrictions.

Referred to House Game and Fisheries Committee June 17, 2009; reported as committed June 17; first consideration June 17; re-committed to Rules June 17. Re-reported as committed, Sept. 10, 2009; Laid on the table, Sept. 10, 2009; Removed from table, Sept. 11, 2009; Re-committed to APPROPRIATIONS, Sept. 11, 2009.

**PANWTF DOES SUPPORT**

**HB 460** – Title 34 – allow PGC to remove regulation for hunting license back tag requirement from the back of hunters; referred to Game and Fisheries Committee, Feb 13, 2009. Reported as committed, Dec. 16, 2009; First consideration, Dec. 16, 2009; Laid on the table, Dec. 16, 2009; Removed from table, Dec. 17, 2009; Re-committed to APPROPRIATIONS, Dec. 17, 2009. Re-committed to APPROPRIATIONS, Sept. 11, 2009. Re reported as committed, March 15, 2010, second consideration with amendments, March 15, 2010, third consideration and final passage 196-0. Referred to Senate House Game Fisheries Committee, March 17, 2010, Reported as committee, June 15, 2010, First consideration June 15, 2010, Second consideration, July 1, 2010, Laid on the table, July 3, 2010.

**HB 470** – Title 42 – All legal fees incurred by the Pennsylvania Game Commission for legal actions initiated by the Pennsylvania Game Commission and legal actions brought against the commission are to be paid from the PGC Game Fund and not from the Commonwealth's General Fund, referred to Game and Fisheries Committee, Feb 18, 2009.

**HB 474** – Title 34 – Commissioner nomination can not be current or former employees or deputy conservation officers of PGC, referred to Game and Fisheries Committee, Feb 18, 2009.

**SB 490** – – Divert almost \$175 million of state conservation funding held in the Oil & Gas Lease Fund to other state general fund purposes; re-referred to Appropriations March 18; third consideration and final Senate passage March 25, vote 33-17; In the House referred to Environmental Resources and Energy on March 26, 2009.

**SB 535** – Title 34 – Mentored Adult Hunting; further providing for license requirements, exempting mentored adult hunting programs; re-referred to Appropriations Committee on May 4, 2009. Third consideration and final passage, Sept. 14, 2009 (49-0); (Remarks see Senate Journal Page ....), Sept. 15, 2009. In the House, Referred to GAME AND FISHERIES, Sept. 16, 2009. Reported from Game and Fisheries as committed to House floor agenda, June 9, 2010; First consideration, June 9, 2010; Re-referred to Appropriations, June 14, 2010; Re-reported as committed, June 24, 2010.

HB 578 – Title 34 - Defining "wildlife management unit"; & further providing for more resident license and fee exemptions. Referred to [GAME AND FISHERIES](#), Feb. 23, 2009.

HB 623 – Title – Oil & gas leases royalties - special fund for conservation, recreation, dams & flood control. Referred to ENVIRONMENTAL RESOURCES AND ENERGY, Feb. 26, 2009.

**SB 740** – Title 34 – PGC hunting license fee increase; referred to Senate Game and Fisheries Committee, April 3, 2009.

**PANWTF DOES SUPPORT**

**HB 779** – Title 34 – An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, repealing provisions relating to Sunday hunting prohibition; giving powers to PGC for regulation changes. Referred to House Game and Fisheries Committee, March 25, 2009.

**PANWTF DOES SUPPORT**

**SB 842** – Title 18 and 42 – Further providing for the definition of "dwelling" to include attached porch, deck or patio; providing a definition for "residence" and "vehicle"; providing an actor is presumed to have a reasonable belief that deadly force is immediately necessary to protect himself against death, serious bodily injury, kidnapping or sexual intercourse compelled by force or threat if both of the following exist: 1) the person against whom the protective force was used was in the process of unlawfully and forcefully entering, or had unlawfully and forcefully entered, a dwelling, residence or occupied vehicle; or the person against whom the protective force was used had unlawfully and forcefully removed or was attempting to unlawfully and forcefully remove another against that other's will from the dwelling, residence or occupied vehicle and 2) The actor knew or had reason to believe that an unlawful and forceful entry or act was occurring or had occurred. Referred to Judiciary Committee, May 5, 2009.

