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An Update on the Feasibility of a Combined Fish and Wildlife Commission for Pennsylvania

Conducted Pursuant to
House Resolution 15 of 2003

November 2003

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Note: This report is supplemented by a second report document which contains various PFBC and PGC appendix-type materials related to the merger study. The “Supplement,” which is available upon request from the LB&FC staff office, also contains individual organizational structure and funding profiles of fish and wildlife agencies in all the states.

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Report Summary

The question of whether or not Pennsylvania should have a single agency responsible for both fish and wildlife management has received periodic consideration for many years. As early as 1947, a special fish and game committee of the Joint State Government Commission reported that “it was the consensus of those appearing before the Committee that the Pennsylvania Fish Commission and the Pennsylvania Game Commission should not be merged.”

Later studies related to the Fish Commission and the Game Commission cited possible advantages of a consolidation of the two agencies into a single administrative organization. In 1962, a study completed by the Wildlife Management Institute noted that many suggestions and comments both for and against the consolidation of the Fish Commission and the Game Commission had been received. In dealing with the merger issue, however, the Wildlife Management Institute report recommended consolidation stating the belief that “over the years a consolidated fish and game organization will produce better results for both resources.”

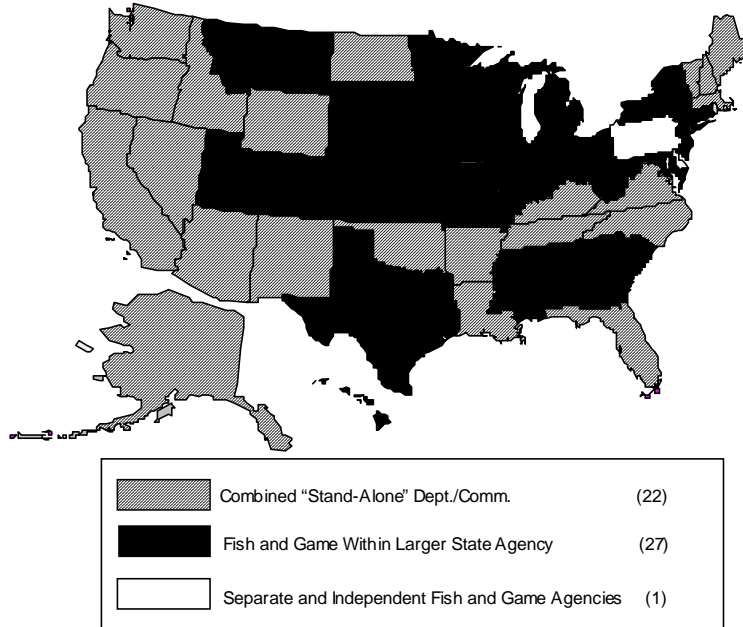
Ten years later, the 1972 Governor’s Review of Government Management, a study group comprised of private sector management specialists which examined state government operations, also recommended combining the Fish Commission and the Game Commission. In 1987, the Senate Majority Policy Development and Research Office completed a study which essentially cautioned against merger and indicated that “a merger of Pennsylvania’s game and fish commissions may not yield any tangible benefits.”

This is the Legislative Budget and Finance Committee’s second examination of the merger question. The Committee’s first study, issued in 1989, dealt with the financial feasibility and potential impacts of a merger and outlined the associated advantages and disadvantages for legislative consideration. This current study, mandated by House Resolution 15 of 2003, is intended to assist the House Game and Fisheries Committee in its consideration of a broad range of options for structuring Pennsylvania’s fish and wildlife agencies to best manage the Commonwealth’s wildlife resources.

While there is no doubt regarding the accomplishments and proud traditions of Pennsylvania’s separate Game and Fish and Boat Commissions, circumstances today are substantially different than at the time of the last merger study in 1989. State fish and wildlife agencies have entered a new era of mounting financial demands, budgetary shortfalls, and increasing pressures to adopt a more holistic approach to fish and wildlife management.

In this environment, Pennsylvania remains the only state in which fish and wildlife resources are administered by separate and organizationally independent

agencies. At the state level, fish and wildlife functions are carried out either within a stand-alone department or commission (in 22 states) or within an organizational unit of a larger state agency such as a “Department of Natural Resources” (in 27 states). The following is an organizational classification of state fish and wildlife agencies as of October 2003.



State	A “Stand-Alone” Department/ Commission	As Part of a Larger Agency	State	A “Stand-Alone” Department/ Commission	As Part of a Larger Agency
Alabama		X	Montana		X
Alaska	X		Nebraska		X
Arizona	X		Nevada	X	
Arkansas	X		New Hampshire.....	X	
California	X		New Jersey		X
Colorado		X	New Mexico.....	X	
Connecticut.....		X	New York.....		X
Delaware		X	North Carolina	X	
Florida.....	X		North Dakota	X	
Georgia.....		X	Ohio.....		X
Hawaii.....		X	Oklahoma	X	
Idaho.....	X		Oregon	X	
Illinois.....		X	Pennsylvania	Separate Commissions	
Indiana.....		X	Rhode Island		X
Iowa		X	South Carolina		X
Kansas.....		X	South Dakota		X
Kentucky.....	X		Tennessee	X	
Louisiana	X		Texas.....		X
Maine.....	X		Utah.....		X
Maryland.....		X	Vermont.....	X	
Massachusetts.....	X		Virginia	X	
Michigan		X	Washington	X	
Minnesota		X	West Virginia		X
Mississippi		X	Wisconsin		X
Missouri		X	Wyoming	X	

As evidenced by the structure of the U.S. Fish and Wildlife Service and the 49 other states that manage fish and wildlife resources in a single agency structure, a merger of the PFBC and the PGC and the combined management of Pennsylvania fish and wildlife resources is clearly feasible. Given the charge of House Resolution 15—to update our prior report on the feasibility of merging the Game Commission and the Fish and Boat Commission—we did not explore the possibility of other administrative structures, such as a stand-alone Executive Branch agency or a merger with the Department of Conservation and Natural Resources. As described in Section V, such organizational structures are used in other states and may or may not provide greater benefits than an organizationally independent PA Fish and Wildlife Commission.

A Proposed Organizational Structure

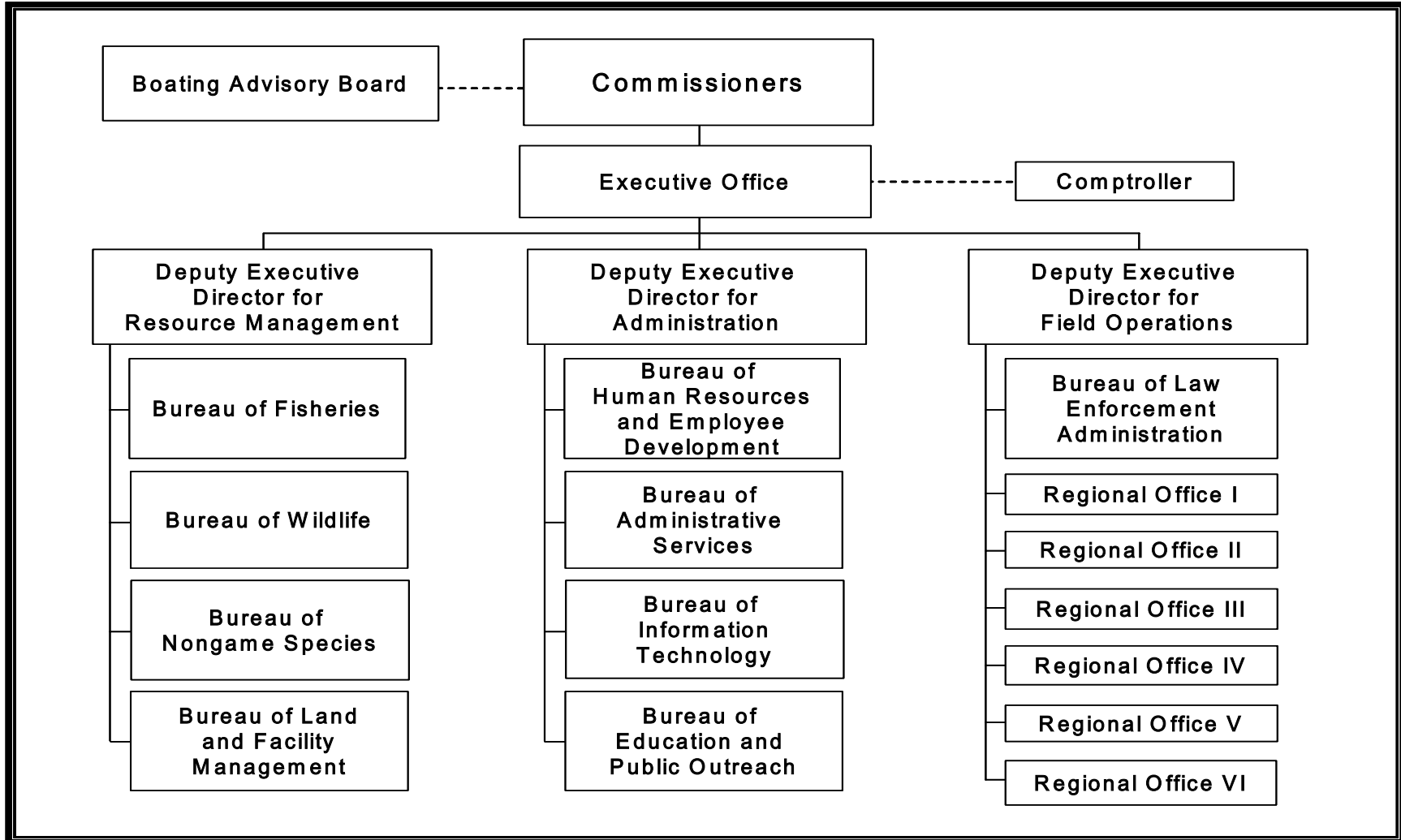
This report describes a possible organizational structure for a merged agency. Merging two agencies, even agencies with similar goals and functions, is a complex task, and the structure presented in this report should be considered as a suggested framework rather than a detailed blueprint. Although often presented as exact numbers, our staffing calculations are only estimates, and we would assume any new Commission would be given significant flexibility to make adjustments as it sees fit within and between bureaus.

We used our review of fish and wildlife agencies in other states as the basis for the proposed organizational structure presented in this report. We also considered the two organizations' existing structure and assets in developing the proposed structure. We did not delete any of the functional areas within the two agencies; the proposed structure retains all the responsibilities, programs, and assets of the two Commissions, including Commission ownership of existing state game lands, continuation of the game farms and hatcheries, and retaining responsibility for boat titling and registrations.

The proposed organizational chart for a combined Pennsylvania Fish and Wildlife Commission is shown on the next page. Significant features of the proposed structure include:

- Eliminating many upper-level management positions at the Executive Director, Press Secretary, Legislative Liaison, Bureau Director, Division Chief, and Regional Office Manager levels.
- Combining and elevating the Wildlife Diversity Section and the Environmental Planning and Habitat Protection Division of the PGC with the Division of Environmental Services of the PFBC into a new Bureau of Non-game Species to address the perceived lack of focus on biodiversity and nongame species.

Proposed Organization of a Combined “Pennsylvania Fish and Wildlife Commission”



Source: Developed by LB&FC staff.

- Providing for a dedicated law enforcement function for Fish and Wildlife Officers. Currently, Wildlife Conservation Officers spend about 20 percent of their time on information, education, and various other support activities; Waterways Conservation Offices spend about 11 percent of their time on such non-law enforcement activities.
- Maintaining current complement levels for the Bureau of Land Management (Game Commission), regional Food and Cover Corp employees (Game Commission), and the Bureau of Engineering and Development (Fish and Boat Commission). We anticipate no reductions in staffing levels in these areas.
- Maintaining current complement levels for the Bureau of Wildlife Management (Game Commission) and the Bureau of Fisheries (Fish and Boat Commission). We anticipate no changes in programs to manage fish and wildlife resources.
- Maintaining both headquarters buildings, with the present Fish and Boat Commission headquarters housing primarily bureaus under the Deputy Executive Director for Resource Management and the present Game Commission headquarters building housing primarily the Executive Offices and administrative operations.

We project that a merged agency, structured as proposed in this report, would save approximately \$5 million annually in personnel (salary and benefit) costs. Of this \$5 million, \$1.4 million would be achieved through reductions at the headquarters level and \$3.6 million would be saved through reductions at the regional level. The following table itemizes the position reductions by organizational unit.

Position Reductions and Estimated Personnel Savings in a Merged Commission		
	Positions Added (+) Eliminated (-)	Estimated Salary & Benefit Savings (-) Costs (+)
Executive Office.....	-8	\$ -631,657
Administrative Services	-14	-877,759
Law Enforcement:		
WCOs	-36	-2,027,799
Other.....	-4	-327,949
Regional Directors	-6	-542,435
Other Regional Office Positions	-15	-1,010,331
Wildlife Management.....	<u>+12</u>	<u>+456,894</u>
Net Positions Eliminated/Salary Benefit Savings.....	-71	-\$4,961,036

The single greatest savings would result from reducing the number of WCOs by 36 positions (from 215 to 179), for a savings of \$2.0 million annually. We calculated this reduction could be accomplished without diminishing the Commission's

law enforcement presence in the field by eliminating the non-law enforcement duties currently assigned to WCOs. These non-law enforcement duties could be carried out by lower paid staff. For example, we recommend the merged Commission hire 12 Wildlife Research Technicians to assist biologists with their wildlife surveys and to assist in other duties such as fish and pheasant stocking.

Overall, we believe the proposed structure would streamline the Commissions by eliminating redundant positions; providing a better balance between the Commissions' law enforcement functions and its wildlife/conservation functions (for example, by allowing non-law enforcement personnel to head regional offices); and better positioning the merged Commission to request General Fund or other state funding to meet its infrastructure needs.

In addition to personnel reductions, we examined several other areas for possible cost savings. These include:

Physical Facilities. Because virtually all of the buildings used by the two Commissions are owned rather than leased, including the two headquarters buildings, we could identify no significant savings from combining physical facilities. On the other hand, the headquarters and central warehouses facilities of both Commissions are relatively new and are less than a mile apart. Though not ideal, it is reasonable to assume that a merged Commission could operate effectively out of these two separate headquarters buildings.

Although the two Commissions divide the state into slightly different regions, the regions are similar enough that they could be merged with few sportsmen noticing the difference. For the most part, Game Commission regional offices are larger and/or in better condition than those of the Fish and Boat Commission, so our analysis assumes that the Game Commission regional offices would be used in a merged agency. While some renovation and relocation costs would be inevitable, we do not anticipate significant new construction costs because personnel reductions would occur at the regional office level. We also anticipate no significant cost savings, as existing Fish and Boat Commission regional offices and out-buildings would need to be used for storage and other secondary purposes.

Vehicles. As a result of the personnel reductions, the merged agency could save approximately \$400,000 in reduced vehicle expenses. Some of these savings (\$153,000) would be one-time savings achieved by selling excess vehicles (47 vehicles @ \$3,263 per vehicle), and some would be annual savings due to reduced maintenance and replacement costs.

