COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

IN RE: PENNSYLVANIA GAME COMMISSION
BOARD MEETING
OCTOBER 2, 2007

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A verbatim transcript
of meeting held at
2001 Elmerton Avenue,
Harrisburg, Pennsylvania,
on Tuesday,

October 2, 2007
8:30 A.M.

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BEFORE:

THOMAS E. BOOP, ESQUIRE, PRESIDENT
ROXANE S. PALONE, VICE PRESIDENT
GREGORY J. ISABELLA, SECRETARY
RUSSELL E. SCHLEIDEN, COMMISSIONER
DAVID W. SCHREFFLER, COMMISSIONER
H. DANIEL HILL, III, COMMISSIONER
JAY DELANEY, JR., COMMISSIONER

ALSO PRESENT:

CARL G. ROE, EXECUTIVE DIRECTOR
M. W. SCHMIT, DEPUTY EXECUTIVE DIRECTOR
WILLIAM R. POUSS, ESQUIRE, CHIEF COUNSEL
PRESIDENT BOOP: Good morning, everyone.

Welcome to our October Commission meeting. I’m glad to see everyone here this morning. Just a couple notes, I’m not going to make any comment on how long it’s going to go this morning, because I was wrong yesterday. We’ll just see what develops this morning as our normal meeting.

We would ask if you have cell phones with you that you turn them off, because they’re very distracting if they go off during the meeting.

With that I would call the meeting to order and ask you to join with us in the Pledge of Allegiance to our flag.

(Pledge of Allegiance said.)

PRESIDENT BOOP: Mr. Secretary, will you call the roll?

MR. ISABELLA: Yes, Mr. President.

Commissioner Boop.

PRESIDENT BOOP: Present.

MR. ISABELLA: Commissioner Palone.

MRS. PALONE: Present.


MR. SCHLEIDEN: Present.

MR. ISABELLA: Commissioner Schreffler.
MR. SCHREFFLER: Present.

MR. ISABELLA: Commissioner Hill.

MR. HILL: Here.

MR. ISABELLA: Commissioner Delaney.

MR. DELANEY: Present.

MR. ISABELLA: All present and accounted for, Mr. President.

PRESIDENT BOOP: Thank you, Mr. Secretary.

Commissioners, you have before you the minutes of the June 26 meeting. You’ve had an opportunity to review those. Is there a motion that those minutes be approved?

MR. SCHLEIDEN: So moved.

PRESIDENT BOOP: Commissioner Schleiden. Is there a second?

MR. ISABELLA: Second.

PRESIDENT BOOP: Commissioner Isabella. If there’s no other question or comment on the minutes, all those in favor of the minutes from June that they be approved indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed same sign.

(No response.)
MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr. Secretary.

I did not receive from the lobby any forms for public testimony or public comment. Before we get into the business meeting, is there public comment or public testimony?

Yes. We would recognize you if you want to come up to the podium. Just if you’d please state your name and you may address the Board.

MS. SMITH: Good morning. My name is Jessie Smith and I am the Special Deputy Secretary for dog law enforcement at the Department of Agriculture.

I wanted to come today to speak briefly about the proposed revisions to the dog law regulations. The proposed revisions were published in December of 2006. They’ve drawn a lot of press and a lot of interest since then, particularly from the sporting community. So I wanted to come and talk about those very briefly and then answer whatever questions you may have.

The proposed revisions came from the fact that the dog law regulations were last revised in 1996. The dog industry is rapidly changing, like
many other industries. In 1996, there was no such thing as dog daycare. There was no such thing as a kennel rescue network where dogs were brought by the thousands from one state to another to be adopted. There have been a number of changes in the dog breeding industry.

The other thing that occasioned these revisions besides just changes in the way people do business is the fact that our wardens had been coming to us at the Department of Agriculture and saying, “I have a situation particularly a commercial kennel situation where I don’t think the dogs are being treated humanely and there isn’t anything I can do about that.”

The current regulations prescribe a cage size, which is very small. For a dog that’s two feet long, there’s a 6.25 square foot cage size requirement. So that’s about a two by three-foot cage, six-foot head clearance. If you’re transporting your dog somewhere and you have your dog in a field trial for an afternoon that’s fine, but these are regulations that relate to the primary living space of the dog where the dog is all the time.

One of the practices in commercial
breeding is to have dogs more or less permanently
caged. Our regulations now don’t require that
those dogs be taken out of the cages, that they be
exercised, that they be removed whenever the cage
is cleaned. Changes are proposed in that area.

Changes are proposed in the area of
water. We require that dogs have water six hours
out of 24. As our wardens have said, “If I go
there and the dog doesn’t have water, what do you
want me to do? Wait 18 hours and see what
happens?”

So we have made other proposals to try to
improve the health, safety and welfare of all dogs
in the Commonwealth.

There are certain things that we haven’t
done in the proposal and I want to talk about them
briefly. We are not requiring anybody who doesn’t
have a kennel license now to get one. We’re
revising the regulations.

The law says if you don’t have 26 dogs
through in a year you don’t need a kennel license.
Those are dogs that you either own or you are
keeping for someone else, like in a boarding
kennel situation where actually with any number of
dogs a boarding kennel needs to be licensed.
If you have a field trial, if you have a
dog show, which the Department of Agriculture does
all the time with the Farm Show, if you have a
campground that permits dogs, if you have a bunch
of dogs over to your house for the afternoon, you
do not need a kennel license. Any kind of
temporary event like that or some instance where
dogs are on your property, but they’re under the
care of somebody else, like training is something
that did not and does not require a kennel license
and that’s based on the law.

I think the other major point is there
are many sporting dog kennels in Pennsylvania,
most of which are not licensed and don’t have to
be licensed, because they don’t have 26 dogs. We
got 16,000 comments on the regulations, all agency
all-time record. Most of those were positive.

Many of those were also from people who
did not have kennel licenses who I think
mistakenly thought that these new regulations were
doing something to sweep them in, when they had
not been required to get a license before. There
is nothing that has changed there. If you don’t
need a license now, you’re not going to need a
license under the new regulations because the 26
dogs is in the law and remains the same.

We have a dog law advisory board. We have three members of our board who owns sporting dogs, one who owns beagles, one who owns Brittanys, one who owns German Shorthaired Pointers and has a boarding kennel for them. Two of those members of the board actually don’t have licenses because although they raise sporting dogs, they don’t have 26 through in a year.

We are responding to all the comments.

You can imagine what kind of a task that is, which is why we had a 90-day comment period that ended in mid-March. We got the synthesized comments from the Regulatory Review Commission in the middle of April, where they looked at all the public comments and tried to analyze them and reflect them.

We are still working on the comment response document and revised regulations. I’ll have them out by the end of the year. Anybody who has written to us form letters we’re answering as one, but anybody who has written an individual letter we’re answering it individually and that will be published on our web site and also in the Pennsylvania Bulletin.
So what I’m asking you today is just to keep an open mind with this. We’re at the beginning of very complex regulatory process made more complex because of the dog law itself. It says we have to have a public hearing on these regulations. That is not typical since the advent of work, but it says in the dog law that we have to do it.

So we will be doing that in early 2008, taking testimony and written testimony. That will be on the second draft of the regulations. The third draft will then come out with a short comment period and then the regulations will be put into final form to be voted on by the House and Senate Agriculture and Rural Affairs Committee.

We have gotten a couple of comments from sporting dog owners that I think are very well taken. Probably number one is exercise, because these regulations were written with the view to the permanently kenneled dog. So the revisions, the proposed revisions require exercise for the first time and said you can walk the dog on a leash or you can turn the dog out in an exercise area.
Sportsmen said very practically, “Well, what about us? We hunt our dogs. They run for hours, so that’s their exercise.” We agree with that and that’s a change that we will make in the second revision of the regulations.

We also got some complaints about some of the new record keeping requirements to make sure that there was a record of dogs, feeding, water and that kind of thing. That is something that we have committed to make some changes so that that’s less burdensome.