**SB 843 – Title 18** – Further providing for cruelty to animals by adding that the use of live animals or fowl for targets at trap shoot or block shoot is prohibited. The bill provides for penalties and definitions. (Bans pigeon shoots) Referred to Judiciary Committee, May 5, 2009.

**SB 862** – Title xx – Act authorizing certain Centre County lands to be conveyed. [[862 seeks to transfer the out parcels [14.77 acres] - not the 1800 acres Penn state is trying to heist from sportsmen with inside deal]]; Reported to State Government Committee, May 11, 2009; reported as committed June 9, 2009; first consideration June 9; second consideration June 15; third consideration and final passage, June 16, 2009 (50-0). In the House referred to State Government Committee, June 17. Third consideration, with amendments, Aug. 4, 2009; Final passage, Aug. 4, 2009 (198-0); (Remarks see House Journal Page ....), Aug. 4, 2009. In the Senate, Senate concurred in House amendments, Aug. 11, 2009 (47-0); Signed in Senate, Aug. 11, 2009; Signed in House, Aug. 11, 2009; Presented to the Governor, Aug. 11, 2009; **Approved by the Governor, Aug. 11, 2009.**

**SB 1026** – Title xx – further providing for elk conservation tag through Elk Tag Conservation Committee to select a wildlife conservation organization to auction special license. Amended HB 281 Mentored Youth Hunting Fall Season transfer tag. Passed Senate on third consideration and final passage, May 24, 2010 (47-0) Referred to House Game and Fisheries Committee on May 26, 2010; First consideration, January 26, 2010; Re-referred to Appropriations, March 9, 2010; Re-reported as amended, April 12, 2010; Second consideration, may 3, 2010; Amended on Third consideration, May 5, 2010; Third consideration and final passage may 24, 2010, 47-0. Referred to House Game and Fisheries Committee May 26, 2010.

### **PANWTF Does Not Support**

**\*\*SB 1155** – Title 16 – an Act amending Pennsylvania Consolidated Statutes for the subsequent issuance of official commissions for the effects of natural gas drilling and for a Marcellus Shale Job Creation Tax Credit; and making related repeals. Senate – Third consideration and final passage, May 5, 2010 ([49-0](#)). House - Second consideration, Sept. 20, 2010; committed to [APPROPRIATIONS](#), Sept. 22, 2010; reported as amended, [Sept. 27, 2010](#)

**SB** – Title 34 – further providing for elk hunting licenses; provides that the Game Commission shall transfer one bull elk tag each year to the Governor's Office. The bill further provides the Governor's Office is authorized through an objective and established process to auction off a special license, which shall be known as the "Governor's Tag", to hunters interested in the opportunity to hunt one bull elk in the next license year. The bill also permits a one-time transfer of the Governor's tag by the purchaser at auction, if the tag is transferred without consideration to another properly licensed hunter for his use under the same terms and conditions as the original purchaser. Senate Game and Fisheries Committee. The bill was unanimously reported as amended on Jan. 27, 2010.

**SB 1200** (Alloway), an Act authorizing Pennsylvania to join the Interstate Wildlife Violators Compact. Senate Game and Fisheries Committee. Bill was unanimously reported as committed on Jan. 27, 2010. Re-referred to Appropriations, Feb. 8, 2010. Second consideration, March 17, 2010, Third consideration and final passage, March 23, 2010 – 49-0. Sent to House, referred to Game and Fisheries Committee, March 25, 2010; Reported as committed May 3, 2010; First consideration, May 3; Re-referred to Appropriations Committee, May 4, 2010; Second consideration, March 17, 2010; Third consideration and final passage March 23, 2010 49-0. Referred to House Game and Fisheries Committee March 25, 2010. First consideration, May 3, 2010; Referred to Appropriations, May 4, 2010; Re-reported as committed, July 1, 2010; Second consideration, July 3, 2010; Third consideration and final passage, September 13, 2010 (178-15). Signed in the Senate, Signed in the House, Presented to the Governor September 21, 2010. **Sept 24, 2010 - Approved by the Governor.**

### **PANWTF DOES SUPPORT**

**HB 1214** – Title 18 – further providing a new tax to be added to the cost of a License to Carry Firearms (Pistol Permit). The proposed new tax of \$5 per license will go to the Pennsylvania State Police Firearm Investigation Unit. In addition to that new tax, the legislation will impose an additional \$5 tax on Philadelphia permit holders to finance the Fallen Officers Fund. Referred to Urban Affairs, April 7, 2009.