Purchasing. Both Commissions currently follow Department of General Services purchasing guidelines and policies, which already generate savings through

bulk purchasing arrangements. We therefore anticipate no significant new savings in a merged agency as a result of greater volume purchasing.

Training. While cross-training would be a high priority in a merged agency, the functions of the two agencies are quite similar, and the law enforcement officers in both Commissions have already received at least some cross training in their sister agency's rules and regulations. While additional training demands could have short-term impacts in some areas, we assumed the training would occur on a rotating basis using existing staff resources.

Information Technology. Changing technologies and greater use of micro (personal) computers make a merger of the two Commission's information management systems more feasible than when we conducted the 1989 merger study. Merging these information systems would, nonetheless, be a complex project that would need to be guided by a technical plan and, in all likelihood, a specialized technical consultant. Due to the expertise required, we were not able to estimate either the potential costs or the long-term savings that might be realized through merging the Commissions' information and licensing systems.

Publications. We assumed a merged agency would produce only one monthly magazine, rather than both the monthly *Pennsylvania Game News* and the bi-monthly *Pennsylvania Angler and Boater*. The savings that could be realized would depend largely on the Commission's policies regarding complimentary copies (the Game Commission distributes about 35,000 free copies per issue, compared to fewer than 5,000 by the Fish and Boat Commission) and the effect a single magazine would have on the paid subscription base.

Equipment and Supplies. A new, merged Commission should have a consistent "look," not only in the uniform worn by enforcement officers but also for other equipment and supplies, such as the Commission's letterhead, signs, and vehicles. We assumed that this transition would be gradual and that during the transition phase low-cost measures, such as designing a new logo patch to be worn by law enforcement and other field personnel on their existing uniforms, would be used to avoid significant new costs.

Transition Planning. Merging the two Commissions would be a complex matter under the best of circumstances. Financial difficulties and resistance within the two agencies makes such a merger even more difficult. If the merger is to proceed, we anticipate the need to hire an outside consultant to guide the Commissions through the transition phase. Florida used such a consultant, at a cost of \$150,000, when it recently merged its marine and freshwater fisheries agencies.

Implementation Issues

Several legal, regulatory, and administrative matters would need to be addressed in establishing a merged agency. First among these would be the structure and composition of the new governing Commission. In each of the sample states we contacted with an independent commission structure, the commission members represent all the agency's constituents; they are not designated as "angler" or "hunter" commissioners. We envision a similar structure in Pennsylvania, with Commissioner appointments based on overall commitment and expertise with regard to the full range of Commission functions.

It was not within the scope of this study to draft a new Fish and Wildlife Code. There are, however, some differences between the Game and Wildlife Code and the Fish and Boat Code that would need to be resolved in a merged agency. For example, Wildlife Conservation Officers are covered under Act 111 for collective bargaining purposes, whereas the Fish and Boat Code prohibits this for Waterways Conservation Officers. In short, however, we found nothing to suggest a combined Code would not be feasible. Similarly, the two Commissions' regulations would need to be integrated and made consistent.

Another potential concern would be whether to merge the Game, Fish and Boat Funds, which are now separate Special Funds, into a single fund. While maintaining three separate funds, or three accounts within one fund, is technically possible, it would be costly to administer, and none of the states we reviewed used such a structure. Because maintaining three separate funds would result in revenues having to be earmarked for a single purpose (fish, boat, or game), it would also limit the agency's ability to respond to its most pressing needs. Though some may see this as an advantage, such constraints would make it more difficult for the agency to achieve its overall objectives. If a single fund were to be established, there are accounting and reporting mechanisms available that could provide ongoing accountability to the Commission's various constituencies.

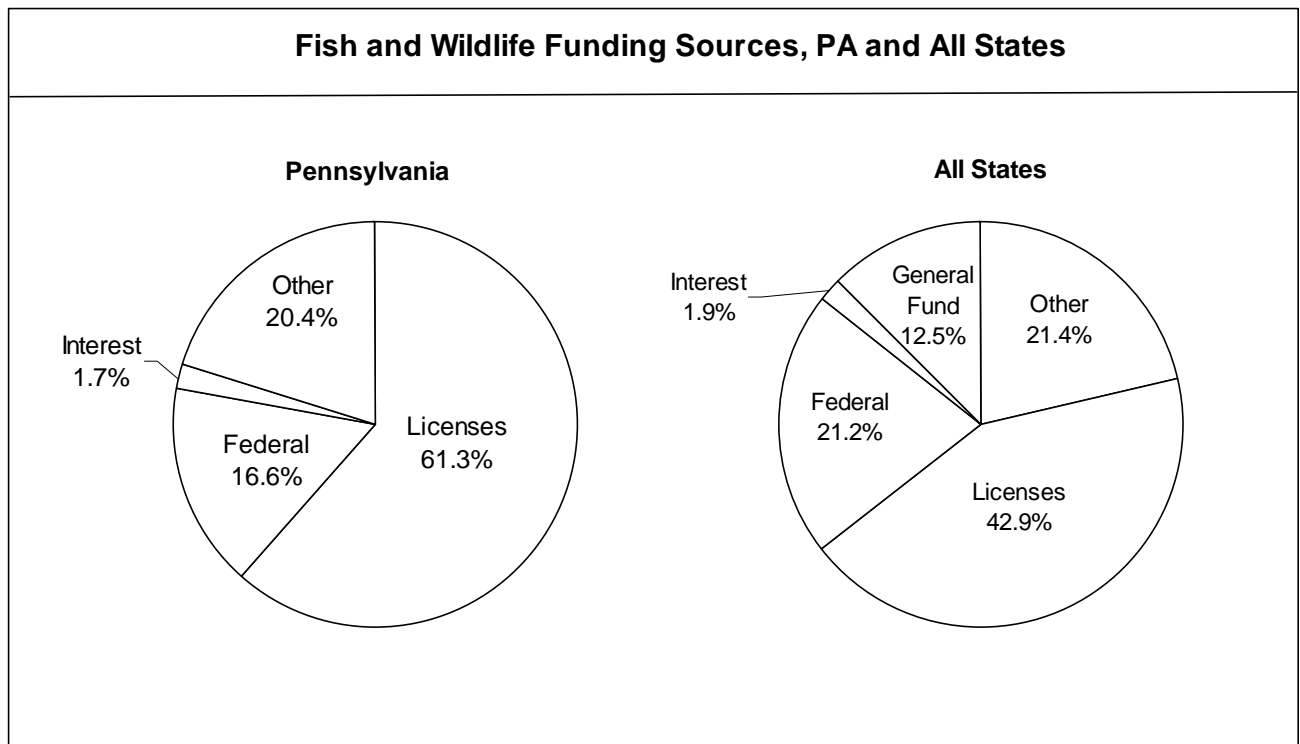
Financial Conditions and Alternative Revenues

House Resolution 15 cites decreasing revenues and the possibility of needing to severely curtail programs as motivating factors in considering whether to merge the two Commissions. In light of these conditions, HR 15 also called for a review of current and future fiscal trends related to the two Commissions and consideration of various alternative funding options, including the possibility of general tax revenues being used for fish and wildlife management.

We found that the Commissions are facing severe budget constraints due to annual operating deficits. Both the Game Fund and the Fish Fund are projecting year-end deficits, by FY 2007-08 in the Game Fund and FY 2005-06 in the Fish

Fund. Both agencies have also announced their intent to soon seek increases in fishing and hunting license fees. In comparison, the Boat Fund is relatively healthy, with relatively stable reserves projected through June 2008.

Both nationally and in Pennsylvania, it is becoming increasingly clear that new revenue sources are needed to fund programs to protect, conserve, and enhance aquatic and wildlife resources. Declining license sales, combined with increased operating costs and infrastructure needs, have placed the Commissions in a position where they can no longer rely solely on their traditional revenue sources, primarily license fees, timber sales, and federal excise taxes on hunting and fishing equipment. It is our assessment that, even in a merged agency, new revenue sources would be needed. The charts shown below illustrate the sources of funding used by the PGC and PFBC compared to all other states.



Although 37 states rely on license sales and federal revenues to provide two-thirds or more of the funding for their fish and wildlife agencies, we found that state General Funds are used to supplement these agencies in at least 28 other states. Such General Fund support ranges from less than 1 percent of total agency funding in three states to more than 25 percent in eight states. Other non-license revenue sources used in other states are shown on the next page.

Fish and Wildlife Agency Non-License Revenue Sources		
<u>Source</u>	<u>Number of States Using</u>	<u>% Range of Total Revenues</u>
State General Fund Appropriations	28	<1.0 to 60.3%
State Income Tax Refund Checkoff	25	<1.0 to 6.0%
Vehicle License Plates	19	<1.0 to 3.4%
User Fees	11	<1.0 to 3.4%
State Fuel Tax	7	1.5 to 10.4%
Portion of State Lottery Proceeds	4	2.0 to 18.2%
Dedicated Portion of State Sales Tax	4	23.4 to 63.0%
Real Estate Transfer Fees	3	<1.0 to 4.3%
Other:		
Arizona – Conservation Dev. Fund/Surcharge	1	1.3%
Florida – State Documentary Stamp Tax	1	15.5%
Nebraska – Tobacco Products Tax	1	3.2%
North Carolina – State Endowment Fund	1	3.2%
<u>NOTE:</u> Includes non-license revenues received by state fish and wildlife agencies only; all states also receive federal funds.		

Missouri is frequently cited as a state that has “solved” the funding dilemma. Missouri’s constitution provides that one-eighth of 1 percent of the state’s sales tax be shared by the Conservation Commission and the Department of Conservation “for the control, management, restoration, conservation and regulation of the bird, fish, game, forestry, and wildlife resources of the state.” In 1997, Arkansas took a similar approach.

Both the PGC and PFBC addressed funding issues and their views on potential alternative revenues in testimony before the House Game and Fisheries Committee hearings on HR 15. Both have identified potential alternative revenue options, and both have expressed an intention to further explore the possibility of future General Fund support. The position each Commission expressed to the House Game and Fisheries Committee is that, no matter how Pennsylvania organizes its agencies with jurisdiction over fishing, hunting, boating, and trapping, the issue of identifying funding mechanisms capable of providing adequate and reliable funding for fish and wildlife programs and infrastructure must be addressed.

I. Introduction

House Resolution 15, adopted on February 11, 2003, by a vote of 199-1, directs the House Game and Fisheries Committee to explore a broad range of options with regard to how to structure and fund the state's wildlife agencies to best manage the Commonwealth's wildlife resources. HR 15 also directs the Legislative Budget and Finance Committee to conduct an updated examination of the merger issue, a topic the Committee last studied in 1989.

Study Objectives

1. To develop baseline information on all aspects of the organizational structure, operations, and finances of the Pennsylvania Game Commission (PGC) and the Pennsylvania Fish and Boat Commission (PFBC).
2. To examine baseline information pertaining to both agencies in order to identify any duplication of personnel, services, and program and administrative functions that currently exist.
3. To examine the current organizational structures and operations of the PGC and PFBC in the context of the structures and operations used in other states that combine the management of fish and wildlife resources in a single agency; and to examine similar recent merger actions, if any, in other states.
4. To identify one or more potential organizational structures for a combined commission in Pennsylvania, along with the costs and benefits that might be realized under such a structure.

Methodology

This study focused on an update of the question of structuring a single combined fish and wildlife agency for Pennsylvania. The information and data used in this report came from many sources. The Game Commission and Fish and Boat Commission provided the financial, personnel, salary, and benefit information on the Commissions' current organizational structures. We obtained additional information through meetings and interviews with various officials and staff at both the headquarters and regional levels of both Commissions.

We examined the staffing configurations of both agencies and reviewed complement control reports and job descriptions for each job classification. We also met with each PGC and PFBC bureau director to discuss the functions, activities, and duties of each bureau, current staffing levels, and issues related to a possible merger.

With regard to law enforcement staffing and responsibilities, we analyzed “time and activity reports” for both Wildlife Conservation Officers and Waterways Conservation Officers for the three most recent available years. We classified each officer’s time into one of six primary activity areas, and analyzed distribution of the officers’ time throughout the course of a typical year. We evaluated this information along with the job descriptions for the conservation officers and information gathered from meetings and discussions with law enforcement staff.

In examining the law enforcement function, we also analyzed the Deputy Officer programs administered by both the PGC and the PFBC, including the size of the deputy forces, their workloads, and training and equipment requirements. We met with law enforcement staff of the two agencies at both the headquarters and regional office level to discuss the role of deputies in the event of a merger.

In developing a proposed framework for a combined “Fish and Wildlife Commission,” we also examined potential additional costs and savings in a variety of areas including physical facilities, vehicle fleet, purchasing, training, information technology services, and publications.

During the course of the study, we toured the headquarters, warehouse, and training facilities of both Commissions, as well as six Game Commission regional offices. We are also familiar with several other facilities of both Commissions as a result of prior studies.

To obtain public input, LB&FC staff attended each of the five hearings held by the House Game and Fisheries Committee pertaining to House Resolution 15. These hearings were held across the state, and each focused on a different area of concern. A brief summary of the information provided and concerns expressed at these hearings is provided in Appendix C of this report.

Information on fish and wildlife agency organizational structures and funding mechanisms in other states was obtained primarily through a survey we sent to all states in the spring of 2003 and from information contained on agency web pages. We conducted telephone interviews to clarify and obtain additional information as necessary.

We also analyzed the current and projected financial condition of both the PGC and PFBC and the capital and infrastructure improvements needed by each. In analyzing the financial condition of the PGC and the PFBC, we examined trends in license sales, boat registrations, and other revenues.

The analysis of the personnel savings that might be achieved through a merger was conducted solely by LB&FC staff, and our rationale for these decisions is presented in the report. Although often presented as exact figures, the position reductions, and the associated cost savings, are intended as estimates only. We also assume the merged Commission would have a high degree of discretion in where and how such reductions would be made.

We view the overall cost savings projected in this report as being moderately conservative. For example, given the challenge of merging the two Commissions' information systems, we provided for no reductions in information technology staff. We also assumed no land, facilities, or assets (other than 47 excess vehicles) would be sold. Some potential costs and cost savings were beyond our ability to estimate. These include the costs and potential benefits of merging information technology systems, cost savings that might be achieved by publishing only one monthly magazine, and the cost of renovating space at headquarters and regional offices. We did not, however, consider these costs to be prohibitive (for example, we envision no new construction being necessary), and to some extent, the short-term costs incurred would be offset by long-term savings.

Finally, many of the issues confronting the two Commissions, such as the need for extensive infrastructure improvements in the face of a declining licensure base and the need to balance timber sales with forest management goals, will exist regardless of whether the Commissions are merged or remain separate. Our report, therefore, focuses on matters that would be directly affected as the result of a merged Commission.

We also prepared a supplemental report document containing various appendix-type materials related both to the PFBC and the PGC. The "Supplement," which is available upon request from the LB&FC staff office, also contains individual organizational structure and funding profiles of fish and wildlife agencies in all the states.