We had many kennels, not just sporting dog kennels say, “Well, this is the setup we have. It works, but we don’t have exactly the drainage that you’re proposing. We don’t have exactly the slope that you’re proposing, but we don’t have any problems with our kennel. Our dogs are in good shape so why should you prescribe these particular engineering requirements to us?” Again, that’s something that we’re taking under consideration.

Sporting dogs tend to be housed in packs. There’s nothing in the regulations that say that the dogs can’t be housed in packs. Again, that’s been another confusion, because we specify what cages have to be like if dogs are caged.
But if your dogs are in your home or your
dogs are in a pack where they’re living together
in a large enclosed run situation where they’re
not separated into cages, we certainly would not
be requiring that. That’s just the requirements
if the dogs are caged.

At this point I know your time’s very
valuable. I know you have a big agenda for today,
so I’d just like to let you ask me any questions
you might have about the proposed revisions to the
dog law regulations or how they affect sporting
dogs and the sporting community.

PRESIDENT BOOP: Do the Commissioners
have questions?

Commissioner Isabella.

MR. ISABELLA: Yes, thank you.

Ms. Smith, yesterday there were a lot of
good, honest people that were here and testified
about the proposed regulations and they were
really scared, scared that there’s dog police and
maybe they will be put out of business.

I know the intention of the regulations
are to put out puppy mills, which I agree. The
only thing, I’m not going to debate with you today
all the revisions and the changes which you were
talking about today. The only thing I ask if you
would just step back, do a little bit slower and
just seek more public input from these regs.
That's all.

MS. SMITH: Well, I appreciate that.
Beyond the 16,000 public comments, which we’ll
respond to, there will then be a public hearing.
We’ve been meeting with public groups. Groups
have been expressing their various concerns. The
regulatory process is designed for maximum input.
We’re not even a third of the way through that
process at this point, so we will definitely be
taking that input.

I appreciate your comment.

MR. ISABELLA: Thank you. No more
questions.

PRESIDENT BOOP: Thank you.
Commissioner Delaney, did you have a
question or comment?

MR. DELANEY: Yes.

Madame Secretary, thank you for coming
here today. We appreciate you being with us. As
Commissioner Isabella said, we had several from
the community voice their concerns to us
yesterday. Actually, many of their concerns that
they mentioned to us I had written down here and
actually you already addressed many that you’re
going to fix.

For instance, the daily exercise
requirement by hunting dogs. You say now that
that’s a regulation that you’ve reconsidered. I
evaluated a lot of the data here, the information,
and myself I have two Springer Spaniels that I
hunt with and it really concerned me. I looked at
the number of 26, and I think we share the same
thing. We want the dogs to be taken care of.

Most of us take care of our dogs like
they are family members. So the sporting dog
community was just really concerned with the
really strict regulations that the regular
breeders, the small time folks, were going to be
restricted to.

I think we share the same concern, to
take care of the puppy mills, to make sure that
these dogs are healthy and all the same values as
you. But they thought that their voice wasn’t
getting through.

Now, from what you said today, already
the requirement that if there’s a temporary hunt
and you’re going to have 26 dogs all together, the
housing requirements would not be the same, would
I be correct in saying that?

MS. SMITH: That’s correct.

The requirements in the regulations refer
to primary enclosure, which means the dog’s living
space. They relate to the size that that living
space has to be.

If a dog is in a temporary kennel, like a
Vari kennel on an airplane or in the back of your
car or being transported that particular
regulation doesn’t relate. It has to do with the
dog’s permanent living space.

MR. DELANEY: See, what I saw it says
that this regulation will apply even to temporary
housing. So if there was a foxhound or there’s a
hunt and they had all of the dogs together that
this regulation would be too constrictive for
their needs, even though this would only be a
temporary thing. I think that was just one.

The daily exercise requirement. If you
have a hunting dog and you’re going to hunt that
dog for four hours, that seems to be like it’s
enough exercise for a dog, yet the requirement
says 20 minutes a day. So it seems like you’re
addressing those concerns, would I be correct in
that, saying that?

MS. SMITH: Yeah. You bring up a good point, because there’s two different things there. With the exercise, we just got it wrong, because we didn’t include something like the hunting dog or a dog that’s in a big indoor/outdoor run that runs back and forth all the time and has a lot of space to run in. That’s something that we got wrong and we are fixing so that there’s other exercise alternatives.

With the temporary home that’s interesting, because that has nothing to do with sporting dogs. There is the phenomenon that I mentioned of kennel rescue networks where people are working with thousands of dogs a year and often bringing them from other states, but they’re not kennels per se, because they don’t have a kennel and they put these dogs in hundreds of what everyone calls foster homes.

We were struggling for another phrase for that that didn’t sound like it related to children in foster homes and we came up with temporary home. Temporary home is obviously not the right phrase, because it’s caused a lot of confusion and people have thought if I have a dog come visit me
for a couple of hours then I’m that dog’s
temporary home and that brings me into the kennel
regulations.

That is not the idea. Temporary home was
meant to relate to someone who is fostering a
rescue dog for a period of time, not so that we
can inspect their home like a kennel, but so that
we have some track of these dogs. We can go to
the organization and they can say Commissioner
Delaney has five of our dogs and then we can come
to you and say do you have five of this
organization’s dogs? Do they have licenses or
kennel tags from the organization? Do they have
their rabies shots?

It’s unfortunate, because that has been
widely misinterpreted, which tells us that we need
to be much more specific about what is intended by
the phrase “temporary home.”

MR. DELANEY: Okay, ma’am, thank you.
PRESIDENT BOOP: Other Commissioners?
Commissioner Hill.

MR. HILL: Thank you, ma’am, for coming.
Face-to-face conversations are a lot more helpful
than letters most of the time.

I just wanted to say that not so much in
the particular detail of the regulations but just
the general sense of the hunting community of
dogs, and I’ll mention two books, both by Gene
Hill, no relation to me: *Sunlight and Shadows* and
*Tears and Laughter*.

Truly, the relationship between hunters
and their dogs is storied, literally and
figuratively. I am also a person who rescued a
dog in January. I drove to Grand Rapids. It was
my fifth consecutive rescued dog. The dog is now
being fitted for a custom vest.

Just to have that sensitivity in mind,
well, he will sink like a stone if doesn’t. It’s
a floatation and orange vest. I won’t criticize
him any further either. But it is a tremendous
and warm relationship.

Your sensitivity to that I think will not
only be in developing the regulations but also in
interpretation of them; I think this is really
what the community wants to hear.

MS. SMITH: Thank you very much for your
comment.

I was fortunate enough to go and tour
both the Cheshire and Radnor hunts in Chester
County and I decided that if I get another shot at
this world I want to come back as one of the Cheshire hunt foxhounds.

MR. HILL: That’s exactly the point. Thank you. Everyone here that has -- well, there’s a million stories much better than mine.

PRESIDENT BOOP: Mr. Schleiden.

MR. SCHLEIDEN: Madame Secretary, thank you very much for coming today. Excuse my voice.

In the past working with the Department of Agriculture on issues that they had relative to some things that we were doing, we’ve been able to sit down and talk between staff. Would you have a problem with the Commissioners directing some of our staff personnel to meet with you or meet with your staff to review that from the sporting side of the issue?

MS. SMITH: Absolutely not. We would welcome that.

Our only restraint at this point, which is part of the regulatory review process itself, is the comment period is closed. We can’t take additional comments from the public until we answer the 16,000 we already have and set up a public meeting, but in terms of meeting with groups to see what their interest and concerns
are, meeting with staff of other agencies we’ve met a couple of times with her. We’re very open to that.

MR. SCHLEIDEN: Thank you.

PRESIDENT BOOP: Any other Commissioners?

MR. HILL: I just have one follow-up. Regarding the public hearing, do you have a sense of the date or the location or are there multiple dates and locations?