**SB 1272** – Title 34 – exempt specific prohibited activities for the purposes of furthering mentored youth hunting. Specifically, an exemption shall include not more than one youth antlerless deer license in a license year to youth engaging in a mentored youth hunting program. Referred to Game and Fish Committee, March 15, 2010; first consideration June 10, 2010, second consideration Sept. 22, 2010, re-referred to Senate Appropriations, Sept. 22, 2010.

**HB 1293** – Title 18 – Firearms Registration Act requires all firearms in PA to be registered. No person may possess, harbor, have under the person's control, transfer, offer for sale, sell, deliver or accept any firearm which is unregistrable. Referred to House Judiciary Committee, April 20, 2009.

**HB 1294** – Title 34 – increases spring gobbler season length from sunrise to 5 pm each day. Referred to Game and Fisheries Committee April 20, 2009

### **PANWTF DOES NOT SUPPORT**

**HB 1325** – Title 34 – Authorizing Sunday Hunting on commercial regulated hunting grounds holding a valid permit. Referred to House Game and Fisheries Committee, April 22, 2009.

Firearms Bills -- Email review forwarded to PANWTF Board members on these 3 bills.

### **HB 1043**

**HB 1044**

**HB 1045**

**HB 1489** – Title 72 – one of several Severance Tax on Marcellus Shale gas exploration and drilling; reported to Environmental Resources and Energy, June 23, 2009; reported as amended June 23; first consideration June 23; re committed to Rules June 23. Re-committed to APPROPRIATIONS, Sept. 11, 2009; Re-reported as committed, Sept. 30, 2009; Re-committed to ENVIRONMENTAL RESOURCES AND ENERGY, Nov. 10, 2009; Re-reported as amended June 22, 2010; recommitted to Rules, June 21, 2010; Re-reported as committed, June 22, 2010; Re-committed to Appropriations, June 22, 2010;

**HB 1531** – State Budget – several revenue generating line items added to PA State Budget legislative proposals including amendment for Marcellus Shale Drilling Severance Tax; pass House floor vote 103-98, Oct. 2, 2009. Will go over to Senate for consideration. Signed in Senate, Oct. 8, 2009; Presented to Governor, Oct. 8, 2009; **Approved by the Governor, Oct. 9, 2009.**

**HB 1545** – Title 18 – Imposing a 1% tax on each sale of a firearm. The tax receipts shall be deposited into a newly created Violence Reduction Fund. The Pennsylvania State Police shall use the fund to assist local police forces with programs to reduce violence. The money in the fund shall be continually appropriated into the fund and not lapse at the end of any fiscal year. Referred to Finance Committee, May 29, 2009.

**HB 1590** – Title 18 – Adding that persons convicted of an offense under section 6106(a)(1) (relating to firearms not to be carried without a license) or section 6108(a) (relating to carrying firearms on public streets or public property in certain cities) are not to possess, use, manufacture, control, sell or transfer firearms. Additionally, the limitations on carrying a firearm in cities of the first class (Philadelphia) are extended to cities of the second class (Pittsburgh). The bill adds a penalty. Referred to Judiciary Committee June 2, 2009.

**HB 1620** – Title 34 – Allowing bow hunting on Sundays. Referred to Game and Fisheries Committee, June 5, 2009.

**HB 1832** – Title 42 – Authorizing Commonwealth to join the Interstate Wildlife Violator Compact. Referred to Game and Fisheries Committee, July 6, 2009.