Acknowledgements

LB&FC staff gratefully acknowledges the excellent cooperation and assistance provided by the Pennsylvania Game Commission (PGC) and the Pennsylvania Fish and Boat Commission (PFBC) during this study. Special appreciation for the cooperation and support they provided during this study is extended to: PGC President Samuel J. Dunkle; PGC Executive Director Vernon R. Ross; PGC Deputy Executive Director Michael W. Schmit; PFBC President William J. Sabatose; former PFBC Executive Director Peter A. Colangelo; and PFBC Deputy Executive Director/Chief Counsel Dennis T. Guise. We also recognize and acknowledge the extensive assistance provided by the many other officials, bureau directors, regional directors, and staff members of both the PGC and the PFBC.

Important Note

This report was developed by Legislative Budget and Finance Committee staff. The release of this report should not be construed as an indication that the Committee or its individual members necessarily concur with the report's findings and recommendations.

Any questions or comments regarding the contents of this report should be directed to Philip R. Durgin, Executive Director, Legislative Budget and Finance Committee, P.O. Box 8737, Harrisburg, Pennsylvania 17105-8737.

II. Legal and Other Background Information on Pennsylvania's Fish and Boat and Game Commissions

This section provides background information on the Pennsylvania Fish and Boat Commission (PFBC) and the Pennsylvania Game Commission (PGC).

Administration and Operations

Key Statutory Provisions

Fish and Boat Commission. The Fish and Boat Commission traces its origins in state government back to the Act of March 30, 1866 (P.L. 370, No. 336) which created the position of Commissioner of Fisheries of the Commonwealth of Pennsylvania. Act 1925-263 established the Board of Fish Commissioners. Act 1949-180, which repealed Act 263, changed the name of the Commission to the PA Fish Commission and described its powers and duties. Act 1980-175 codified the laws into the Fish and Boat Code. Act 1984-16 changed the name of “waterways patrolman” to “waterways conservation officer” and “deputy waterways patrolman” to “deputy waterways conservation officer” and made other editorial changes to the language of the act. The 1984 amendment also gave waterways patrolmen the authority to arrange for chemical testing to determine alcohol or controlled substance use by someone in control of or operating a boat. Act 1991-39 changed the name of the Commission to the current Pennsylvania Fish and Boat Commission, increased boat registration fees, and made other minor language adjustments to the Fish and Boat Code.

Game Commission. The Pennsylvania Game Commission was originally established by Act 1895-187. This act created the Board of Game Commissioners to “protect and preserve the game, song and insectivorous birds and mammals of the state . . .” and to “enforce the laws of this Commonwealth relating to the same.” Act 1897-103 set forth the actions prohibited by law and the penalties for such actions. Act 1937-316 consolidated the game laws and changed the name of the Board of Game Commissioners to the PA Game Commission. Act 1986-93, which became effective on July 1, 1987, codified the game laws into the Game and Wildlife Code.

Powers and Duties

Fish and Boat Commission. The Commission must have an office in the Harrisburg area and hold meetings in January and July and at such other times and places as the Commission may designate. At the July meeting each year the Commission elects one of its members as president and one as vice president for a one-year term. Six members constitute a quorum. The Commission administers and enforces laws relating to the encouragement, promotion, and development of fishery interests; the protection, propagation, and distribution of fish; the

management and operation of boats; and the encouragement, promotion, and development of recreational boating. The Commission has the authority to promulgate rules and regulations concerning the protection, preservation, and management of fish, and the management and operation of boats. (30 Pa.C.S.A. §§301, 321-322)

Game Commission. The Commission must have offices in or near Harrisburg and hold meetings in January and June or July. It may also hold hearings at various locations throughout the state. At the January meeting, the Commission elects a president, vice-president, and a secretary for a term of one year. Six members in attendance at a meeting constitute a quorum. The Commission is charged to protect, propagate, manage, and preserve the game or wildlife in the Commonwealth and to enforce the related laws of the Commonwealth. To this end, the Commission fixes season, bag limits, hunting hours; limits the number of hunters; defines the types of devices which may be used to take game or wildlife; governs the use of recorded calls or sounds; and changes classifications of animals. Act 1996-64 further directed the Commission to serve the interest of sportsmen by preserving and promoting the special heritage of recreational hunting and furtaking by providing adequate opportunity to hunt and trap the wildlife resources of the Commonwealth. (34 Pa.C.S.A. §§321, 322)

Size and Composition

Fish and Boat Commission. The Fish and Boat Commission is comprised of ten competent citizens appointed by the Governor with the advice and consent of two-thirds of the Senate. Two members must be experienced in boating and water safety education and be registered boat owners. The remaining eight members must be persons well informed about conservation, restoration, fish and fishing, and boats and boating and represent various geographic districts. All members serve eight-year terms.¹ The Commissioners receive no compensation but may be reimbursed for travel expenses. See Exhibit 1 for a list of the PA Fish and Boat Commission membership.

A statutorily created Boating Advisory Board advises the Commission on boating issues and makes recommendations regarding any proposed rules or regulations affecting a boat's equipment or its operation. This Board consists of eight members including the Secretary of Environmental Resources, or his designee; the Commission's Executive Director; and the Assistant Executive Director in charge of watercraft safety, all of whom serve as ex-officio members. The Governor appoints the five remaining volunteer members who serve five-year terms. These volunteer members are required to be experienced boaters and be members of boating organizations. One volunteer member is selected to serve as Chairperson, and the Assistant Executive Director serves as the Secretary. (30 Pa.C.S.A. §306)

¹The Fish and Boat Code, 30 Pa.C.S.A. §301, prohibits Commissioners from succeeding themselves at the end of an eight-year term. Commissioners can serve up to six months following the expiration of their term, or until a successor is appointed and qualified.

Exhibit 1

PA Fish and Boat Commission Membership

<u>Commissioner</u>	<u>Residence</u>	<u>Term Expires</u>
Samuel M. Concilla, President	North East	June 2009
Paul J. Mahon, Vice President	Clarks Green	February 2006
Ted R. Keir.....	Athens	April 2005
Howard E. Pflugfelder.....	New Cumberland	February 2006
Donald K. Anderson	Meyersdale	June 2009
Leon H. Reed, Jr.	Honesdale	June 2009
Richard W. Czop	Collegeville	June 2010
Ross J. Huhn	Saltsburg	July 2011
William J. Sabatose	Brockport	July 2011
Vacancy (1).....	To be appointed.	

Source: PA Fish and Boat Commission.

Game Commission. The Pennsylvania Game Commission consists of eight competent citizens of the Commonwealth informed in wildlife conservation and restoration. Each member is appointed by the Governor by and with the advice and consent of two-thirds of the Senate. The Commission members represent various districts of the Commonwealth. All members serve eight-year terms.² The Commissioners receive no compensation but may be reimbursed for travel expenses. Exhibit 2 lists the current membership of the PA Game Commission.

Exhibit 2

PA Game Commission Membership

<u>Commissioner</u>	<u>Residence</u>	<u>Term Expires</u>
Samuel J. Dunkle, President	Duncansville	June 2004
Russell E. Schleiden, Vice President	Centre Hall	November 2008
Roxane S. Palone, Secretary	Waynesburg	November 2008
Stephen L. Mohr	Bainbridge	December 2005
Robert J. Gilford,	Tionesta	June 2006
John J. Riley	Scotrun	June 2006
Thomas E. Boop	Sunbury	August 2011
Gregory J. Isabella	Philadelphia	September 2011

Source: PA Game Commission.

Agency Organizational Structures (See Section III.)

²The Game and Wildlife Code, 34 Pa.C.S.A. §301, prohibits Commissioners from succeeding themselves at the end of an eight-year term or at the end of an interim appointment of more than four years. Commissioners can serve up to six months following the expiration of their term, or until a successor is appointed and qualified.

Agency Missions and Objectives

Fish and Boat Commission. The PFBC's mission and vision statements are contained in the agency's strategic plan, entitled *Enhancing Fishing and Boating in Pennsylvania—Strategies for the 21st Century*. In this plan, the PFBC's mission is stated as follows: To provide fishing and boating opportunities through the protection and management of aquatic resources. (See Exhibit 3.)

Exhibit 3

PFBC Mission and Vision Statements and Goals and Objectives

MISSION: To provide fishing and boating opportunities through the protection and management of aquatic resources.

VISION: The Fish and Boat Commission will produce the highest quality fishing and boating opportunities responsive to the desires of the public and the needs of the resource. To accomplish this, the Commission will nurture a motivated, skilled, dedicated and diverse workforce, well informed about their jobs and agency programs, focused on the agency's mission and goals, and proud of what they do and how well they do it. We will strive to make the best fishing and boating agency in the nation even better.

GOALS AND OBJECTIVES:

- Protect, conserve, and enhance aquatic resources.
 1. Promoting watershed-based resource protection.
 2. Sustaining Pennsylvania's nongame aquatic resources.
 3. Ensuring migratory fish species restoration.
- Advocate the wise, safe use of Pennsylvania's aquatic resources.
 1. Enhance fishing and boating access partnerships.
 2. Enhance public outreach efforts targeted at resource education and connecting people to the resource.
- Provide for protection of aquatic resource users.
 1. Promote fishing and compliance with fish laws and regulations through education, information, and law enforcement efforts.
 2. Promote boating and water safety and compliance with boating laws through education, information, and law enforcement efforts.
 3. Provide for mandatory boating safety education for operators of personal watercraft.
- Address the expectations of anglers and boaters.
 1. Optimize fishing opportunities.
 2. Optimize boating opportunities.

Source: PFBC Strategic Plan, "Enhancing Fishing and Boating in Pennsylvania – Strategies for the 21st Century."

Game Commission. The PGC’s “Strategic Plan” is predicated upon recently established “Vision, Values, and Mission Statements” for the agency. In this document, the PGC’s mission is stated as follows: To manage all wild birds, mammals, and their habitats for current and future generations. The Commission’s statements are shown on Exhibit 4. The PGC’s goals and objectives are listed on Exhibit 5.

Exhibit 4

PGC Vision, Values, and Mission Statements

VISION: A leader among conservation agencies, worthy of the public’s trust, and champion of all wildlife resources and our hunting and trapping heritage.

VALUES: As an agency the PGC will:

- Respect the concerns and views of our various stakeholders.
- Be open, honest, and forthright in all matters.
- Provide quality service to both internal and external customers.
- Carry out our responsibilities in a polite, professional, and compassionate manner.
- Be ethical in the performance of our duties.
- Encourage the professional development of all employees.
- Have pride in our heritage.
- Reflect on our success and lead for the future.

MISSION: To manage all wild birds, mammals, and their habitats for current and future generations.

Source: Pennsylvania Game Commission.

Agency Direction

Fish and Boat Commission. The PFBC appoints to serve at its pleasure, and with the approval of the Governor, fixes the compensation of its Executive Director. The Executive Director serves as the Chief Waterways Patrolman and is responsible for all work and activities of the Commission. Additionally, the Executive Director has the authority to have printed bulletins, literature, posters, and the magazine known as the *Pennsylvania Angler and Boater*. Further, the Executive Director has the authority to appoint two assistants, one responsible for watercraft safety and the other responsible for the fisheries and engineering.

Game Commission. The PGC is headed by a Director who is selected by the Commission and who serves at the pleasure of the Commission. No member of the Commission may be appointed Director within one year after service on the Commission. The Director is the Chief Administrative Officer and Chief Game

PGC Goals and Objectives

- Wildlife: Maintain and improve wildlife populations for consumptive and nonconsumptive recreational use and their ecological value.
 1. Safeguard and facilitate the sustainable use of wildlife.
 2. Develop and enforce laws and regulations to protect wildlife populations and habitat.
 3. Minimize the impact of disease on wildlife populations through prevention and control.
 4. Educate stakeholders on the intrinsic value of wildlife.
 5. Promote a league of partnerships to achieve mutual goals for wildlife and habitat.

- Communication, Education, and Outreach: Expand and improve communication, education, and outreach for public awareness and understanding of wildlife resource management.
 1. Develop and implement a wildlife management communication plan.
 2. Promote the safe and responsible behavior of hunters and trappers.
 3. Expand the availability of news and conservation information.
 4. Increase the number of people reached by our wildlife conservation education programs.
 5. Continue to use a stakeholder participation process in Commission Programs.
 6. Promote wildlife viewing opportunities throughout the Commonwealth.

- Heritage: Protect and enhance our hunting and trapping heritage.
 1. Increase hunter and trapper recruitment with a focus on youth, women, and minorities.
 2. Increase the retention rates of hunters and trappers.
 3. Improve the public's understanding of the role of hunters and trappers in wildlife management.
 4. Increase the number of people reached in activities that promote our hunting and trapping heritage with emphasis on youth, women, and minorities.
 5. Improve the hunters' and trappers' understanding of their role in wildlife management.

- Habitat: Acquire, protect, maintain, and enhance an array of habitats on public and private lands.
 1. Increase the public's understanding of the habitat needs of wildlife.
 2. Promote hunting access to wildlife habitat on private lands.
 3. Increase game lands acreage with emphasis on access, indentures, in holdings and critical or unique habitats.
 4. Promote habitat management on non-Game Commission public lands.

Exhibit 5 (Continued)

5. Develop a heightened awareness of user responsibility and respect for private and public lands and landowners.
 6. Manage habitat to insure a diverse level of game and wildlife.
- Funding: Develop a sustainable funding structure that supports the agency's mission and identity.
 1. Establish a Game Commission Foundation.
 2. Increase the PGC's access to grants, mitigation, reimbursements, and foundations.
 3. Seek general fund augmentation.
 4. Create a "Friends of Game and Wildlife Program."
 5. Review license program for economies and efficiencies.
 6. Set license fees to inflation index.
 - Workforce: Recruit, develop, and maintain an effective workforce.
 1. Provide agency employment and volunteer recruitment information to stakeholders.
 2. Promote and increase professional development opportunities for employees.
 3. Increase employee knowledge and understanding of the PGC.
 4. Broaden the opportunities for recruitment and advancement.
 5. Conduct workload analysis to clearly define requirements.
 6. Promote recognition for employees and volunteers.

Commission Officer and is responsible for all work and activities of the Commission. His/her duties include selecting Game Commission officers, supervising all Commission employees, certifying Commission actions, and producing publications. Additionally, he/she represents the Commission in the execution of all land purchase contracts and other similar agreements. (34 Pa.C.S.A. §302)

Staffing

Fish and Boat Commission. As of March 28, 2003, the PFBC had an authorized complement of 436 salaried positions, 407 of which were filled (93.3 percent). (See Section III for further information.) The Fish and Boat Commission must receive approval from the Governor's Office of Administration to change its authorized complement level.

Game Commission. As of March 28, 2003, the PGC had an authorized complement of 732 salaried positions. At that time, 96.3 percent, or a total of 705 positions were filled. (See Section III for further information.) The Game Commission must receive approval from the Governor's Office of Administration to change its authorized complement level.