MS. SMITH: The public hearings will be in early 2008, because we’ve committed to have the comment response document done and the regulations revised by the end of the year. I’m sure there will be one at the Farm Show. I don’t know if we’ll do remote locations. It’s tough to do remote locations at times, because we don’t necessarily have the professional sound system and some of the things that you need to run the hearing, but there will definitely be one early 2008, over at the Farm Show. There may be some remote locations, but I don’t want to commit to that at this point, because I’m not sure about that.

MR. HILL: With Farm Show weather, it might even be tough to do one there.
PRESIDENT BOOP: Anyone else?

MR. SCHMIT: On behalf of all the Board, Deputy Secretary, we appreciate very much your coming and sharing these comments with us. Hopefully, we can provide some input at some point, as Commissioner Schleiden suggested. It’s been very helpful for you to come here this morning with us, so thank you on behalf of all the Board.

MS. SMITH: Sir, thank you very much. I’ve brought a few points, because as you know when you get up to speak you sit down and immediately say, I forgot about whatever. So I’m going to give your Deputy Executive Director, Mr. Schmit, my points to pass out. If there’s something that you’re wondering about that I may not have addressed, hopefully, it’s in the points. Thank you very much.

PRESIDENT BOOP: While that’s being passed out, if we could turn to page 2 of the agenda? I don’t see anyone else who wants to make public comments. Seeing no one I would move to the formal part of the agenda.

The item which appears on page 2 this is the one item at the October meeting for adoptive
rule making, which if approved will be adopted.

Mr. Pouss, on page 2 would you give us
the item?

MR. POUSS: Thank you, Mr. President.

The first item relates to adoption of a
proposed amendment to §133.41, Title 58 of Pa.
Code.

To effectively manage the wildlife
resources of this Commonwealth, the Game
Commission, at its June 26, 2007 meeting, proposed
the following change:

To Amend §133.41 (relating to
classification of mammals) to update
Pennsylvania’s list of native endangered and
threatened species with current recommendations
provided by scientific technical committees of the
Pennsylvania Biological Survey.

The Executive Director and staff
recommend final adoption of this amendment to 58
Pa. Code as shown on Exhibit A, which is on page 3
of your agenda.

Essentially what it indicates is that the
following mammals are classified as endangered:
the Northern flying squirrel.

PRESIDENT BOOP: You’ve heard the reading
of the item. It’s properly before us at this
time. Is there a motion?

MR. SCHREFFLER: So moved.

PRESIDENT BOOP: Commissioner Schreffler
has made a motion.

Is there a second to the motion?

MRS. PALONE: Second.

PRESIDENT BOOP: Commissioner Palone.

Is there any discussion on the agenda
item?

(No response.)

PRESIDENT BOOP: Hearing none, we will
vote.

All in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed same sign.

(No response.)

MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr.
Secretary.

The Chair would recognize Director Palmer
who is here at the podium to assist us and we’ll
now turn to page 4. You’re now reading the
proposed rule making. You’ll have a number of
items on proposed rule making.
The first one, Mr. Pouss, is quite lengthy. Maybe you could summarize it for us? I believe all the Commissioners have had a chance to read it.

MR. POUSS: Would you like me to read the commentary first?

PRESIDENT BOOP: Read the commentary first and then just summarize it.

MR. POUSS: The proposal is to amend 58 Pa. Code, §137.1, which requires a person importing lawfully acquired wildlife, or part thereof, for menagerie, educational or scientific purposes to obtain an importation permit, but does not require an importation permit for exotic wildlife dealer or exotic wildlife possession permit holders.

In an effort to create consistency in the regulations and increase the Commission’s capabilities to address wildlife epidemiological concerns, the Commission is proposing to amend §137.1 (relating to importation, sale and release of certain wildlife) to specifically require propagation, exotic wildlife dealer and exotic wildlife possession permit holders to acquire an importation permit prior to importing any wildlife
into this Commonwealth.

The Commission is also proposing to amend §137.1 to prohibit the importation, possession, sale and release of all non-human primates and the Conure-Nanday, sometimes referred to as the Black-hooded Parakeet, in response to human health and safety and wildlife habitat health purposes.

You can see the proposed changes to §137.1. A lot of them are specifically one word changes, adding “while” in subsection (a), “and/or possess” relating to domestic cats, and “and/or possess” in subsection (2) relating to Canidae.

Subsection 7, 8, 9, 10 and 11 as they exist now are deleted. Language is added under those subsections.

Finally, under subsection (2) a person wishing to import wildlife for a menagerie, exotic wildlife possession, exotic wildlife dealer or propagation purposes shall be in possession of a permit prior to submitting an application.

I guess that’s the best I can summarize it at this point.

PRESIDENT BOOP: Thank you, Mr. Pouss.

Commissioners, before you is the first item of proposed rule making.
Is there a motion?

MR. SCHREFFLER: I’d like to make a motion.

PRESIDENT BOOP: Yes, Commissioner Schreffler.

MR. SCHREFFLER: I’d like to make a motion to table this to further study.

PRESIDENT BOOP: Your motion is to table and return to committee for further discussion? Is there a second to Commissioner Schreffler’s motion?

MR. ISABELLA: Second.

PRESIDENT BOOP: I would recognize Commissioner Isabella.

So it’s been properly moved and seconded that we table.

Is there discussion on the motion that’s on the floor?

(No response.)

PRESIDENT BOOP: Hearing none, all those in favor of tabling this action item indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed same sign.

(No response.)
MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr. Secretary.

We’ll now move to pages 6 and 7. The next item of proposed rule making.

Mr. Pouss.

MR. POUSS: The next item also involves an amendment to 58 Pa. Code. This one is §141.20. Various hunters and sporting organizations have called for the Commission to review and/or reconsider the current regulatory mandate that turkey hunters wear at least 100 square inches of solid fluorescent orange-colored material on the head while moving about or relocating during the spring turkey season. Safety of hunters afield is without a doubt one of the paramount concerns of the Commission, especially as it relates to hunters shooting other hunters in mistake for game.

Notwithstanding anecdotal indications that the protective material requirement does in fact prevent some accidents, the available statistical data relating to HRSI’s during the spring turkey season is indeed devoid of clear evidence that the protective material requirement
has made any appreciable reduction in the occurrence of HRSI’s.

After thorough discussion and review, the Commission has determined that it is prepared to eliminate the protective material requirement for the spring turkey season, however, it will remain attentive to the effect such removal has on the occurrence of HRSI’s. Therefore, the Commission is proposing to amend §141.20 (relating to protective material required) to eliminate the removal of this requirement. The Commission recommends that hunters consider continuing to wear orange.

You can see the proposed change on pages 6 and 7 of your agenda.

The Executive Director and staff recommend the Commission approve this change.

PRESIDENT BOOP: Commissioners, the item is before us proposed rule making.

Do we have a motion?

MR. DELANEY: President, I’ll make that motion.

PRESIDENT BOOP: Commissioner Delaney.

Is there a second to Commissioner Delaney’s motion?
MR. HILL: Second.

PRESIDENT BOOP: Commissioner Hill.

Properly moved and seconded.

Is there discussion on the item?

(No response.)

PRESIDENT BOOP: Hearing none, we will vote.

All those in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed same sign.

(No response.)

MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr. Secretary.

Moving to pages 8 and 9 of the agenda. The next proposed item.

MR. POUSS: Thank you, Mr. President.

The next item involves an amendment to §143.12 of Title 58 of the Pennsylvania Code.

The Pennsylvania Game Commission’s hunter education program has grown in recent years to include not only the basic Hunter-Trapper Education curriculum for all first-time license buyers, but also a mandatory Remedial Hunter
Education training program and a Cable Restraint Certification curriculum required for certain trapping activities.

A voluntary advanced training program, titled “Successful Bowhunting” was developed to improve bowhunters’ knowledge, skills and abilities. Future curriculum expansion is envisioned with additional species-specific and discipline-specific advanced training programs.

