

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2309 Session of 2020

INTRODUCED BY ZIMMERMAN, MILLARD, RYAN, GREINER, BERNSTINE AND OWLETT, FEBRUARY 24, 2020

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, FEBRUARY 24, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; providing for judicial administration; and
18 prescribing the manner in which the number and compensation
19 of the deputies and all other assistants and employes of
20 certain departments, boards and commissions shall be
21 determined," in powers and duties of the Governor and other
22 constitutional officers, of the Executive Board and of the
23 Pennsylvania State Police, further providing for Pennsylvania
24 State Police Force; in powers and duties of Department of
25 Conservation and Natural Resources, providing for Project 70;
26 in powers and duties of the Department of General Services
27 and its departmental administrative and advisory boards and
28 commissions, further providing for Department of
29 Environmental Resources powers not affected; in powers and
30 duties of the Department of Community Affairs, its
31 departmental boards, bureaus and agencies, further providing
32 for powers and duties in general; and making a related
33 repeal.

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

3 Section 1. Section 712(b) (1) and (3) of the act of April 9,
4 1929 (P.L.177, No.175), known as The Administrative Code of
5 1929, are amended to read:

6 Section 712. The Pennsylvania State Police Force.--The
7 various members of the Pennsylvania State Police are hereby
8 authorized and empowered:

9 * * *

10 (b) To act as game protectors, and as forest, fish, or fire
11 wardens, and for the better performance of such duties,

12 (1) Seize all guns, boats, decoys, traps, dogs, game, fish,
13 shooting paraphernalia, or hunting or fishing appliances or
14 devices, used, taken, or had in possession, contrary to the laws
15 of this State. Any article so seized shall be held subject to
16 such disposition as the Executive Director of the Pennsylvania
17 Fish Commission [or], the Executive Director of the Pennsylvania
18 Game Commission or the Secretary of [Environmental] Conservation
19 and Natural Resources may respectively determine.

20 * * *

21 (3) Search without warrant any boat, conveyance, vehicle or
22 receptacle, when there is good reason to believe that any law
23 has been violated, the enforcement or administration of which is
24 imposed on or vested in the Pennsylvania Fish Commission or the
25 Pennsylvania Game Commission or in the Department of
26 [Environmental] Conservation and Natural Resources.

27 * * *

28 Section 2. The act is amended by adding a section to read:
29 Section 1903-B. Project 70.

30 The Department of Conservation and Natural Resources shall

1 have the powers and duties vested in the Department of Commerce
2 by the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as
3 the Project 70 Land Acquisition and Borrowing Act.

4 Section 3. Sections 2401.2 and 2501-C(h) of the act are
5 amended to read:

6 Section 2401.2. Department of [Environmental] Conservation
7 and Natural Resources Powers not Affected.--It is not the
8 intention or purpose of this Article XXIV to curtail the
9 historical construction activities of the Department of
10 Environmental Resources. Therefore, nothing in this article
11 shall be interpreted as altering in any way the powers, duties
12 and authority of the Department of Environmental Resources as
13 possessed by it just prior to the effective date of this
14 article[.] and transferred to the Department of Conservation and
15 Natural Resources by section 304 of the act of June 28, 1995
16 (P.L.89, No.18), known as the Conservation and Natural Resources
17 Act.

18 Section 2501-C. Powers and Duties in General.--The
19 Department of Community Affairs shall have the power, and its
20 duties shall be:

21 * * *

22 (h) To coordinate and wherever provided by law to supervise
23 or administer the various programs of State and Federal
24 assistance and grants, including but not limited to housing,
25 redevelopment, urban renewal, urban planning assistance,
26 [Project 70,] area development, revitalization of central city
27 cores, mass transportation, river basin studies, port
28 development, air and water pollution, land and soil
29 conservation, economic opportunity, and public works and
30 community facilities and Appalachian assistance; and to furnish

1 comprehensive planning and technical assistance on any program
2 set forth in this subsection [(h)].

3 * * *

4 Section 4. Repeals are as follows:

5 (1) The General Assembly declares that the repeal under
6 paragraph (2) is necessary to effectuate the amendment of
7 section 712 of the act.

8 (2) Section 302(h) of the act of June 28, 1995 (P.L.89,
9 No.18), known as the Conservation and Natural Resources Act,
10 is repealed insofar as it relates to the administration of
11 section 712 of the act.

12 (3) The General Assembly declares that the repeal under
13 paragraph (4) is necessary to effectuate the addition of
14 section 1903-B and the amendment of section 2501-C(h) of the
15 act.

16 (4) Section 306(d) of the Conservation and Natural
17 Resources Act, is repealed insofar as it relates to the
18 transfer of duties from the Department of Community Affairs
19 to the Department of Conservation and Natural Resources.

20 Section 5. This act shall take effect in 60 days.