Law Enforcement

Fish and Boat Commission – Powers and Duties of Waterways Conservation Officers. Every Waterways Conservation Officer has the power and duty to enforce all laws relating to fish and watercraft. Waterways Conservation Officers may arrest with or without a warrant any person in violation of those laws. Other powers and duties include: executing all warrants and search warrants; serving subpoenas; carrying firearms or weapons; stopping vehicles or boats to search or inspect, with probable cause (patrolman must display a badge or other identification and state the purpose of the search); seizing and taking possession of any and all fish taken in violation of laws; entering upon any land or water; demanding and securing assistance in an emergency; purchasing fish for purposes of securing evidence; and stopping and boarding any boat for purposes of inspecting for compliance with provisions relating to boats and boating. Additionally, Waterways Conservation Officers may seize all fishing equipment when making an arrest; pursue and arrest anyone in violation of the Crimes Code; and arrange for chemical testing to be performed by qualified personnel of a state or local police department or of a clinical laboratory licensed and approved by the Department of Health to determine the use of alcohol or controlled substances. Act 1999-41 amended the Fish and Boat Code to give officers the authority to operate a Commonwealth-owned and marked vehicle that is equipped with a flashing or rotating light or lights, or with audible devices, or both, when on work duty. Except for making arrests under the Crimes Code, Deputy Waterways Conservation Officers have the same powers and duties as waterways patrolmen. (30 Pa.C.S.A. §901)

Game Commission – Powers and Duties of Wildlife Conservation Officers.

Wildlife Conservation Officers have the power and duty to enforce all laws relating to game or wildlife. They are authorized to arrest any person who is in violation of any of the provisions of the Game and Wildlife Code, enter any land or water, serve subpoenas, carry firearms or other weapons, purchase and resell game or wildlife for evidence, and stop and inspect or search any means of transportation or person or property (the officer must be in uniform, present a badge or identification, and state the purpose of the search). Wildlife Conservation Officers may also secure and execute all warrants and search warrants to search any building or property and examine contents and seize evidence or contraband; seize all game or wildlife taken in violation of the Game and Wildlife Code; seize all firearms and hunting equipment used in violation of laws; administer oaths and question persons under oath relative to the taking, ownership or possession of game or wildlife; and operate any vehicle approved by the Commission. Enforcement officers have the power to arrest persons for violations of the Crimes Code. Additionally, an officer has the authority to demand and secure assistance in an emergency, demand and secure identification from anyone, and enforce laws relating to fish, boating, parks, environmental matters, and forestry under the supervision of the responsible agency. Act 2002-79 added the power and duty to operate any Commonwealth vehicle equipped with rotating or flashing color lights and/or audible sounds when on duty. (34 Pa.C.S.A. §901) Except for the added powers under Act 2002-79, Deputy Game Commission officers have the same powers and duties as Game Commission officers unless restricted by the Director. (34 Pa.C.S.A. §902)

Financial and Budget

Special Funds

Fish and Boat Commission.

Fish Fund. All fees, royalties, fines, penalties, and other moneys collected under the provisions of the Fish and Boat Code (unless otherwise provided in the code) are placed in a separate fund known as the Fish Fund. Monies in the fund may be used solely for: the payment of expenses incurred in processing, issuing or supervising the issuance of fishing licenses, special licenses, and permits; salaries and/or wages of the Executive Director and other employees; travel expenses; furniture; supplies; insurance; propagation, protection, and management of fish; repair of fish cultural stations; purchase of land and water; and refund of fees unjustly paid into the fund. The Commission may also expend monies from the fund to enter into cooperative agreements with federal, state, and local governments for managing and operating waters for public fishing. Estimates of expenditure amounts must be approved by the Governor, and the State Treasurer may not honor any requisition for expenditures in amounts greater than what the Governor has approved or in excess of amounts available. (30 Pa.C.S.A. §§521, 522)

Boat Fund. All monies collected under 30 Pa.C.S.A. §747 (relating to sales and grants), Part III of the Fish and Boat Code, (relating to boats and boating), and Section 17 of the Liquid Fuels Tax Act are placed in the Boat Fund. Use of monies in the Boat Fund are generally restricted to carrying out Commission functions that relate to boats and boating and may be used solely for expenses incurred in processing boat registrations, special licenses and permits; salaries and wages of the Executive Director and other employees; travel expenses of the Boating Advisory Board and other Commission officers and employees; furniture; office supplies; improvements and repairs to boating access areas and buildings; promotion of recreational boating activities; purchase of lands and waters for Commission use; refund of fees unjustly paid into the fund; development and implementation of a boating safety education program; and lease of land for Commission use. Monies in the Boat Fund may also be expended to enter into cooperative agreements with federal, state, and local governments for managing and operating waters for public boating. Estimates of expenditure amounts must be submitted to the Governor for his approval, and the State Treasurer may not honor any expenditure in excess of amounts approved by the Governor or in excess of amounts available for the requisition. (30 Pa.C.S.A. §§531, 532)

Game Commission.

Game Fund. The Game Fund consists of all fines paid, fees, royalties, and other monies received under the provisions of the Game and Wildlife Code. It is used solely for expenses incurred in carrying out the work of the Commission, including but not limited to land purchases and promotion of the public interest in recreational hunting and furtaking, nongame species, endangered or threatened species, and all other game or wildlife. Act 2002-138 amended provisions in the Game and Wildlife Code relating to allocations of certain monies received. Specifically, effective on July 1, 2002, a minimum of \$4.25 from each resident and nonresident license and \$2 from each antlerless deer license issued for which the full fee has been paid shall be used for habitat improvement, development, maintenance, protection, and restoration conducive to increasing natural propagation of game 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 are deposited into one separate account and must 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) having forest management practices related to the creation and development of food and cover; (iii) developing and managing food and cover openings, including maintenance of soil fertility and herbaceous ground cover; (iv) purchasing, constructing, and enhancing wetlands and riparian areas; (v) constructing and maintaining nesting, brooding, and rearing structures or areas; and (vi) paying the prorated cost for the purchase, maintenance, and operation of

equipment, tools, and materials necessary to meet habitat improvement objectives. No moneys in this account shall be used for capital purchases. Any moneys collected by or for the Commission from the sale of the migratory bird-hunting license shall be used for the purpose of migratory game bird management, habitat acquisition and improvement, and related program administrative costs. The Commission submits expenditure estimates for the Governor's approval. The State Treasurer may not honor any expenditure exceeding estimates approved by the Governor. (34 Pa.C.S.A. §§521, 522)

Federal Funds

Fish and Boat Commission.

The PFBC receives annual federal funding primarily from the Federal Aid in Sport Fish Restoration Act of 1950, commonly referred to as the Dingell-Johnson Act (due to subsequent amendments, now referred to as Dingell-Johnson/Wallup/Breaux). In FY 2002-03, the PFBC received a total of \$6,602,706 from this source.

Game Commission.

The PGC receives annual funding from the Federal Aid in Wildlife Restoration Act of 1937, commonly referred to as the Pittman-Robertson Act. In FY 2002-03, the PGC received a total of \$7,168,263 from this source.

Revenues and Expenditures

Fish and Boat Commission. The PFBC operates on revenues from the following major revenue sources: the sale of fishing licenses and permits, boat registration fees, fines and penalties, transfers from other funds, and federal reimbursement through the Sport Fish Restoration Act. The Commission also receives an annual General Fund appropriation of \$12,000 to pay the state's annual dues in the Atlantic States Marine Fisheries Commission.

In FY 2002-03, PFBC total expenditures amounted to \$36.8 million, \$27.9 million from the Fish Fund and \$8.9 million from the Boat Fund.³ The Fish and Boat Commission is not free to independently authorize expenditures from the Fish and Boat Funds; the Commission is required to annually seek spending authority from the Governor's Office of the Budget in the form of executive authorizations. In FY 2002-03, combined revenues to the Fish Fund and Boat Fund totaled \$37.8 million. (See Section IV for further PFBC financial information and analysis.)

³These amounts are based on October 2003 fiscal reports. The figures will probably increase slightly when the year-end accounting records are finalized.

Game Commission. Game Commission revenues are derived from hunting licenses and fees, fines and penalties, timber sales, federal Pittman-Robertson funds, and other augmentations and miscellaneous revenues.

In FY 2002-03, PGC expenditures totaled \$66.5 million, while revenues to the Game Fund amounted to \$63.4 million. The Game Commission is not free to independently authorize expenditures from the Game Fund; the Commission is required to annually seek spending authority from the Governor's Office of the Budget in the form of executive authorizations. (See Section IV for further PGC financial information and analysis.)

III. The Current Organizational Structures and Staffing of the Two Commissions

The Pennsylvania Fish and Boat Commission

As of March 28, 2003, the PFBC had an authorized complement of 436 salaried positions, 407 of which were filled. Staff are deployed among the central office, six regional offices, and 15 fish culture stations. Table 1 shows the breakdown of the PFBC staff, and Exhibit 6 shows the current PFBC organizational chart.

Table 1

PFBC Staff Complement*			
(Salaried Positions as of March 28, 2003)			
<u>Office/Bureau</u>	<u>Filled</u>	<u>Vacant</u>	<u>Total</u>
Executive Office	28	3	31
Boating and Education	20	0	20
Administration.....	39	2	41
Fisheries.....	171	9	180
Law Enforcement	100	7	107
Engineering and Development.....	<u>49</u>	<u>8</u>	<u>57</u>
Total	407	29	436

*A further description and analysis of the PFBC's staff complement is included in Section VI.

Source: Developed by LB&FC staff from PFBC personnel complement records.

The PFBC is organized into five bureaus operating under an Executive Office.

Executive Office

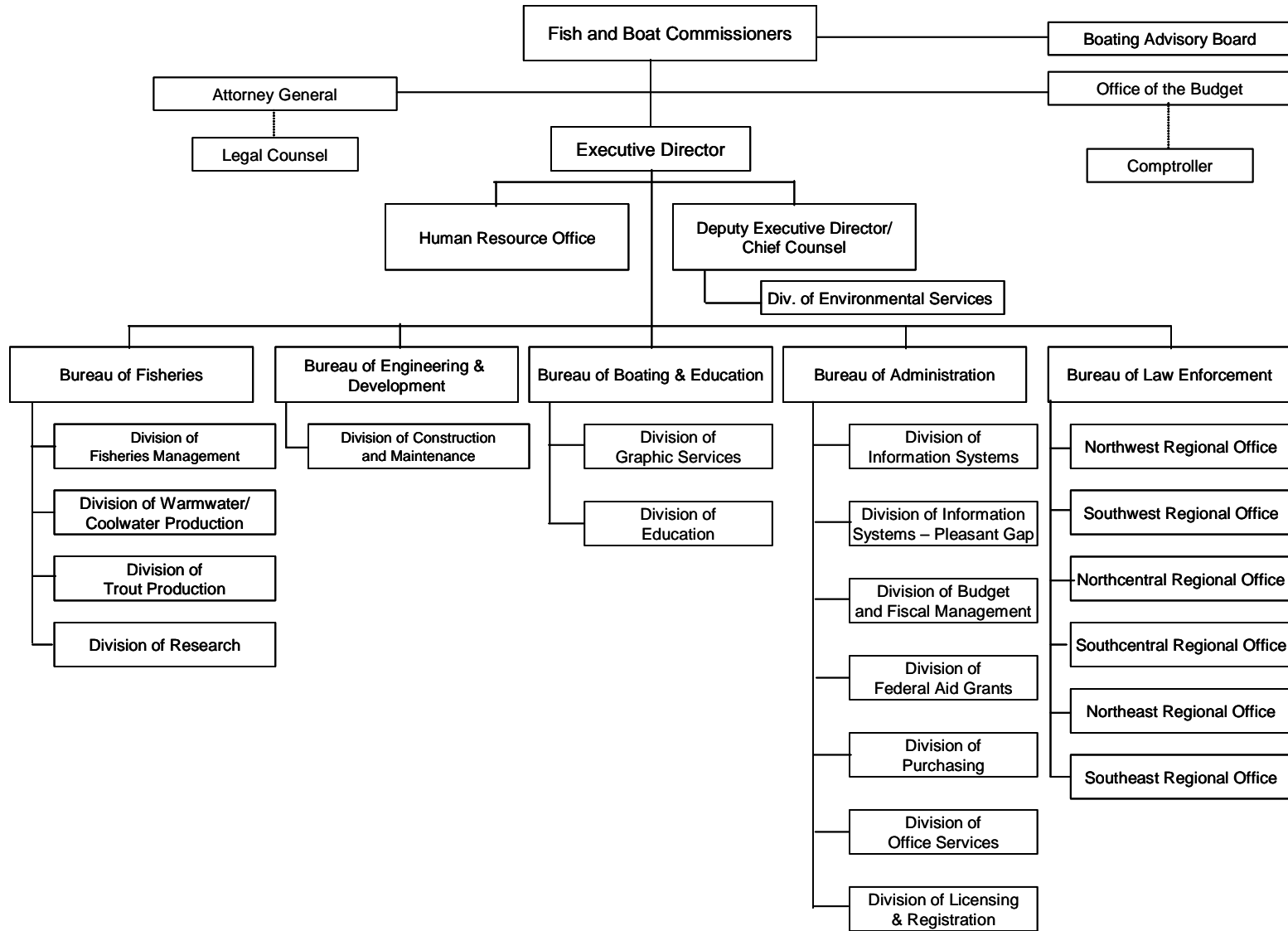
The *Executive Office* houses the Office of Executive Director, the Deputy Executive Director/Chief Counsel, the Press Secretary, Legislative Liaison, the Webmaster, the Policy and Planning Manager, the Human Resources Office, and the Division of Environmental Services.

Bureau of Fisheries

The *Bureau of Fisheries* directs the research management, production, protection, propagation, and distribution of fish, fisheries, habitat, reptiles, amphibians, and certain threatened and endangered/nongame species in the Commonwealth. In performing this function, the Bureau operates 15 fish culture stations (i.e., hatcheries).

Exhibit 6

PA Fish and Boat Commission Organizational Chart



Source: Pennsylvania Fish and Boat Commission.

Bureau of Engineering and Development

The *Bureau of Engineering and Development* is responsible for directing the planning, survey, design, construction, and maintenance of fishing and boating facilities and property. Among other duties, the Bureau also directs the acquisition, leasing, and management of Commission-owned or controlled property. The Bureau's Division of Construction and Maintenance directs the construction and maintenance of PFBC buildings, structures, equipment, utilities, and property.

Bureau of Boating and Education

The *Bureau of Boating and Education* performs numerous duties related to planning and directing the development and implementation of statewide public education and involvement programs geared toward enhancing aquatic environment and fishing and boating opportunities. This Bureau is also responsible for the production of the Commission's bimonthly publication *Pennsylvania Angler and Boater*.

Bureau of Administration

The *Bureau of Administration* provides administrative support services for all Commission operations including, for example, budgeting, warehousing, procurement and distribution, information technology, federal aid grants, office services, and licensing and registration functions.