With this growth, many agency staff and volunteer instructors have benefitted from these training programs, resulting in an improvement in their knowledge and skills. This regulation formalizes the ability for the agency to waive course registration fees associated with certain hunter education training programs, thereby allowing staff and volunteer instructors to participate in these and future training programs without being charged a fee. This waiver would be further defined by formal, written hunter education policy and would be subject to review and approval by the Director.

The proposed changes are shown on pages 8 and 9 of your agenda.

The Executive Director and staff
recommend the Commission approve this change.

PRESIDENT BOOP: You’ve heard the reading, Commissioners. The item is before us. Is there a motion?

MR. ISABELLA: Motion.

PRESIDENT BOOP: Commissioner Isabella. Is there a second?

MRS. PALONE: Second.

PRESIDENT BOOP: Commissioner Palone. Properly moved and seconded. Is there discussion on the item?

(No response.)

PRESIDENT BOOP: Hearing none, all those in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed same sign. (No response.)

MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr. Secretary.

Moving now to the next item, which appears beginning on page 10 and continues I believe to page 16.

Again, Mr. Pouss, if you give us the commentary and then just briefly summarize the
MR. POUSS: This item involves proposed amendment to Chapter 147, Subchapter P, of Title 58 of the Pennsylvania Code.

The Commission has been working in consultation with the Wildlife Rehabilitation Council to update and amend the wildlife rehabilitation regulations to redress concerns the Commission and Council share respecting current deficiencies.

Some notable changes in the proposal include the creation of a new rehabilitatung facility caging and sanitation requirements for all wildlife, new special requirements for the rehabilitation of rabies vector species and new application, qualification and testing standards for permit applicants. Therefore, the Commission is proposing to amend §§147.301 through 147.307, §147.309 and §147.311 to update and correct regulatory deficiencies in these provision.

You can see the proposed changes on pages 10, 11, and 12 of your agenda. There’s a definition of rabies vector species and some additional single word type changes relating to nonreleasable wildlife being held.
Also, provisions relating to facility

cages, sanitation and rabies vector species,

permit applications and also a letter from a

sponsoring wildlife rehabilitator and a sponsoring

veterinarian. The changes do go to pages 13, 14

and 15.

The Executive Director and staff

recommend the Commission approve these changes.

PRESIDENT BOOP: Commissioners, the item

as it appears on pages 10 through 16 at the

printed agenda are before us this morning.

Is there a motion on the item?

MR. ISABELLA: Motion.

PRESIDENT BOOP: Commissioner Isabella.

Is there a second?

MR. SCHLEIDEN: Second.

PRESIDENT BOOP: Commissioner Schleiden.

Is there discussion on this item before

the Board?

MR. SCHLEIDEN: Mr. President.

PRESIDENT BOOP: Yes. The Chair

recognizes Mr. Schleiden.

MR. SCHLEIDEN: Director Palmer, on page

11, question on paragraph (1), subparagraph (3)

rabies vector species. It says outside caging for
these species would include physical barriers, such as double wiring, solid wall barrier or other types of protective fencing.

A lot of menageries, for instance, they are required to have a four-foot barrier outside most of the wildlife unless you’re driving through.

Is that what you’re talking about here? It could have a split rail fence or anything of that nature to keep that distance away or does it have to have a heavy double wiring?

MR. PALMER: We’re specifying exactly what you’re saying. It’s similar to the menagerie requirement that would prevent someone, a member from the public where an animal’s here and a rehabilitation facility, specifically a rabies vector species, to prevent someone from sticking their hand into the cage and getting bit while this animal is being treated.

Because the facilities do differ, there’s some flexibility within item (3), whether it’s a solid wall or whether it’s two sets of wire, because the few facilities that are out there we didn’t want to impose a lot of unnecessary additional burden to, but we did want to take
protection measures for the rabies vector species
to require that there will be some form of double
caging that would prevent human access to those
animals.

MR. SCHLEIDEN: In other words, these
items can be listed as examples of types and not
misinterpreted by our people who are inspecting?

MR. PALMER: That’s correct.

MR. SCHLEIDEN: As one of those. Okay,
thank you.

PRESIDENT BOOP: Other Commissioners have
questions or comments?

(No response.)

PRESIDENT BOOP: If not, the item has
been properly moved and seconded.

All in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed same sign.

(No response.)

MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr.
Secretary.

Then if we could turn to page 17 the next
item of proposed rule making to begin there on
page 17 and continues to page 19.
Mr. Pouss, if you could give us the reading?

MR. POUSS: This item involves the addition of a Subchapter V, §§147.761-147.765 to Chapter 147 of Title 58 of the Pennsylvania Code. On July 3, 2007, Governor Rendell signed into law House Bill 881, which in relevant part, amended section 2121 of the act (relating to killing game or wildlife to protect property) to authorize the Commission to permit other individuals to assist eligible landowners in the destruction of wildlife causing agricultural damage on their property.

This bill became effective September 1, 2007. However, before the Commission can begin the issuance of any permits to authorize this activity, the Commission must define and create the regulatory structure to implement this new program. To that end, the Commission is proposing to create Subchapter V (relating to agricultural damage depredation permit) in Chapter 147 (relating to special permits) to define and create agricultural damage wildlife depredation permits.

You can see the proposed changes on pages 17, 18, 19 of your agenda.
The Executive Director and staff recommend the Commission approve this addition to 58 Pa. Code.

PRESIDENT BOOP: Commissioners, the item is before you. Mr. Pouss indicted beginning on page 17 and ending on page 19 of the current agenda.

Is there a motion?

MR. ISABELLA: Motion.

PRESIDENT BOOP: Commissioner Isabella.

Is there a second?

MR. DELANEY: Second.

PRESIDENT BOOP: Commissioner Delaney.

Is there discussion on the action item?

(No response.)

PRESIDENT BOOP: Hearing none, all those in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed same sign.

(No response.)

MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr. Secretary.

If we could move now to pages 20 and 21 through 22?
Again, Mr. Pouss, if you would give us
the comment area and a summary.

MR. POUSS: Thank you, Mr. President.

That item relates to amending Title 58 of
the Pennsylvania Code, §141.4 and Chapter 147, by
adding Subchapter W, which would include §§147.781
through 147.785.

Continental snow goose populations have
experienced rapid population growth and have
reached levels resulting in extensive, possibly
irreversible damage to their arctic and subarctic
breeding habitats, as well as negative impacts on
other bird populations in these habitats. The
Federal government has proposed via a Light Goose
Management Final Environmental Impact Statement to
reduce and stabilize snow goose populations
primarily by allowing additional hunting methods
and days.

The U.S. Fish and Wildlife Service
intends to establish a conservation order that
will authorize states, beginning in 2008, to use
hunters to harvest snow geese during the period
when all waterfowl seasons, excluding falconry,
are closed inside or outside the migratory bird
hunting season framework. Participating states
are required to monitor and assess hunting activity and harvest conducted under this conservation order and annually report to the U.S. Fish and Wildlife Service each September.

To let Pennsylvania waterfowl hunters take advantage of this additional taking opportunity and participate in controlling overabundant continental snow goose populations, and to allow the Commission to assess accurately hunter activity and harvest, this amendment to 58 Pa. Code creating a special snow goose conservation hunt permit is being proposed.

You can see the proposed provisions on pages 20 and 21 of your agenda.

The Executive Director and staff recommend the Commission approve this change and addition to 58 Pa. Code.

PRESIDENT BOOP: Commissioners, you’ve heard the reading and the item is before us on pages 20, 21 and 22 of the current agenda.

Is there a motion?

MR. SCHREFFLER: So moved.

PRESIDENT BOOP: Commissioner Schreffler.

Is there a second to Commissioner Schreffler’s motion?
MRS. PALONE:  Second.

PRESIDENT BOOP:  Commissioner Palone.

Is there discussion on the action item?

(No response.)

