

No. 2002-138

AN ACT

SB 1243

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the allocation of revenues within the Game Fund.

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

Section 1. Section 521(b) of Title 34 of the Pennsylvania Consolidated Statutes is amended to read:

§ 521. Establishment and use of Game Fund.

* * *

(b) Specific allocation of certain revenues.—

(1) A minimum of [~~\$1.25~~] **\$4.25** from each resident *and nonresident* license [~~for which the full fee has been paid~~] and [~~a minimum of~~] \$2 from each antlerless deer license issued for which the full fee has been paid shall be used [~~solely~~] for habitat improvement, *development, maintenance, protection* and restoration conducive to increasing natural propagation of game [~~or~~] *and* wildlife on all lands under the control or operation of the commission, including lands enrolled in the commission's public access programs and other public lands open to hunting under agreement with the commission. The moneys collected under this paragraph shall be deposited into [~~two separate accounts~~] *one separate account* and shall be used exclusively for the natural propagation of game and wildlife by:

(i) Improving and maintaining any natural wildlife habitat by the production, distribution and planting of trees, shrubs, vines and forage crops.

(ii) Forest management practices related to the creation and development of food and cover.

(iii) Development and management of food and cover openings, *including maintenance of soil fertility and herbaceous ground cover.*

(iv) Purchase, construction and enhancement of wetlands and riparian areas.

(v) Construction and maintenance of nesting, *brooding and rearing structures or areas.*

(vi) The prorated cost for the purchase, maintenance and operation of equipment, tools and materials necessary to meet the habitat improvement objectives of this section. No moneys in [~~these accounts~~] *this account* shall be used for capital purchases under this subparagraph.

The commission shall submit an annual report on all expenditures from this account in the manner prescribed under section 522 (relating to appropriation and audit of moneys).

(2) Any moneys collected by or for the commission from the sale of the migratory bird hunting license shall be used [solely] for the purpose of migratory game bird management, habitat acquisition and improvement and related program administrative costs.

[(3) A minimum of \$3 from each resident and nonresident license for which the full fee has been paid shall be used solely for habitat improvement and restoration conducive to increasing natural propagation of game on all lands under the control or operation of the commission, including lands enrolled in the commission's public access programs and other public lands open to hunting under agreement with the commission. The moneys collected under this paragraph shall be used exclusively for the natural propagation of game by:

(i) Improving and maintaining any natural wildlife habitat by the production, distribution and planting of trees, shrubs, vines and forage crops.

(ii) Forest management practices related to the creation and development of food and cover.

(iii) Development and management of food and cover openings.

(iv) Construction and enhancement of wetlands and riparian areas.

(v) Construction and maintenance of nesting structures.

(vi) The prorated cost for the maintenance and operation of equipment, tools and materials necessary to meet the habitat improvement objectives of this section. No moneys in these accounts shall be used for capital purchases under this subparagraph.

The commission shall submit an annual report on all expenditures from this account in the manner prescribed under section 522.]

Section 2. This act shall take effect July 1, 2002.

APPROVED—The 25th day of November, A.D. 2002.

MARK S. SCHWEIKER