Bureau of Law Enforcement

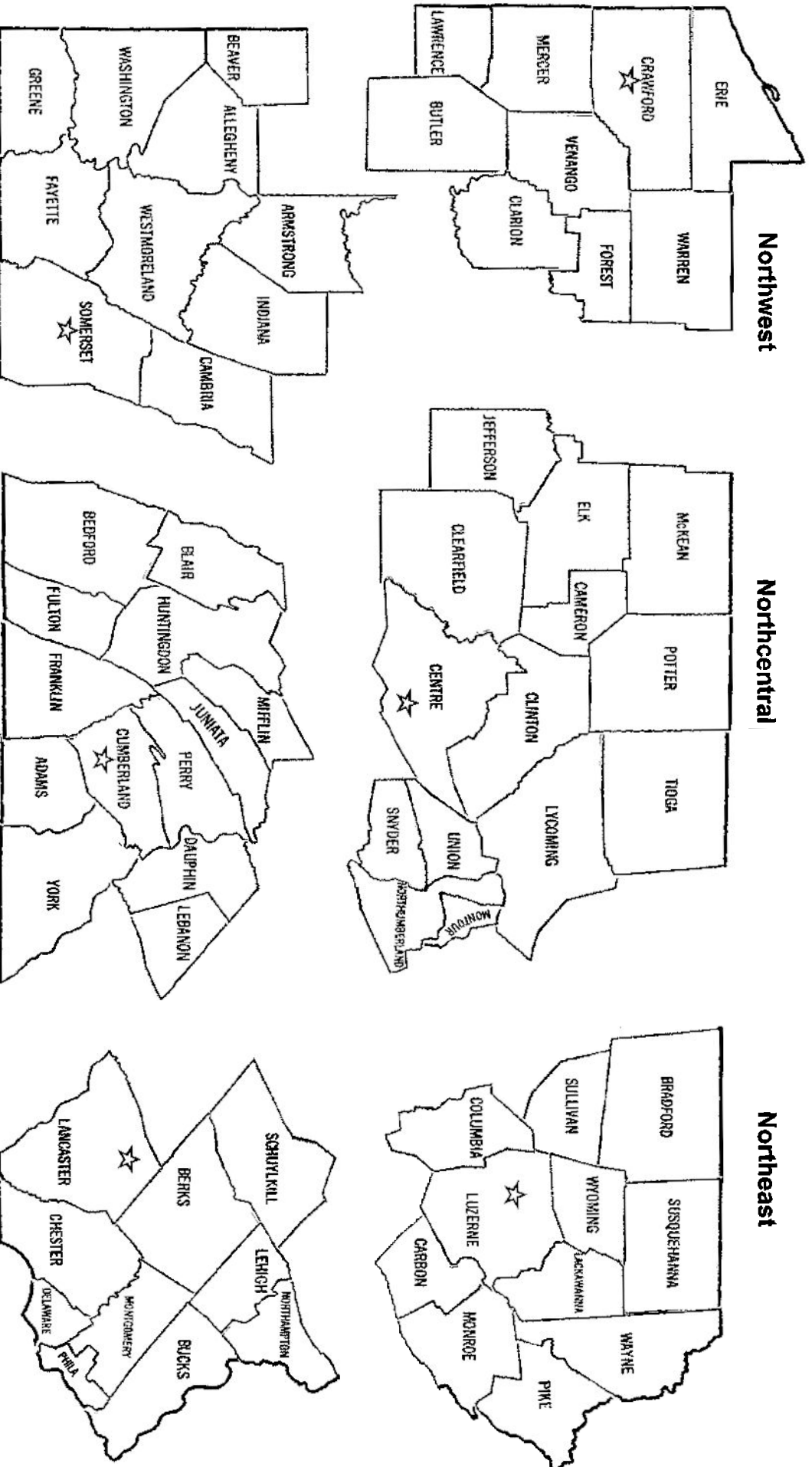
The *Bureau of Law Enforcement* directs the enforcement of fishing laws, boating laws, and certain water pollution laws of the Commonwealth. In addition, within the scope of Fish and Boat Commission activities, the Bureau directs the enforcement of Title 18 (relating to crimes and offenses) and laws relating to misdemeanors and felonies.

In coordination with other PFBC bureaus and divisions, the Bureau of Law Enforcement also directs the delivery of on-site field services and activities, such as conservation education programs; review of permits for mine drainage, stream encroachments, highway and bridge construction, etc.; and fish stocking operations. The Bureau operates out of six regional offices statewide.

Regional Offices

PA Fish and Boat Commission law enforcement operations are administered through six regional offices in Meadville, Somerset, Pleasant Gap, Newville, Sweet Valley, and Elm. (See Exhibit 7.)

PA Fish and Boat Commission Regional Office Structure (Law Enforcement)



Note: The PFBC employs different regional breakdowns for "fisheries management areas" and maintenance purposes.
Source: Pennsylvania Fish and Boat Commission.

The Pennsylvania Game Commission

As of March 28, 2003, the PGC had an authorized complement of 732 salaried positions. At that time, a total of 705 positions were filled. Staff are deployed among the central office, six regional offices, and four game farms. Table 2 shows the breakdown of the PGC staff, and Exhibit 8 shows the current PGC organizational chart.

Table 2

PGC Staff Complement*			
(Salaried Positions as of March 28, 2003)			
<u>Office/Bureau</u>	<u>Filled</u>	<u>Vacant</u>	<u>Total</u>
Executive Office	24	2	26
Bureau of Administrative Services	19	0	19
Bureau of Information and Education	21	2	23
Bureau of Wildlife Management	63	1	64
Bureau of Law Enforcement	18	1	19
Bureau of Land Management	81	6	87
Bureau of Automated Technology Services	17	1	18
Regional Offices	<u>462</u>	<u>14</u>	<u>476</u>
Total	705	27	732

*A further description and analysis of the PGC's staff complement is included in Section VI.

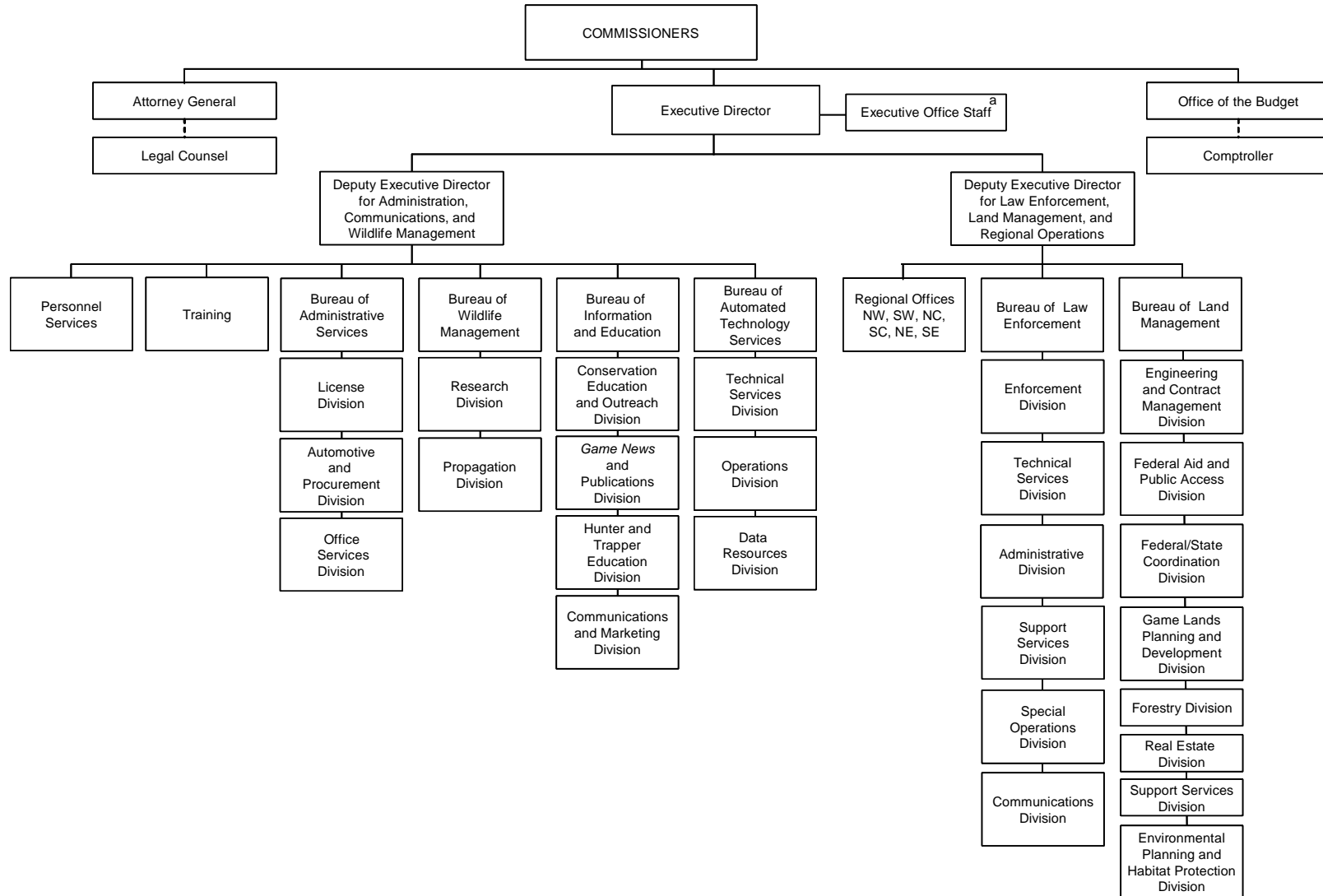
Source: Developed by LB&FC staff from PGC personnel complement records.

Executive Office

The functions of the *Executive Office* include developing and recommending a budget for the consideration of the Commission and for presentation to the Governor, and developing legislation for presentation to the General Assembly. The Executive Office also manages personnel services, oversees the operation of the Ross Leffler School of Conservation, evaluates existing policies, develops and recommends revisions to policies, and provides direction while presenting new policies to subordinates. The Executive Office also establishes and maintains working relationships with other state agencies, federal agencies, private agencies, and sportsmen's groups. In 1999 a full-time Policy Specialist, a Press Secretary, and an Executive Secretary were added to the Executive Office. The Press Secretary reports directly to the Executive Director, while the Policy Specialist reports to the Legislative Liaison. The Executive Secretary reports to the Press Secretary. In 2002 a Program Analyst acting in the role of Strategic Planner and a Fiscal Technician were added to the Executive Office staff. The Strategic Planner reports to the two Deputy Executive Directors, while the Fiscal Technician reports to the Budget Analyst.

Exhibit 8

Pennsylvania Game Commission Organizational Chart



^aIncludes Press Secretary, Legislative Liaison, Policy Analysts, and fiscal and legal staff.

Bureau of Administrative Services

The functions of the *Bureau of Administrative Services* include issuing hunting licenses through approximately 900 agents and an online Internet based system. Purchasing, printing, duplicating, and mailing services are provided through the Bureau. This Bureau is also responsible for the procurement, the maintenance, and the management/disposal of the Commission's automotive fleet.

Bureau of Wildlife Management

Bureau of Wildlife Management functions include conducting research, surveying and inventorying wildlife populations, developing species management plans, leading wildlife reintroduction and recovery efforts, and monitoring wildlife health. It also develops and coordinates agency wildlife health projects, provides population management technical assistance, reviews wildlife use permit requests, conducts public surveys on wildlife management issues, and trains agency staff on wildlife management topics. The Bureau also operates the four game farms where pheasants are raised for release throughout the state. The farms are located at Cambridge Springs in Crawford County (Western Game Farm), at Montoursville in Lycoming County (Loyalsock Game Farm), at Williamsport in Lycoming County (Northcentral Game Farm), and at New Bethlehem in Armstrong County (Southwest Game Farm). The production and incubation activities at the farms result in the annual distribution of more than 200,000 ring-necked pheasants.

Bureau of Information and Education

The functions of the *Bureau of Information and Education* are to plan, organize, and provide a means by which to educate and provide information to agency personnel and the public. Training seminars and educational programs are provided on wildlife-related topics. Special emphasis is placed on training educators, primarily through the Project WILD program. The Bureau also administers the mandatory Hunter-Trapper Education Program for all first-time hunters and trappers in the Commonwealth. A major responsibility for the Bureau is public outreach. Bureau personnel provide information to the general public through periodicals, news releases, audio-visual services, speaking engagements, exhibits, special functions at visitor centers, and by publication of pamphlets, books, charts, and other educational materials. The Bureau also is responsible for the publication of the *Pennsylvania Game News* and the production and sale of fine art wildlife prints, stamps, patches, and other items of interest. A Marketing Specialist position was recently added with increased emphasis on enhancing agency credibility and funding sources.

Bureau of Land Management

The functions of the *Bureau of Land Management* include acquiring and developing lands to augment the State Game Lands System and improving wildlife

habitat. The Bureau accomplishes habitat improvement through treatment programs involving timber sales, mineral recovery projects, and the distribution of trees and seedlings from the Howard Nursery. The Bureau also conducts programs to increase public access to private land, assesses the environmental impacts of a variety of projects that affect the public interest, and oversees repair and maintenance work on Game Commission property.

Bureau of Law Enforcement

The functions of the *Bureau of Law Enforcement* include apprehending and prosecuting Game and Wildlife Code violators; investigating hunting accidents; and contracting for administrative hearings for license revocations, permit denials, and permit revocations. The Bureau also maintains the PGC statewide two-way radio system, issues special permits, and takes measures to prevent property damage by wild animals. Administration of the Deputy Wildlife Conservation Officer program is a responsibility of this Bureau. This Bureau also develops and reviews amendments to the Game and Wildlife Code.

Bureau of Automated Technology Services

The *Bureau of Automated Technology Services* is responsible for the Commission's information technology needs. The Bureau is responsible for the Commission's electronic commerce and internet initiatives, supplying network and desktop computing services to the PGC's headquarters and field personnel, the analysis and programming of data processing systems, the geographic information systems within the agency, computer operations, and data entry. The Bureau works with other Commonwealth agencies and private contractors to institute Commonwealth data processing standards and to deliver electronic data processing systems to end-users.