PRESIDENT BOOP:  Hearing none, all those

in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP:  Opposed same sign.

(No response.)

MR. ISABELLA:  Unanimous, Mr. President.

PRESIDENT BOOP:  Thank you again, Mr.

Secretary.

Moving to page 23 of the agenda, the last
item of proposed rule making. If you could give
us the reading, Mr. Pouss?

MR. POUSS:  Yes, Mr. President.

County Treasurers who issue antlerless
deer licenses for Wildlife Management Units 2B, 5C
and 5D currently begin accepting applications
over-the-counter on the third Monday in September,
which is after the opening day of the new early
archery season for antlerless deer.

By moving over-the-counter sales to the
second Monday in September, it will allow the
County Treasurer to begin accepting applications
and have time to process and issue over-the-counter antlerless licenses prior to the opening
day of the new archery season.

The proposed item would amend §143.52 of
Title 58 of the Pennsylvania Code to make that
change in time.

The Executive Director and staff
recommend the Commission approve this change.

PRESIDENT BOOP: Commissioners, this is
the item before us, which appears on page 23.
You’ve heard the reading.

Is there a motion?

MR. SCHLEIDEN: So moved.

PRESIDENT BOOP: Commissioner Schleiden.

Is there a second to Commissioner
Schleiden’s motion.

MR. SCHREFFLER: Second.

PRESIDENT BOOP: I heard Commissioner
Schreffler first. Commissioner Schreffler is
second.

Is there discussion on the item?
(No response.)

PRESIDENT BOOP: Hearing none, we’ll
vote. All those in favor indicate by saying aye.
(Signified aye.)
PRESIDENT BOOP: Opposed the same sign.
(No response.)
MR. ISABELLA: Unanimous, Mr. President.
PRESIDENT BOOP: Thank you, Mr. Secretary.
Moving to page 24, we’re now leaving proposed rule making and going to other business. What appears on page 24, we have a number of hunting license revocation matters before us. Director Palmer, I assume that the list that all Commissioners received yesterday in the packet, this is what we’re voting on?
MR. PALMER: That’s correct.
PRESIDENT BOOP: There are no amendments or changes to the list?
MR. PALMER: No amendments.
PRESIDENT BOOP: So the Commissioners received this yesterday. We’re voting on the revocations that are set forth in the packet that was received yesterday, which is titled “Hunting License Revocations, October 2, 2007.” Is there a motion to approve?
MR. ISABELLA: So moved.
PRESIDENT BOOP: Commissioner Isabella. Is there a second?
MR. HILL: Second.

PRESIDENT BOOP: Commissioner Hill.

Is there any discussion on this item of business?

(No response.)

PRESIDENT BOOP: Hearing none, all those in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed same sign.

(No response.)

MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr. Secretary.

Thank you, Director Palmer.

We'll now move to the Bureau of Wildlife Habitat Management.

After conferring with the Executive Director, I believe this would be an appropriate time to take a break. I have a little past 9:20. We'll resume at 9:40. Try to come back at 9:40.

(Recess 9:20 A.M.)

(Reconvened 9:50 A.M.)

PRESIDENT BOOP: I'd like to call the meeting back to order and we'll move now to page 25 on the agenda.
I would like to resume on page 25. We welcome you from the Bureau of Wildlife Habitat Management. We have a matter on pages 25 and 26 that involves four options: Cambria County, Somerset County, Clearfield County and another in Clearfield County.

Mr. Pouss, again, the Commissioners have all received this material and reviewed it, so if you do want to summarize, certainly, you can do so.

MR. POUSS: Thank you, Mr. President.

The first option, No. 50020 involves 41.48 acres more or less of land in Blacklick Township, Cambria County, adjoining State Game Lands No. 79 (as shown on Exhibit RED 1) which is I believe on page 30 of your agenda.

The option price is $31,000 lump sum.

The amount to be paid from the Game Fund will be $15,592 being part of a $30,000 donation from Stephen Szabados for the purchase of lands in the Southwest Region.

The remainder will be paid from an escrow account set up by TJS Coal with regard to mining taking place on State Game Lands No. 153. Gas has been reserved for 15 years from the date of
conveyance. The property is mostly forested with cherry, oak, maple and birch.

Approximately seven acres of the property have been previously mined and reclaimed to Department of Environmental Protection standards. The South Branch of Blacklick Creek is the easternmost boundary and creates nearly two acres of riparian wetlands associated with the one-half mile of stream frontage.

The next option is No. 50029 and relates to 100 acres more or less of land in Shade Township, Somerset County, being near State Game Lands No. 93 (as shown on Exhibit RED 2). This is a donation from Consol Coal Company, made possible through the Conservation Fund. A township road bisects the property and provides good public access to the tract.

The entire property is forested with young pole-size cherry, red oak, maple and aspen. Only five percent of the tree species are in a mature saw timber class. There is a small tributary located on the eastern boundary of the property. That would be the second option.

The third option is No. 50012. It involves 926 acres more or less of land in
Covington Township, Clearfield County, adjoining State Game Lands No. 100 (as shown on Exhibit RED 3). The option price is $962,000 lump sum, to be paid from the Penn State escrowed funds and it will therefore require approval of the U.S. Fish and Wildlife Service.

Approximately 20 percent of the property is grasslands and reverting fields with the remaining portions in woodlands. Access is provided on the northwest corner from State Route 1016, commonly known as Keewaydin Road and by Woolridge Road bisecting the western portion of the property running north and southeast.

This tract will also provide vital access to a 113-acre parcel of State Game Lands No. 100, currently separated from the main portion of State Game Lands 100 by the West Branch of the Susquehanna River.

Potter Run flows through the property until it enters adjoining State Game Lands No. 100 and empties into the West Branch of the Susquehanna River.

The final option, No. 50042, it involves 68 acres more or less of land in Karthaus Township, Clearfield County, adjoining State Game
Lands No. 100 (as shown on Exhibit RED 3). The option price is $136,000 lump sum to be paid from the Penn State escrowed funds and will therefore require approval of the U.S. Fish and Wildlife Service.

The majority of the property is forested. Askey Road traverses the property running east and west and the West Branch of the Susquehanna River borders the southern boundary.

The Executive Director and staff recommend the options listed above be accepted by the Commission and authorize the Bureau of Wildlife Habitat Management to proceed with the acquisition of these tracts.

PRESIDENT BOOP: Commissioners, you’ve heard the reading concerning the four options, which appear on 25 and 26 of the agenda. The motion will be to accept and authorize the Bureau of Wildlife Habitat Management to proceed with acquisition.

Will someone make that motion?

MR. SCHLEIDEN: So moved.

PRESIDENT BOOP: Commissioner Schleiden.

Is there a second?

MRS. PALONE: Second.
PRESIDENT BOOP: Commissioner Palone.

Is there discussion on the item that we’re about to vote on?

MR. SCHLEIDEN: Mr. President.

PRESIDENT BOOP: Yes, recognize Commissioner Schleiden.

MR. SCHLEIDEN: Bill, I’m glad to see that options 50012 and 50042 is using some of this Penn State escrow funds. There’s been a lot of question as to our utilization and the time frame that we have to use it in.

I noticed that this 926 acres and an additional 68 acres and when we did that trade on 176, I think that was for what, about 950 acres?

MR. CAPOUILLEZ: Right.

MR. SCHLEIDEN: So we’re moving right along doing what we told the sportsmen we would do in getting good replaceable land. The sooner we can do that, I think we already purchased, what was that, another 300 acres up there in Centre County?

MR. CAPOUILLEZ: Yes, sir.

MR. SCHLEIDEN: So we have a good record now. We’re finding the land and I wanted to commend you and your staff on the work you’re
doing there.

That’s my comment, sir.

PRESIDENT BOOP: Other Commissioners, comments, questions?

Commissioner Delaney.