**HB 1859** – Title 34 – Amend poaching fines and penalties in game and wildlife protection for unlawful taking or possession of game or wildlife, and many more provisions; Referred to Game and Fisheries Committee, July 14, 2009. This is a new bill encompassing old HB 97 and amendments agreed to by Committee vote on July 9; these are the watered down, lesser wording penalties and fines amendments; passed out of Committee on July 14 by unanimous vote; reported as committed on July 15; First consideration July 15, re-committed to Rules on July 15; re-committed to Appropriations, July 16, 2009; re-reported as committed, July 20; Second consideration, July 20; Third consideration and final passage, July 21, (196-3); bill sent to the Senate, July 21, 2009. Referred to [GAME AND FISHERIES](#), July 23, 2009. Amended - A05480 by Kasunic was described as a technical amendment. The amendment was unanimously adopted. First consideration, Jan. 26, 2010. Re-referred to Appropriations Committee March 10, 2010. Re-reported as committed May 4, 2010. Third consideration and final Senate passage, July 3, 2010 (50-0). Referred to House Rules Committee, July 3, 2010. Reported as committed, July 3, 2010. House concurred in senate amendments, July 3, 2010 (1898-6). Signed in the House, July 3, 2010. Signed in Senate, July 3, 2010. Presented to the Governor, July 3, 2010. **Approved by the Governor, July 9, 2010.**

**PANWTF DOES SUPPORT**

**HB 1890** – Title 55 -\_An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to The Pennsylvania State University, certain land (452 acres) situate in Benner Township, Centre County; grant and convey to Benner Township, certain lands (25 acres) situate in Benner Township, Centre County; grant and convey to the Pennsylvania Fish and Boat Commission,

certain lands (141 acres) situate in Benner Township, Centre County; and grant and convey to the Pennsylvania Game Commission, certain lands (1211 acres) situate in Benner Township, Centre County. House - Third consideration and final passage, June 30, 2010 ([199-1](#)); Senate – Third consideration and final passage, July 3, 2010 ([50-0](#)). Signed in the House, July 3, 2010. Signed in Senate, July 3, 2010. Presented to the Governor, July 3, 2010. **Approved by the Governor, July 9, 2010.**  
**PANWTF DOES SUPPORT**

**HB 1904** – Title 18 – Act providing for a sales tax holiday on certain firearms, ammunition and hunting supplies; and imposing a penalty. Referred to Game and Fisheries Committee, Aug. 3, 2009.

**HB 2235** – Title 18 – Natural Gas Lease Drilling Moratorium on State Forest Lands. Referred to Environmental Resources and Energy Committee, Feb. 2, 2010. Reported as committed, March 24, 2010, re-committed to Appropriations, April 19, 2010. Second consideration with amendments, May 3, 2010. Third consideration and final House passage may 4, 2010, 157-33. Sent to Senate, referred to Environmental Resources and Energy Committee, May 5, 2010.

**PANWTF Does Support**

**HB 2379** – Title - amending Local Option Small Games of Chance Act, further providing for definitions and for prize limits; providing for insured games; further providing for limited sales, for recordkeeping, for eligible organizations' use of locations for conducting small games of chance and for separate individual prize limitations; providing for licensed establishments; Referred to Gaming Oversight, March 29, 2010.

**Marcellous Shale Extraction Severance Tax 5 bills out of 8 and many different amendments**

**HB 2435** – Tax Reform Bill of 1971 – including among other taxes, imposing a tax on the extraction of natural gas; providing for natural gas severance registration certificate. Places severance tax revenue for 2% for PGC and 3% for PFBC. Referred to Appropriations April 20, 2010.

**PANWTF Abstained, not enough information on extraction severance tax**

**HB 2443** – Title 18 – Marcellous Shale Extraction Severance Tax, revenue tax payments will include 4% for PFBC, 2% for PGC, Referred to Finance Committee, April 22, 2010.

**HB 2526** – Title 34 – an Act amending Game and Wildlife Code of the Pennsylvania Consolidated Statutes, further providing for dogs pursuing, injuring or killing big game. Referred to House Game and Fisheries, May 19, 2010.

**PANWTF DOES SUPPORT**

**SB 905** – Title 72 – Amends Title 72 re natural gas extraction tax with all tax revenue being used in the state budget. Referred to Finance Committee, June 4, 2009.

HB 2438, HB 1489

HB 2526 – Title 34 – section 2383 – further providing for dogs pursuing, injuring or killing big game, to make use of a leashed blood-tracking dog to track a white-tailed deer in an attempt to recover an animal which has been legally killed or wounded during any open season for white-tailed deer. Referred to House Game and Fisheries Committee, May 19, 2010.

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