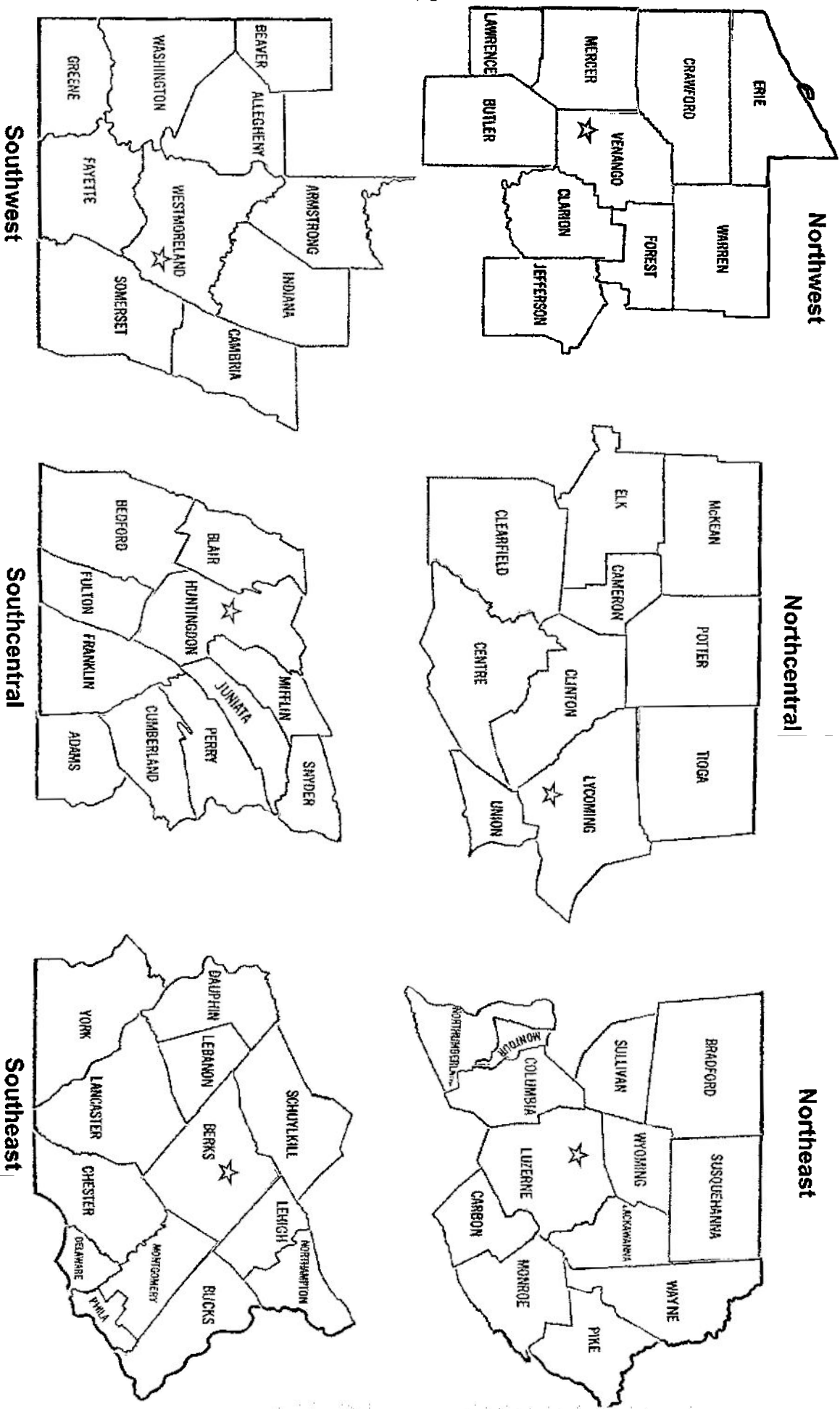
Regional Offices

Game Commission field operations, which include land management and law enforcement functions, are administered through its six regional offices in Franklin, Ligonier, Jersey Shore, Huntingdon, Dallas, and Reading. (See Exhibit 9.)

Comptroller Operations

The Comptroller for Public Protection and Recreation is the chief financial accounting officer of the PGC and the PFBC. The Comptroller advises the Commission on matters relating to financial and service contracting policies and procedures as well as approving (or disapproving) expenditure documents for availability of funds, reasonableness and propriety, and adherence to laws, regulations, or other legal or policy constraints.

PA Game Commission Regional Office Structure



☆ - Regional Office

IV. An Assessment of the Budgetary and Financial Conditions of the Two Commissions

House Resolution 15 states, in part, that due to increasing public demands on the Commonwealth's fish, boating, and wildlife resources, both the PGC and PFBC need to increase revenues or severely curtail programs. The resolution also cites a growing shortage of operating and reserve funds in the special revenue funds used to account for the fiscal transactions of the two Commissions.

This section provides information on fund revenues and expenditures and assesses the current and projected financial conditions of the Commissions' funds. Information is also included on capital and infrastructure funding needs of the two agencies.

Revenues

Both the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission use special revenue funds to account for their revenues and expenditures. The PGC accounts for all its fiscal transactions in the Game Fund, while the PFBC accounts for its fiscal transactions in both the Fish Fund and the Boat Fund.

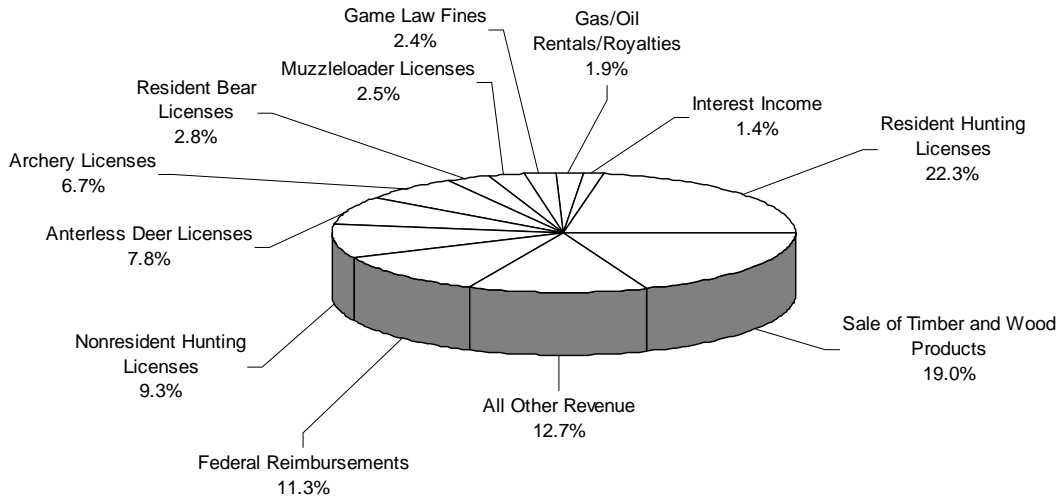
Game Fund

The Game Fund consists of all fines paid, fees, royalties, and other monies received under the provisions of the Game and Wildlife Code and is to be used solely for expenses incurred in carrying out the work of the Commission, including but not limited to land purchases and promotion of the public interest in recreational hunting and furtaking, nongame species, endangered or threatened species, and all other game or wildlife.

Revenues from licenses and fees, especially resident hunting licenses, are the major source of revenue for the Game Fund (59.5 percent). Another significant source of income to the Game Fund is the sale of timber and wood products (19.0 percent). Federal reimbursements, especially the Pittman-Robertson funds, also generate significant revenues into the Game Fund (11.3 percent). Other notable sources of income into the Game Fund include fines and penalties (2.4 percent), gas and oil rentals and royalties (1.9 percent), and interest income (1.4 percent). As shown on Exhibit 10, revenues into the Game Fund from these sources totaled \$63,404,807 in FY 2002-03, an increase of less than 0.1 percent from the prior year.

Exhibit 10

Game Fund Revenue Summary, by Source
(FY 2002-03)



<u>Source</u>	<u>FY 2002-03 Amount</u>	<u>% of Total</u>
Resident Hunting.....	\$14,109,707	22.3%
Sale of Timber/Wood Products	12,039,166	19.0
Federal Reimbursements.....	7,168,263	11.3
Nonresident Hunting	5,907,552	9.3
Antlerless Deer.....	4,920,037	7.8
Archery	4,255,877	6.7
Resident Bear License	1,748,136	2.8
Muzzleloader	1,606,755	2.5
Game Law Fines	1,505,925	2.4
Gas/Oil Rentals/Royalties	1,226,778	1.9
Interest Income	858,613	1.4
All Other Revenue Sources.....	<u>8,057,999</u>	<u>12.7</u>
Total	\$63,404,807	100.0%

Source: Developed by LB&FC staff using information obtained from the PGC.

See the “Supplement” for a more detailed breakdown of PGC revenues for the period FY 1998-99 through FY 2002-03.

Fish Fund

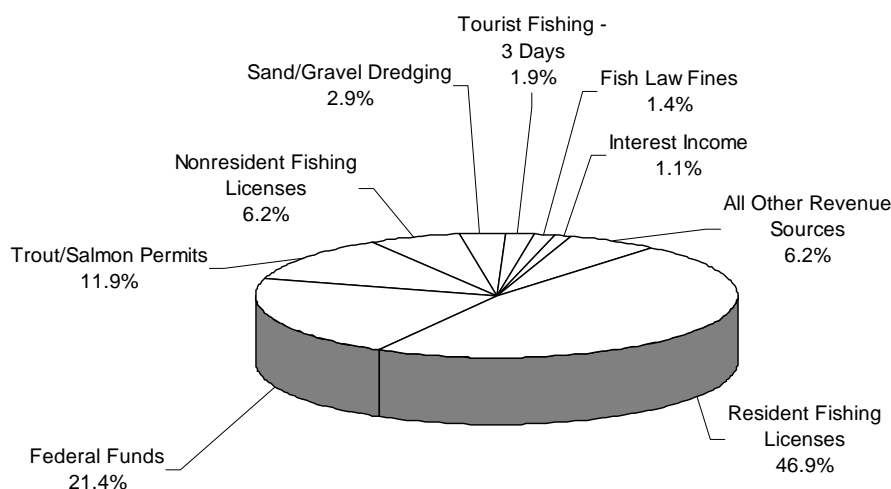
All fees, royalties, fines, penalties, and other moneys collected under the provisions of the Fish and Boat Code, (unless otherwise provided in the code), are placed in a separate fund known as the Fish Fund. Monies in the fund may be used solely for: the payment of expenses incurred in processing, issuing, or supervising the issuance of fishing licenses, special licenses, and permits; salaries and/or wages of the Executive Director and other employees; travel expenses; furniture; supplies; insurance; propagation, protection, and management of fish; repair of fish cultural

stations; purchase of land and water; and refund of fees unjustly paid into the fund. The Commission may also expend monies from the fund to enter into cooperative agreements with federal, state, and local governments for managing and operating waters for public fishing.

As shown in Exhibit 11, revenues from licenses and fees, primarily resident fishing licenses and trout/salmon permits, are the major sources of revenue for the Fish Fund (68.5 percent). Federal reimbursements, especially the Dingell-Johnson/Wallop Breaux funds, also generate significant revenues into the Fish Fund (22.3 percent). Other sources of income into the Fish Fund include income from sand and gravel dredging (2.9 percent), fines and penalties (1.4 percent), and interest income (1.1 percent). Fish Fund revenues in FY 2002-03 totaled \$27,336,919, a decrease of 3.7 percent from the prior year.

Exhibit 11

Fish Fund Revenues, by Source
(FY 2002-03)



Source	FY 2002-03 Amount	% of Total
Resident Fishing Licenses.....	\$12,829,747	46.9%
Federal Funds ^a	5,857,149	21.4
Trout/Salmon Permits.....	3,257,313	11.9
Nonresident Fishing Licenses.....	1,703,297	6.2
Income From Sand and Gravel Dredging.....	784,778	2.9
Tourist Fishing License--3 Days.....	521,920	1.9
Fish Law Fines.....	382,955	1.4
Interest on Securities and Deposits.....	300,995	1.1
All Other Revenue Sources.....	<u>1,698,765</u>	<u>6.2</u>
Total.....	\$27,336,919	100.0%

^aDingell-Johnson/Wallop Breaux funds only.

Source: Developed by LB&FC staff using information obtained from the PFBC.

See the "Supplement" for a more detailed breakdown of Fish Fund revenues for the period FY 1998-99 through FY 2002-03.

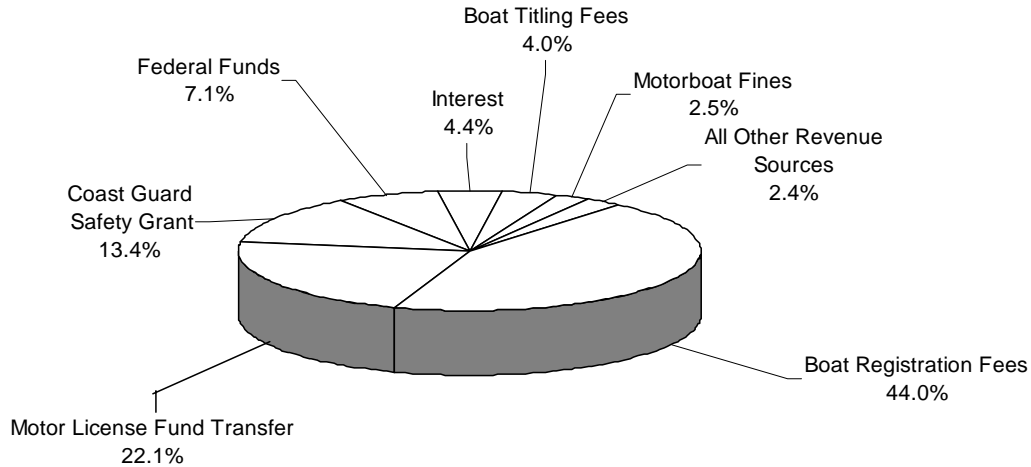
Boat Fund

All monies collected under 30 Pa.C.S.A. §747 (relating to sales and grants), Part III of the Fish and Boat Code, (relating to boats and boating), and Section 17 of the Liquid Fuels Tax Act are deposited in the Boat Fund. Use of monies in the Boat Fund are generally restricted to carrying out Commission functions that relate to boats and boating. Funds may be used solely for expenses incurred in processing boat registrations, special licenses and permits; salaries and wages of the Executive Director and other employees; travel expenses of the Boating Advisory Board and other Commission officers and employees; furniture; office supplies; improvements and repairs to boating access areas and buildings; promotion of recreational boating activities; purchase of lands and waters for Commission use; refund of fees unjustly paid into the fund; development and implementation of a boating safety education program; and lease of land for Commission use. Monies in the Boat Fund may also be expended to enter into cooperative agreements with federal, state, and local governments for managing and operating waters for public boating.

As shown on Exhibit 12, revenues from licenses and fees, especially motor-boat registration and boat titling fees, are the major source of revenue for the Boat Fund (49.0 percent). Another significant source of income to the Boat Fund is the transfer from the Motor License Fund for the PFBC's share of the Liquid Fuels Tax for fuel consumed in the operation of boats (22.1 percent). Federal reimbursements, especially the U.S. Coast Guard Grant for Boating Safety, also generate significant revenues for the Boat Fund (20.8 percent). Other sources of income for the Boat Fund include interest income (4.4 percent) and fines and penalties (2.5 percent). In FY 2002-03, Boat Fund revenues totaled \$10,436,566, a decrease of 1.1 percent from the prior year.