MR. DELANEY: I also would like to commend Bill for his work with this tract of land. Since 93 percent of our game lands are forested game lands, this is going to offer the small game hunter and pheasant hunter some tremendous opportunity. So rather than just worrying about forest land you can see much of this is grassland and reverting fields. I’m sure the sportsmen appreciate that.

PRESIDENT BOOP: Others questions, comments?

(No response.)

PRESIDENT BOOP: If not, we will vote on accepting and authorizing that we proceed with these four options.

All those in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: Opposed the same sign.

(No response.)
MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Thank you, Mr. Secretary.

Moving to page 27, 28 and 29. For the audiences' benefit, these items that appear were time sensitive and the Commissioners did vote by notational vote. The vote was unanimous, but for the purposes of the record here today, we want to note the approval concerning the option in Cambria County and the AT&T class action.

So, Mr. Pouss, if you would give us a brief summary and then we'll follow?

MR. POUSS: Well, the first option, No. 50003 involves a land exchange involving a 50 by 1,000-foot tract of land, part of State Game Lands No. 51 situate in Dunbar Township, Fayette County. Trout Unlimited requires this property to convey to property owner who will allow Trout Unlimited to construct acid mine drainage treatment ponds on his property.

There will be a restriction put on the land that no occupied dwellings shall be built on the property. The Commission will also except and reserve all oil, gas and mineral rights. The acid mine drainage ponds shall be constructed with a
Growing Greener grant received from the Department of Environmental Protection. The project has a high environmental benefit specially to Morgan Run, by alleviating acid mine drainage.

In addition, Trout Unlimited will cause to be transferred from DEP 68 acres in Reade Township, Cambria County, which will become part of State Game Lands No. 158.

So that basically is that option.

The other action involved an AT&T class action suit which was filed on behalf of three individuals who owned similarly situated property adjoining railroad corridors in Pennsylvania. The complaint averred that AT&T had installed cable in railroad corridors without the consent of the underlying and adjoining property owners.

Plaintiffs sought compensatory and punitive damages against AT&T and on November 4, 2005, the class was certified to include all persons or entities possessing a fee simple interest in land for some period of time after the AT&T cable was installed, underlying or adjoining railroad corridors in Pennsylvania.

The Pennsylvania Game Commission is a member of the class and for purposes of the
litigation the PGC chose to opt-in and file timely
claims for Landowner Benefits by the deadline.

There's quite a bit more as far as
description of what was involved in the class
action suit.

PRESIDENT BOOP: I think everybody has it
in the agenda. It's set forth on pages 28 and 29,
so I think that is sufficient.

Just for purposes of the record will note
that the Board unanimously approved both of these
matters by a proper notational vote on August 27,
of this year.

Let's move now within the same bureau to
the oil/gas and minerals. We're looking at page
33 on the agenda. I believe this is the last item
from the Bureau.

Could you give us this item?

MR. POUSS: Yes, Mr. President.

This item involves deep mine daylighting
and acid mine drainage abatement project on State
Game Lands No. 268 in Tioga County.

The Pennsylvania Department of
Environmental Protection has requested approval to
conduct a mine reclamation and water quality
enhancement project encompassing a 30.8-acre
portion of State Game Lands No. 268 in Morris Township, Tioga County (as shown on Exhibit OGM 1).

The Rattler underground mine, operating on the Bloss Coal seam from 1903 until 1959, resulted in severe acid mine drainage discharges affecting the water quality and biologic life in Paint Run, Stoney Fork and Babb Creek. Between 2001 and 2003, the Department of Environmental Protection in coordination with the Babbs Creek Watershed Association and the Pennsylvania Game Commission constructed passive treatment systems and completed reclamation of 75 acres of abandoned surface mine spoils. Unfortunately, the passive mine drainage treatment systems are overwhelmed by the severe acid mine drainage resulting in continued water quality impairment of Paint Run.

In an attempt to minimize or abate the severe acid mine drainage from the A2-4 discharge, the Department of Environmental Protection proposes to daylight a maximum of 15.3 acres of the deep mine complex, recover all remaining coal reserves including the One-Foot and Bloss coal reserves, apply 2,500 tons per acre of lime or waste lime, replace and re-grade mine spoil to
original contour, construct subsurface drains, 
construct erosion and sedimentation controls, and 
restore wildlife habitat.

The proposed operation will consist of 
two phases, with Phase I consisting of 8.2 acres 
of daylighting and Phase II consisting of 7.1 
acres of daylighting. The project will require 
15.5 acres of support area including the existing 
access road. The Department of Environmental 
Protection will award a contract to complete the 
reclamation project.

The PGC, as a partner in the project, has 
agreed to contribute its coal royalty value of the 
remaining coal reserves for Phase I to the 
project. Approximately 12,000 tons of recoverable 
coal reserves are estimated for Phase I of the 
project with a royalty value of $42,500. The 
Commission’s royalty value will be directly 
applied to the project to offset the cost of 
alkaline addition, the subsurface draining system 
and the surface reclamation.

Upon the successful completion of Phase 
I, the successful bidder, the PGC and DEP may 
elect to continue and complete Phase II. The 
successful bidder and the Commission may, at the
Commission’s discretion, require the successful bidder to enter into the Commission’s standard cola mining lease agreement.

In exchange for the 5-year lease, the successful bidder will pay the Commission at a royalty rate of $2.50 or 12 percent of the then current pit price, whichever the greater, for each and every marketable ton of coal mined and removed from the leased premises.

All royalty revenues generated from Phase II will be deposited directly into the Game Fund. Approximately 10,224 tons of recoverable coal reserves are estimated for Phase II of the project with an estimated royalty value of $36,800.

The project will be regulated by the Commonwealth’s and surface coal mining regulations and the Commission’s standard lease agreement.

The staff has reviewed this proposal and has determined that the total value of the reclamation and water quality enhancement is equal to or greater than the estimated value of the coal.

The Executive Director and staff recommend the proposed reclamation project and lease be approved and the Commission authorize the
Bureau of Wildlife Habitat Management to proceed
with the leasing arrangement as listed above.

PRESIDENT BOOP: Thank you, Mr. Pouss.
Commissioners, the item is before us.

You’ve heard the reading.

Is there a motion?

MR. SCHLEIDEN: So moved.

PRESIDENT BOOP: Commissioner Schleiden.

Is there a second?

MR. ISABELLA: Second.

PRESIDENT BOOP: Commissioner Isabella.

The motion is before us, properly moved
and seconded.

Is there discussion or question on the
item?

MR. SCHLEIDEN: Mr. President?

PRESIDENT BOOP: Yes, recognize
Commissioner Schleiden.

MR. SCHLEIDEN: Bill, in layman’s terms,
basically this was a drainage project that we were
having problems with and would have been on our
responsibility in the long run; is that correct?
Can you talk about that a little bit?

MR. CAPOUILLEZ: Yes, sir. Both of the
discharges are on the game lands and we’ve worked
in partnership with the Babbs Creek Watershed, as
well as DEP, over the course of the last several
years to try to abate those discharges for
habitat, as well as for the right thing to do by
stewardship of the land.

Those efforts, although they’ve been
pretty extensive, the water quality continues to
cause impact to the stream, so this is an option
that DEP presented to us by way of some Growing
Greener funds that they have which is allowing for
us to move forward and try to abatement that water
quality further. Part of our partnering-ship is
to waive the royalty that we might be able to see
from that coal.

Quite frankly, they would never get a
permit under normal conditions to mine that coal
because of the fact that it creates mine drainage.
So it wouldn’t have been an asset that we would
have been trying recover in the future anyway, but
since they have to go in and abate it, there’s no
sense leaving the coal there so they can remove it
and sell it, because the coal is in fact the
reason why the drainage occurs.

MR. SCHLEIDEN: Thank you, sir.

PRESIDENT BOOP: Other Commissioners
questions or comments?

MR. SCHREFFLER: I’d like to make a comment.

PRESIDENT BOOP: Yes, Commissioner Schreffler.