Exhibit 12

Boat Fund Revenues, by Source
(FY 2002-03)



<u>Source</u>	<u>FY 2002-03 Amount</u>	<u>% of Total</u>
Motorboat Registration Fees	\$ 4,591,290	44.0%
Transfer from Motor License Fund	2,307,870	22.1
U.S. Coast Guard Grant for Boating Safety	1,399,465	13.4
Federal Funds	745,557	7.1
Interest on Securities and Deposits	462,178	4.4
Boat Titling Fees	419,517	4.0
Motorboat Fines	256,826	2.5
All Other Revenue Sources.....	<u>253,863</u>	<u>2.4</u>
Total.....	\$10,436,566	100.0%

Source: Developed by LB&FC staff using information obtained from the PFBC.

See the “Supplement” for a more detailed breakdown of Boat Fund revenues for the period FY 1998-99 through FY 2002-03.

Recent Game, Fish, and Boat Fund Revenue Trends

Table 3 shows the pattern of total revenues deposited into the Game, Fish, and Boat Funds since FY 1995-96. A hunting license increase, which went into effect July 1, 1999, provided an infusion of revenues to the PGC during FY 1999-00 and FY 2000-01. However, since that time, Game Fund revenues have again begun to decline.

After going flat in the late 1990s, Fish Fund revenues have declined for three consecutive years since FY 2000-01. Boat Fund revenues have also fluctuated over the period presented on Table 3. These fluctuations are, however, more a factor of

the timing of transfers received from the Motor License Fund for the PFBC's share of state liquid fuels taxes.

Table 3

PGC and PFBC Revenue Trends						
<u>Fiscal Year</u>	<u>Game Fund</u>	<u>% Change</u>	<u>Fish Fund</u>	<u>% Change</u>	<u>Boat Fund</u>	<u>% Change</u>
1995-96	\$51,582,889	--	\$26,710,552	--	\$ 6,273,257	--
1996-97	52,324,425	1.4%	28,008,563	4.9%	11,016,684	75.6% ^b
1997-98	49,301,332	-5.8	29,071,439	3.8	8,579,877	-22.1 ^b
1998-99	51,814,898	5.1	29,429,429	1.2	10,323,213	20.3
1999-00	64,798,087	25.1 ^a	29,638,017	0.7	10,487,202	1.6
2000-01	66,983,503	3.4	28,888,791	-2.5	10,925,654	4.2
2001-02	63,370,238	-5.4	28,373,241	-1.8	10,550,161	-3.4
2002-03	63,404,807	0.1	27,336,919	-3.7	10,436,566	-1.1

^aLicense fees were increased July 1, 1999.

^bThe transfer from the Motor License Fund for FY 1995-96 was combined with the transfer in FY 1996-97, thereby making the FY 1996-97 total revenue amount appear exceedingly large compared to FY 1995-96 and FY 1997-98.

Source: Developed by LB&FC staff using information obtained from the PGC and the PFBC.

The sale of hunting and fishing licenses is the most significant factor affecting Game and Fish Fund revenues and, ultimately, the financial condition of the funds. Hunting license sales have steadily declined each year since 1991. (See Table 4.) There have been a few exceptions in the areas of junior resident hunters, resident antlerless licenses, and resident muzzleloader licenses. But the most significant license source for the PGC, the adult resident hunting license, has declined from 911,839 in 1991 to 743,015 in 2002, a reduction of 18.5 percent.

With the exception of the 3-day license category, fishing license sales have also been steadily declining since 1991. Resident license sales declined by 14.7 percent from 943,017 in 1991 to 804,122 in 2002.

Given this historical decrease in license sales, it seems that both the PGC and PFBC have outgrown the capacity of their primary revenue bases. As a result, annual operating deficits threaten to progressively reduce the balance available in the Game and Fish Funds (often referred to as "fund reserves"). While further license increases may provide temporary relief, other revenue enhancements and alternative revenue sources need to be identified, or expenditures will need to be severely curtailed.

Even if the Commissions receive further license increases, they would most likely provide just a "temporary fix" given the associated erosion of the licensee base which is now apparent. Nationally, fewer persons are hunting and, over the past

ten years, the size of Pennsylvania’s resident hunting license group has declined by 19 percent. Compounding this trend is the aging of the licensee base as “baby boomers” who hunt and fish approach the age at which they will qualify for reduced-fee senior hunting, furtaking, and fishing licenses or one-time-fee senior lifetime hunting, furtaking, and fishing licenses. Also, past experience has shown that the Commissions lose a number of license holders with each subsequent license fee increase.

Table 4

Trends in Adult Resident Hunting and Fishing License Sales and Boat Registrations

	Adult Resident		Number of Boats Registered
	Hunting Licenses	Fishing Licenses	
1991.....	911,839	943,017	301,804
1992.....	907,291	952,936	311,873
1993.....	883,021	950,588	311,542
1994.....	871,074	933,036	322,318
1995.....	848,666	948,004	330,440
1996.....	831,369	864,989	337,201
1997.....	811,322	861,003	340,637
1998.....	811,985	865,673	348,352
1999.....	777,172	844,094	352,231
2000.....	774,396	832,038	360,361
2001.....	776,032	839,488	359,706
2002.....	743,015	804,122	357,729
% Change			
2002 Over 1991	-18.5%	-14.7%	+18.5%

Source: Developed by LB&FC staff using information obtained from the PGC and the PFBC.

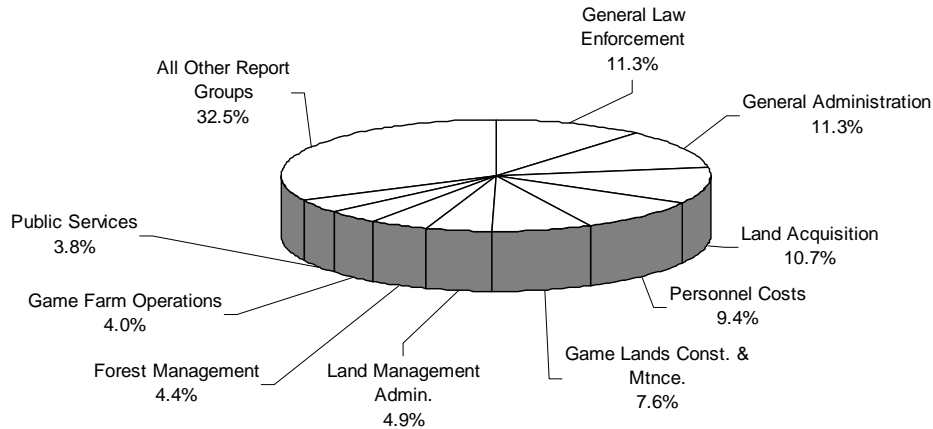
Expenditures

Game Fund

In FY 2002-03, PGC expenditures were \$66,566,854, a decrease of 1.4 percent from the prior year. These expenditures, classified by report group, are shown on Exhibit 13. Significant report group expenditures for the Game Fund are general law enforcement (11.3 percent), general administration (11.3 percent), land acquisitions (10.7 percent), personnel costs (9.4 percent), Game Lands construction and maintenance (7.6 percent), land management administration (4.9 percent), forest management (4.4 percent), and Game Farm operations (4.0 percent).

Exhibit 13

PGC Expenditures, by Report Group*
(FY 2002-03)



<u>Source</u>	<u>FY 2002-03 Amount</u>	<u>% of Total</u>
General Law Enforcement.....	\$7,525,067	11.3%
General Administration.....	7,514,847	11.3
Land Acquisition.....	7,118,020	10.7
Personnel Costs.....	6,265,331	9.4
Game Lands Construction and Maintenance.....	5,058,428	7.6
Land Management Administration.....	3,275,753	4.9
Forest Management.....	2,953,677	4.4
Game Farm Operations.....	2,650,233	4.0
Public Services.....	2,548,204	3.8
All Other Report Groups.....	<u>21,657,294</u>	<u>32.5</u>
Total.....	\$66,566,854	100.0%

* A "report group" is a group of cost items determined by Commission program managers to be more meaningful to them for reporting purposes because they show expenditures along program lines.

Source: Developed by LB&FC staff using information obtained from the PGC.

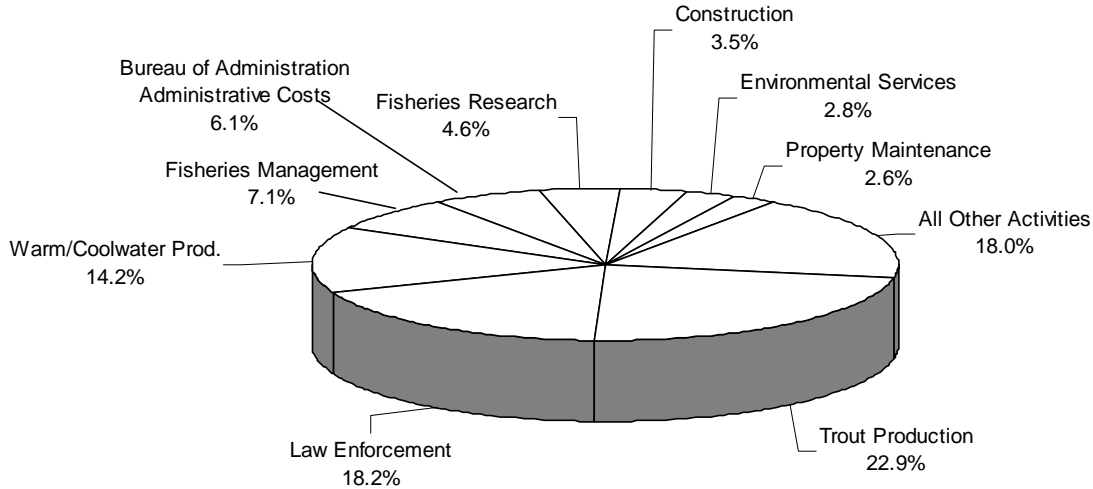
See the "Supplement" for a more detailed breakdown of expenditures from the Game Fund during the period FY 1998-99 through FY 2002-03.

Fish Fund

In FY 2002-03, Fish Fund expenditures totaled \$27,911,848, a decrease of 3.8 percent over the prior year. Expenditures from the Fish Fund for PFBC organizational activities are shown on Exhibit 14. These consist of expenditures for trout production (22.9 percent), Bureau of Law Enforcement activities (18.2 percent), warmwater/coolwater production (14.2 percent), fisheries management (7.1 percent), Bureau of Administration administrative costs (6.1 percent), fisheries research (4.6 percent), and construction (3.5 percent).

Exhibit 14

Fish Fund Expenditures, by Organizational Activity
(FY 2002-03)



<u>Organizational Activity</u>	<u>FY 2002-03^a</u> <u>Amount</u>	<u>% of Total</u>
Trout Production.....	\$6,399,756	22.9%
Bureau of Law Enforcement.....	5,068,329	18.2
Warmwater/Coolwater Production	3,970,698	14.2
Fisheries Management.....	1,980,887	7.1
Bureau of Administration Administrative Costs.....	1,698,277	6.1
Fisheries Research	1,277,955	4.6
Construction	973,344	3.5
Environmental Services.....	791,451	2.8
Property Maintenance	728,382	2.6
All Other Organizational Activities.....	<u>5,022,769</u>	<u>18.0</u>
Total.....	\$27,911,848	100.0%

^aExpenditure amounts shown are as of October 14, 2003. These figures will most likely increase after the PFBC makes final accounting adjustments to reflect expenditures and commitments incurred during FY 2002-03 but not recorded until after the close of the fiscal year, as reflected on the Fish Fund Comparative Financial Statement (see the "Supplement" for more information).

Source: Developed by LB&FC staff using information obtained from the PFBC.

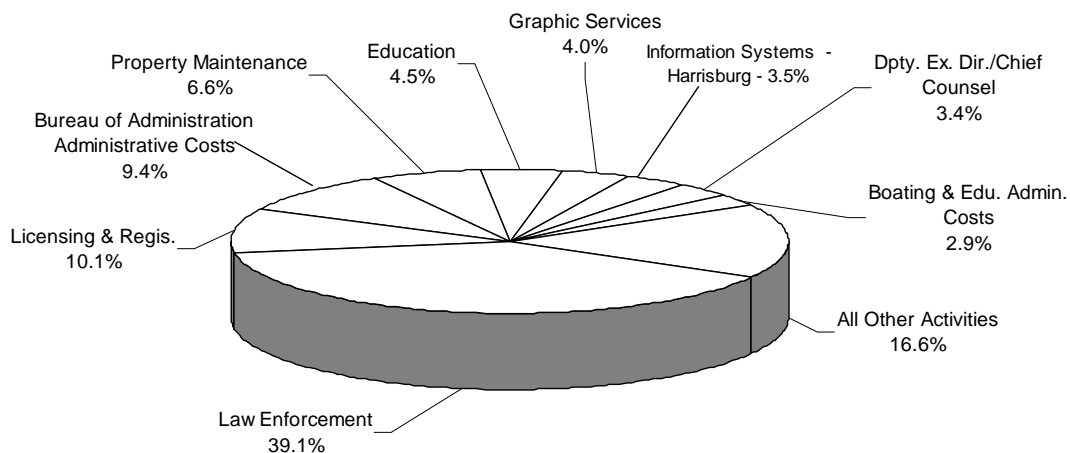
See the "Supplement" for a more detailed breakdown of expenditures from the Fish Fund during the period FY 1998-99 through FY 2002-03.

Boat Fund

In FY 2002-03, Boat Fund expenditures totaled \$8,852,489, a 1.1 percent increase over the prior year level. Expenditures from the Boat Fund by PFBC organizational activity are shown on Exhibit 15 for FY 2002-03. These include expenditures for the Bureau of Law Enforcement's activities (39.1 percent), licensing and registration (10.1 percent), Bureau of Administration administrative costs (9.4 percent), property maintenance (6.6 percent), boat education (4.5 percent), and graphic services (4.0 percent).

Exhibit 15

Boat Fund Expenditures, by Organizational Activity (FY 2002-03)



<u>Organizational Activity</u>	<u>FY 2002-03^a Amount</u>	<u>% of Total</u>
Bureau of Law Enforcement	\$3,463,462	39.1%
Licensing and Registration	893,838	10.1
Bureau of Administration Administrative Costs	827,780	9.4
Property Maintenance	584,864	6.6
Education.....	395,519	4.5
Graphic Services	352,151	4.0
Information Systems--Harrisburg.....	307,072	3.5
Deputy Executive Director/Chief Counsel	296,747	3.4
Bureau of Boating and Education Administrative Costs.....	259,274	2.9
All Other Organizational Activities	<u>1,471,782</u>	<u>16.6</u>
Total.....	\$8,852,489	100.0%

^aExpenditure amounts shown are as of October 14, 2003. These figures will most likely increase after the PFBC makes final accounting adjustments to reflect expenditures and commitments incurred during FY 2002-03 but not recorded until after the close of the fiscal year, as reflected on the Boat Fund Comparative Financial Statement (see the "Supplement" for more information).

Source: Developed by LB&FC staff using information obtained from the PFBC.

See the "Supplement" for a more detailed breakdown of Boat Fund expenditures for the period FY 1998-99 through FY 2002-03.