MR. SCHREFFLER: Bill, I just want to commend you. I know this isn’t the only one of our acid mine drainage abatement projects that we have. I know we’ve made special effort to help with water quality and the acid mine drainage in a number of other areas. I want to commend your efforts here in doing this.

It’s a little known fact about the Game Commission and the good things that we’re doing. This is one of them that I’d like to emphasize. Thank you.

MR. CAPOUILLEZ: Thank you, sir. Both the regions and the staff have been working diligently on that. Mike DiMatteo, Nate Havens, Denny Dusza and Land Management staff up there have been pushing those hard throughout the year. So they deserve a lot of the credit.

PRESIDENT BOOP: Commissioner Hill.

MR. HILL: Bill, I guess I’d also like to mention Babbs Creek Watershed Association and it’s
nice to see partners like that. I’m familiar with
Water Creek Association through all my years on
the State Board of Pennsylvania Trout and that’s a
valuable partnership. They’re volunteers like we
are and they do a lot of work. It’s important for
game to have good water, too, so it’s nice to see
that sort of collaboration.

PRESIDENT BOOP: Anyone else?
(No response.)
PRESIDENT BOOP: Okay, the item is before
us properly moved and seconded.

We’re prepared to vote. All in favor
indicate by saying aye.
(Signified aye.)
PRESIDENT BOOP: Opposed the same sign.
(No response.)
MR. ISABELLA: Unanimous, Mr. President.
PRESIDENT BOOP: Bill, I’d like to thank
you for your assistance this morning.
And Bureau Director Palmer and Bureau
Director DuBrock here would help us if we have any
questions I’m sure, so thank you all for being
here this morning.

Just a couple items before we move on.
The Chair would like to recognize Representative
Ed Staback, who has joined us. Mr. Staback, as many of you know, is the Majority Chair of the House Game and Fisheries Committee. Welcome, Representative Staback.

In looking forward to our next meeting in January, when we had originally set the date for the January meeting, it was, the dates again that’s the meeting we have Sunday, Monday and Tuesday. It’s supposed to be on the twentieth, twenty-first and twenty-second. I guess that just simply slipped through and we realized that the Commonwealth, for Martin Luther King Day, that is a conflict so we are going to I believe need to move our date to the following weekend, which is the Sunday, the twenty-seventh and then Monday and Tuesday, the twenty-eighth and twenty-ninth.

Again, not that we govern things based on this, but I know always some concern about when the Super Bowl is, but I believe that’s the following weekend. So I think, Commissioners, that we do, before we leave here today, we do need to make that change.

So this is the recommendation from your Executive Office that we do this, so since we previously set the date for the twentieth, twenty-
first and twenty-second, if you turn back to page
1 on the agenda you'll see the new date. I would
ask that someone would make that motion to change
those dates.

MR. ISABELLA: Motion.

PRESIDENT BOOP: Commissioner Isabella.

Is there a second?

MR. HILL: Second.

PRESIDENT BOOP: Commissioner Hill.

Any discussion?

MR. DELANEY: Yes, President Boop. Just
for the record, the start time on Sunday, the
twenty-seventh?

PRESIDENT BOOP: I think we have started
at 1 o'clock in the past, so I think we could go
with, yeah, that's a good point, 1 o'clock on
Sunday, and 8:30 on Monday and Tuesday. Those
that made the motion will accept those amendments?

What we've voting on now is to change our
January meeting from the twentieth, twenty-first
and twenty-second to the twenty-seventh, twenty-
eighth and twenty-ninth, which will start at 1:00
on Sunday and 8:30 on Monday and Tuesday.

All in favor indicate by saying aye.

(Signified aye.)
PRESIDENT BOOP: Opposed same sign.

(No response.)

MR. ISABELLA: Unanimous, Mr. President.

PRESIDENT BOOP: Okay, thank you, Mr. Secretary.

One of the problems in scheduling the meetings and agendas, as many of you know who serve on Boards, you never quite know how long they’re going to last when you need to schedule things.

So we do have a presentation that was scheduled for 10:30 this morning. Quite frankly, we thought there would be maybe some more public comment, particularly in light of some of the comments yesterday, but that didn’t materialize.

So at this point I’d like to recognize Dot Derr from our Bureau of Administrative Services. She is the Bureau Director.

Dot, are the people involved in this present now?

MS. DERR: Yes, they are.

PRESIDENT BOOP: Well, we thank you very much for being early folks, because I know you were told 10:30, so thank you.

I’m going to turn it over to our Bureau
MS. DERR: Thank you, President Boop.

Thank you, Commissioner, Executive Director Roe, Deputy Executive Director Schmit. Thank you for this opportunity today.

On behalf of the Pennsylvania Game Commission and all sportsmen and women of Pennsylvania, I would like to acknowledge Bruce Mackle, Wayne County Treasurer.

After 20 years of service to the citizens of Wayne County and to the Commonwealth of Pennsylvania, Bruce will be retiring at the end of this year. During Bruce’s tenure, he has served on the Antlerless Deer Committee for 11 years and seven of those 11 years he has been the chairperson.

Bruce, if you would like to come up and sit down I think you’ll be closer to us and folks that would like to speak on your behalf.

I would first like to invite the Honorable Ed Staback to come up. He represents Lackawanna and Wayne Counties. As President Boop said, is also our Majority Chair for the House Game and Fisheries Committee.
REPRESENTATIVE STABACK: Good morning, everyone.

First off, I wanted to thank the Game Commission for inviting me and allowing me to be a part of this morning’s very, very special gathering, a tribute to a very, very dear friend of mine in the likes of Bruce Mackle, who after 20 years of serving the people of Wayne County as the County Treasurer, after so many years of serving the sportsmen and sportswomen across the Commonwealth as a member of the Antlerless Deer Committee, serving as the chairman for a number of years, has elected to retire.

After serving the people for 20 years, this man has established a reputation as a family man, a reputation as an elected public official throughout the Wayne County area that is impeccable, a reputation that can be challenged by absolutely no man. In my view, his retirement is certainly going to create a void within Wayne County politics that’s going to be very, very difficult to fill in time to come.

But he has elected to retire and as such he has earned and deserved all the good things that go with retirement, including the tribute
being afforded him here this morning by all of us and I’m simply pleased to have the opportunity to be a part of it in some small way.

So, Bruce, congratulations on your decision to retire. I’m sure I’m speaking for everyone here when I say we hope and pray that God will bless your retirement years with good health and nothing but the very best that life could further offer both you and your family.

Congratulations, my friend, and good luck.

(Applause.)

MS. DERR: Now representing Susquehanna, Wayne and Wyoming County, the Honorable Sandra Major.

REPRESENTATIVE MAJOR: Thank you and good morning.

It’s my distinct pleasure to be here this morning to share in this very special event as we gather to honor Bruce Mackle. Bruce has done a wonderful job on behalf of the County Treasurers’ Association in his capacity of chairman of the Antlerless Deer Committee.

As a former county treasurer myself, I sincerely appreciate the job and sometimes the
thankless job that we do as county treasurers and
our position in dealing with the Game Commission.
Very often some of the decisions that you folks
make here as Commission officers directly affect
the job that we do as county treasurers and we’re
definitely on those front lines dealing with those
constituents who want to buy those antlerless deer
permits.

So very often I do respect the job that
Bruce has done and certainly want to be here
today. I’d like to welcome my colleague, ask my
colleague, Representative Mike Peifer, who is here
with me also, and present a citation to you.

Representative Peifer, as you know,
represents Pike and Wayne Counties. Mike, I’m
sure you want to say a few words.

REPRESENTATIVE PEIFER: Like Sandy, I was
a former treasurer, too, in Pike County. It’s
great to see our fellow treasurers from the
association here today. Thanks for making the.trip.

I will tell you every time we came to
Harrisburg, or whether it was a Game Commission
meeting, the one important thing that Bruce would
stop in to make sure we had breakfast first. So
we always had to leave quite early from Wayne or
Pike Counties. That was 4:30/5:00 in the morning,
so we could have a nice healthy breakfast before
we came here.

Bruce Mackle is a family friend of mine.
He’s someone who is well-respected by the people.
It doesn’t matter your political party
affiliation. It’s a matter of serving the people.
He’s made that pretty much known throughout his
tenure as treasurer that we’re here to help our
constituents. We’re here to help the Game
Commission. We’re here to help the Treasurers’
Association solve problems.

We know that there are problems out there
and it’s easy to throw stones, but finding answers
are much more difficult.

So we have a citation here from the House
of Representatives that is signed by myself, Ms.
Major, as well as Mr. Staback. It basically says,
“The House of Representatives of the Commonwealth
of Pennsylvania congratulates Bruce Mackle upon
his richly deserved recognition, partly recognizes
his exemplary record of service in keeping with
the highest ideals and traditions of this
Commonwealth offers best wishes for a happy and
fulfilling future.”

So thank you, Bruce. Want to just take a picture here with Bruce.

(Presentation given.)

MS. DERR: I’d like to invite Brian Grove to come down. Brian represents Senator Lisa Baker’s office. Brian is Chief of Staff for Senator Baker’s office.

MR. GROVE: Commissioners, thank you for inviting me here today as well on behalf of Senator Baker.

Boy, Bruce, where do I start? I have never served as a county treasurer, but I have been a treasurer of many organizations over my life. The work is indeed difficult. I’ve never seen anyone perform it so well.

I, also, on behalf of Senator Baker, have a proclamation from the Senate, a citation from the Senate of Pennsylvania and I will spare everyone the whereas and wheretofors, but there’s a part in here that I think definitely needs to be read.

“Throughout his career Mr. Mackle has demonstrated remarkable knowledge, ability and integrity in carrying out his many
responsibilities, both to his county and to our Commonwealth, thus earning the respect and
grate of all those who have received the
benefit of his tireless devotion to duty.”

The Senator is heartbroken that she
couldn’t be here today. She had a commitment in
Monroe County and the district today and she’s on
her way back. She has known Bruce for many years,
as have I. I fully believe that it’s a loss for
Wayne County and for the Game Commission, but you
have chosen to step down.

I just want to say on behalf of the
Senator and on behalf I think of everyone who
knows you, your friendship, your work, your
dedication and your integrity will be sorely
missed. We appreciate everything you have done
and are honored to work with you and serve with
you.

Thank you very much.

(Applause.)

MS. DERR: Just a few more, Bruce.

I’d also like to acknowledge a set of
treasurers who are with us today and are here to
show their appreciation for you, Bruce. The
president of the County Treasurers’ Association,
newly elected I should say president of the County Treasurers’ Association is Rick Fornicola, from Centre County, if you’ll stand up, please.

   We have Donna Schmitt from Somerset County; Kathy Robbins from Sullivan County; Gerald Hepler from Mifflin County; Jim Van Steenberg from Jefferson County; and Craig Ebersole from Lancaster County.

   Thank you for joining us. Oh, I’m sorry, one more. Please.

   MS. KIRKLAND: I’m Sandy Kirkland from Indiana County.

   MS. DERR: Thank you, Sandy. I missed you coming in. I apologize.

   Now I would like to ask President Boop and Executive Director Roe to come down, if you’d like to say a few words and present a print to Bruce in appreciation for his service.

   EXECUTIVE DIRECTOR ROE: Well, I can’t pass up the opportunity not to talk about Bruce. I’ll make it very short.

   When I took over the Director of the Bureau of Administrative Services, I guess about five years, six years, however long it’s been, my big introduction was, you got to go up to Top
Trees and meet with the county treasurers. I said, “Well, that will be simple.” Val and a couple other people started laughing. I said, “Okay, what’s the rest of the story?” Actually, there wasn’t a rest of the story. When you meet with a group of professionals and you start good communication between the two groups, only good things can happen.

Now, I won’t say we agreed all the time or maybe not the majority of the time, but we did find a way to make things work for the hunters and the trappers of Pennsylvania.

Bruce, as the chairman of that committee, it was a great pleasure working with you. You brought many good, innovative ideas to the process and it only made it better all the way around, and it will get better in the future for those of you who are staying around for a few more years. We promise.

So on behalf of the Game Commission, we have a little presentation we want to do and Commissioner Boop will help us give that. So, Bruce, if you will please come up. Only appropriate there would be a deer on here.
(Presentation given.)

PRESIDENT BOOP: I just would echo the comments that everyone else had made. I think one of the marks that someone has been successful in their career is they have their respect of their peers. The fact that so many of you county treasurers are here today to share in this I think is a good indication that Bruce has earned the respect of his peers.

On behalf of the Board, Bruce, we all wish you the best.

MR. MACKLE: Wow. I'm speechless really. I don't know where to begin. I can't begin to say the same things, the words, the comments that all have said.

But, anyway, Executive Director Carl Roe, Deputy Director Mike Schmit, as well as all the Game Commission Commissioners, I sincerely do want to thank you very much for an outstanding working relationship and to go one step further, more important to that, the excellent friendship that I will carry for the rest of my days.

I would also like to give many thanks to Cal -- where's Cal? Yeah, there you go, Cal, as well as Valerie. Is Valerie here? Yeah, there
you go. At any time, as well as our WCO, Frank Dooley, up there in northeastern, PA. Just an outstanding and just real good friends. Every one of them was there instantly upon a phone call. Anything I asked they were there and willing to work with not only me but the County Treasurers’ Association. They have been there anytime I needed their much needed assistance and that goes for all.

The Game Commission should be, can and should be very, very extremely proud of these people. You are surrounded by the company you keep and believe you me there is outstanding company within the ranks of the Pennsylvania Game Commission.

dottie Derr is a newcomer in my career anyway, but she is doing a fine job working with them she has communication excellent with all county treasurers throughout the state. She’s doing a fine job, as well as, I know that she will be, my replacement is going to be Donna Schmitt. She will be chairing this. And I know that Dottie Derr and she will do just fine. There’s no doubt about it.

Dottie, thank you very much again for
putting this occasion together. It has made my
day.

I’m totally thrilled to have so many of
the legislators with us here today. I just am
speechless and I do thank you very, very much.

Now for a few words of our County
Treasurers’ Association, just a few. The
Pennsylvania County Treasurers’ Association is the
very best public relations organization that the
Game Commission could possibly have.

Let us both, not only the County
Treasurers’ Association, the Pennsylvania Game
Commission, as well as our legislators, let us
work towards making the hunters more satisfied.

There’s turmoil, there’s no question
about it, but the three of us getting together
there’s no doubt in my mind that we could make the
hunters very, very much more satisfied. With good
communication, cooperation and common sense we can
do it and we will do it.

Once again, folks, thank you very much
for making my day. Thank you.

(Applause.)

PRESIDENT BOOP: Commissioners, I believe
we’ve reached the end of our agenda for today. If
there’s no other matter to come before the Board this morning, I’ll entertain a motion to adjourn.

MR. SCHLEIDEN: Motion.

PRESIDENT BOOP: Commissioner Schleiden’s motion to adjourn.

Is there a second?

MR. HILL: Second.

PRESIDENT BOOP: Commissioner Hill.

All in favor indicate by saying aye.

(Signified aye.)

PRESIDENT BOOP: We are adjourned.

Before we leave I’d like to thank everyone for coming today and joining with us as we work for the wildlife in the Commonwealth. We will have a press conference with members of the press immediately after the meeting.

I think our capable Mr. Feaser is here and he will coordinate that. He’s back in the back so all those members of the press that want to participate, please see Mr. Feaser and we’re now adjourned.

Thank you very much.

(Meeting adjourned 10:32 A.M.)
CERTIFICATION

I hereby certify that the proceedings taken by me in the within matter are fully and accurately indicated in my notes and that this is a true and correct transcript of same.

Notary Public