Game, Fish, and Boat Fund Expenditure Trends

The pattern of total expenditures paid from the Game, Fish, and Boat Funds since FY 1995-96 is presented on Table 5. As can be seen from that table, expenses from the Game Fund have increased over this time period from \$57.7 million to \$66.0 million. A hunting license increase went into effect July 1, 1999, and for FY 1999-00 and FY 2000-01, the Game Fund experienced an increased rate of expenditures. Since that time, the PGC has held expenditures relatively steady at a level of approximately \$67.0 million.

The Fish Fund has also been experiencing an increase in expenditures since FY 1995-96. Fish Fund expenses totaled \$25.2 million in FY 1995-96 and ended FY 2002-03 at \$27.9 million. During those years, Fish Fund expenses reached a high of \$29.7 million in FY 2000-01. The Boat Fund expenditures have fluctuated over the time period presented due to the availability of Motor License Fund monies in the fund.

Table 5

PGC and PFBC Expenditure Trends						
<u>Fiscal Year</u>	<u>Game Fund</u>	<u>% Change</u>	<u>Fish Fund</u>	<u>% Change</u>	<u>Boat Fund</u>	<u>% Change</u>
1995-96	\$57,706,664	--	\$25,171,798	--	\$ 7,447,359	--
1996-97	54,481,515	-5.6%	25,553,752	1.5%	8,183,615	9.9%
1997-98	58,919,487	8.1	28,724,782	12.4	10,498,045	28.3
1998-99	58,359,417	-1.0	29,321,452	2.1	9,755,393	-7.1
1999-00	63,087,632	8.1 ^a	28,015,328	-4.5	9,420,934	-3.4
2000-01	66,928,065	6.1	29,687,580	6.0	9,267,841	-1.6
2001-02	67,505,030	0.9	29,013,805	-2.3	8,752,610	-5.6
2002-03	66,566,854 ^b	-1.4	27,911,848 ^b	-3.8	8,852,489 ^b	1.1

^aLicense fees were increased July 1, 1999.

^bExpenditure amounts shown are as of October 14, 2003. These figures will most likely increase after the PGC and the PFBC makes final accounting adjustments to reflect expenditures and commitments incurred during FY 2002-03 but not recorded until after the close of the fiscal year, as reflected on the Comparative Financial Statements (see the "Supplement" for more information).

Source: Developed by LB&FC staff using information obtained from the PGC and the PFBC.

Financial Condition of the Funds

Game Fund Balance, June 30, 2003

An operating deficit again developed during FY 2002-03. With expenditures exceeding revenues by \$3,124,000, the Game Fund balance at June 30, 2003, was \$18.1 million. This represents a decline of 21.8 percent, or \$5.0 million over the FY 2001-02 ending balance. The financial statement on Table 6 summarizes the financial activity in the Game Fund for FY 2002-03.

Table 6

Game Fund Financial Statement	
	FY 2002-03
Beginning Balance, July 1, 2002	\$23,158,194
Revenues:	
Licenses and Fees	\$37,742,849
Fines and Penalties	1,509,345
Miscellaneous Revenues	16,228,899
Augmentations	7,923,715
Prior Year Lapse	500,000
Total Revenues	\$63,904,808
Less Expenses:	
Personnel Services	\$44,906,104
Operating Expenses	15,214,405
Fixed Assets	3,745,762
Subsidies and Grants	2,662,936
Total Expenditures	\$66,529,207 ^a
Operating Deficit ^b	3,124,400
Ending Balance, June 30, 2003	\$18,118,000

^aDoes not match expenditures shown on Exhibit 13 because of the timing of recording accounting transactions at the close of the fiscal year.

^bOperating deficit is defined as the amount by which the annual expenditures exceed annual revenues; therefore the prior year lapse amount of \$500,000 was not used in this calculation.

Source: Developed by LB&FC staff using information obtained from the PA Game Commission.

Fish Fund Balance, June 30, 2003

During FY 2002-03, Fish Fund expenditures exceeded revenues by \$4,030,081. The Fish Fund balance at June 30, 2003, was \$11,065,000, a slight increase from the prior year. The financial statement on Table 7 summarizes the financial activity in the Fish Fund for FY 2002-03.

Table 7

Fish Fund Financial Statement

	<u>FY 2002-03</u>
Beginning Balance, July 1, 2002	\$11,051,042
Revenues:	
Licenses and Fees	\$18,722,925
Fines and Penalties	382,955
Miscellaneous Revenues	1,639,780
Augmentations	6,591,259
Prior Year Lapse	<u>4,043,000</u>
Total Revenues	\$31,379,919
Less Expenses:	
Personnel Services	\$20,117,682
Operating Expenses	6,102,460
Fixed Assets	1,295,689
Subsidies and Grants	<u>396,017</u>
Total Expenditures	\$31,367,000 ^a
Operating Deficit ^b	<u>4,030,081</u>
Ending Balance, June 30, 2003	\$11,065,000

^aThis level of expenditures reflects the total amount the PFBC anticipates will be paid from the Fish Fund when the accounting records are closed for the fiscal year at the end of October. This amount is greater than that shown on Exhibit 14 because those tables reflect payments made only through October 14, 2003.

^bOperating deficit is defined as the amount by which the annual expenditures exceed annual revenues; therefore the prior year lapse of \$4,043,000 was not used in this calculation.

Source: Developed by LB&FC staff using information obtained from the PFBC.

Boat Fund Balance, June 30, 2003

The Boat Fund balance as of June 30, 2003, was \$13,258,000. This represents an increase of 8.4 percent, or \$1,031,208 over the FY 2001-02 ending balance. The PFBC attributes this increase in the Boat Fund to the timing and steady flow of Motor License Fund transfers into the fund. The financial statement on Table 8 summarizes the financial activity in the Boat Fund for FY 2002-03.

Table 8

Boat Fund Financial Statement

	<u>FY 2002-03</u>
Beginning Balance, July 1, 2002	\$12,226,792
Revenues:	
Licenses and Fees.....	\$5,109,325
Fines and Penalties	256,826
Transfer from Motor License Fund	2,307,870
Miscellaneous Revenues.....	538,355
Augmentations	2,224,190
Prior Year Lapse	<u>1,447,000</u>
Total Revenues.....	\$11,883,566
Less Expenses:	
Personnel Services.....	\$6,101,773
Operating Expenses	2,148,210
Fixed Assets	594,536
Subsidies and Grants	<u>7,970</u>
Total Expenditures.....	\$10,853,000 ^a
Operating Deficit ^b	<u>416,434</u>
Ending Balance, June 30, 2003.....	\$13,258,000

^aThis level of expenditures reflects the total amount the PFBC anticipates will be paid from the Boat Fund when the accounting records are closed for the fiscal year at the end of October. This amount is greater than that shown on Exhibit 15 because those tables reflect payments made only through October 14, 2003.

^bOperating deficit is defined as the amount by which the annual expenditures exceed annual revenues; therefore the prior year lapse of \$1,447,000 was not used in this calculation.

Source: Developed by LB&FC staff using information obtained from the PFBC.

Game, Fish, and Boat Fund Operating Surplus/Deficit Trends

Each year the PGC and the PFBC must submit budget requests to the Governor's Office of the Budget for the Game Fund, the Fish Fund, and the Boat Fund. The Office of the Budget then grants spending authority to the Commissions through the Executive Authorization process.

Historically, when there has been a declining ending balance in one of the special funds, it has been the practice of the Office of the Budget to limit the expenditure level of the agencies to no more than a few million dollars above the revenue level. This practice was outlined in November 1997 in response to an inquiry received from the Chairman of the House Game and Fisheries Committee on the Game Fund. The Secretary of the Governor's Office of the Budget stated as follows:

As you know, the Governor has the responsibility to review the Game Commission's annual budget and to authorize expenditures from the Game Fund. As with all agencies, the review is part of the budget and

rebudget processes. When the Office of the Budget reviews the proposed budget, one of the primary concerns is the impact that the Commission's spending plans will have on the fiscal health of the Game Fund. As this special fund is in poor fiscal health, our recommendations have been to restrict the growth of expenditures in order to delay a depletion of the Game Fund. The Office of the Budget believes that this is preferable to the alternative of permitting programs to expand and then contract suddenly when available funds can no longer support activities.

While this practice tends to limit operating deficits and postpone fund depletion, it does not allow expenditures to grow at the rate needed for the Commissions to operate at full capacity. As revenue collections flatten, expenditure authorization levels also remain flat. At the same time, personnel costs generally increase each year under terms of negotiated personnel contracts. As personnel costs rise, program expenditures must be reduced to stay within the executive authorization amounts.

Table 9 shows that the Game, Fish, and Boat Funds had operating deficits during FY 2002-03. After temporarily moving into an operating surplus position in FY 1999-00 and FY 2000-01 as a result of a license increase, the PGC has again incurred two consecutive annual operating deficits. In the case of the Fish Fund, expenditures have exceeded revenues for three consecutive fiscal years. Between the end of FY 2001-02 and the end of FY 2002-03, the Fish Fund operating deficit grew from \$641,000 to \$4.0 million. The Boat Fund had an operating deficit of \$416,000 in FY 2002-03, the first in the five-year period examined.

Table 9

**Pattern of Game, Fish, and Boat Fund
Operating Surpluses/Deficits
(\$000)**

Fiscal Year	Revenues			Expenditures			Operating Surpluses/(Deficits) ^a		
	Game	Fish	Boat	Game	Fish	Boat	Game	Fish	Boat
1998-99	\$51,815	\$29,429	\$10,323	\$58,359	\$29,321	\$9,755	\$(6,544)	\$108	\$568
1999-00	64,798	29,368	10,487	63,088	28,015	9,421	1,710	1,353	1,066
2000-01	66,984	28,889	10,926	66,928	29,688	9,268	56	(799)	1,658
2001-02	63,370	28,373	10,551	67,505	29,014	8,753	(4,135)	(641)	1,798
2002-03	63,405	27,337	10,437	66,529 ^b	31,367 ^b	10,853 ^b	(3,124)	(4,030)	(416)

^aThe amount by which annual revenues exceed annual expenditures (operating surpluses) or annual expenditures exceed annual revenues (operating deficits).

^bThis level of expenditures reflects the total amount the PGC and the PFBC anticipates will be paid from the Game, Fish, and Boat Funds when the accounting records are closed for the fiscal year at the end of October 2003. This amount is greater than that shown on Exhibits 13, 14, and 15 because those tables reflect only those payments made through October 14, 2003.

Source: Developed by LB&FC staff using information obtained from the PFBC and the PGC.

Projected Fund Balances

Game Fund. Table 10 presents the projected year-end balance for the Game Fund for FY 2003-04 through FY 2007-08. As can be seen from this table, the PGC estimates that expenditures will amount to \$70.8 million and revenues will total \$65.8 million for FY 2003-04. Such estimates will lead to another operating deficit, and the ending year balance in the Game Fund is estimated to be \$13.2 million.

The comparative financial statement the PGC prepared for purposes of its FY 2004-05 budget request projects a continued depletion of the Game Fund balance over the next several years. Revenues are projected to level off at the rate of \$64.5 million each year. At the same time, expenditures are estimated to total \$68.0 million in FY 2004-05, increase to \$69.0 million in FY 2005-06, and then be held in a no growth position at \$70.0 million each year thereafter during the projection period. With such estimates, an operating deficit of about \$5.0 million is projected for each year through FY 2007-08.

Table 10

Projected Year-End Game Fund Balances					
(FY 2003-04 Through FY 2007-08)					
(\$000)					
	FY 2003-04	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08
Beginning Balance.....	\$18,118	\$13,239	\$11,059	\$ 7,059	\$ 2,059
Plus:					
Prior Year Lapses.....	500	500	500	500	500
Revenues	65,385	65,320	64,500	64,500	64,500
Minus:					
Expenditures.....	<u>70,764</u>	<u>68,000</u>	<u>69,000</u>	<u>70,000</u>	<u>70,000</u>
Ending Balance	\$13,239	\$11,059	\$ 7,059	\$ 2,059	\$(2,941)

Source: Developed by LB&FC staff using information obtained from the PGC.

Fish Fund. Table 11 shows the projected year-end balance for the Fish Fund for FY 2003-04 through FY 2007-08. For FY 2003-04, the PFBC projects another \$4.0 million operating deficit, with estimated expenditures of \$33.1 million and revenues of \$29.1 million.

The comparative financial statement the PFBC prepared for purposes of its FY 2004-05 budget request projects a continued depletion of the Fish Fund balance over the next several years. Revenues are projected to level off at about \$27.3 million each year. At the same time, expenditures are estimated at \$32.0 million in FY 2004-05, with further increases each year until they reach a level of \$34.8 million in FY 2007-08. Based on these estimates, an operating deficit of more than \$4.7 million is projected for each year through FY 2007-08, with the Fish Fund going into a deficit position by the end of FY 2005-06.

Table 11

Projected Year-End Fish Fund Balances					
(FY 2003-04 Through FY 2007-08)					
(\$000)					
	FY <u>2003-04</u>	FY <u>2004-05</u>	FY <u>2005-06</u>	FY <u>2006-07</u>	FY <u>2007-08</u>
Beginning Balance.....	\$11,065	\$10,241	\$ 5,557	\$ (325)	\$ (7,353)
Plus:					
Prior Year Lapses....	3,175	0	0	0	0
Revenues	29,055	27,296	27,286	27,271	27,251
Minus:					
Expenditures.....	<u>33,054</u>	<u>31,980</u>	<u>33,168</u>	<u>34,299</u>	<u>34,773</u>
Ending Balance	\$10,241	\$ 5,557	\$ (325)	\$(7,353)	\$(14,875)

Source: Developed by LB&FC staff using information obtained from the PFBC.

Boat Fund. The PFBC estimates that FY 2003-04 expenditures for the Boat Fund will exceed revenues by about \$222,000 and the year ending balance in the Boat Fund will be \$14.8 million.

The comparative financial statement the PFBC prepared for purposes of its FY 2004-05 budget request projects a continuation of slight annual reductions in the Boat Fund balance over the next several years. As shown on Table 12, revenues are projected to level off at the rate of \$10.6 million each year. At the same time, expenditures are estimated to total \$11.3 million in FY 2004-05 and then slightly increase each year until they reach \$11.8 million in FY 2007-08. Based on these estimates, an operating deficit of approximately \$1.0 million is projected for each year through FY 2007-08, with the Boat Fund ending FY 2007-08 with a balance of \$11.3 million.

Table 12

Projected Year-End Boat Fund Balances					
(FY 2003-04 Through FY 2007-08)					
(\$000)					
	FY <u>2003-04</u>	FY <u>2004-05</u>	FY <u>2005-06</u>	FY <u>2006-07</u>	FY <u>2007-08</u>
Beginning Balance.....	\$13,258	\$14,836	\$14,109	\$13,434	\$12,414
Plus:					
Prior Year Lapses....	1,800	0	0	0	0
Revenues	11,001	10,566	10,602	10,634	10,681
Minus:					
Expenditures.....	<u>11,223</u>	<u>11,293</u>	<u>11,277</u>	<u>11,654</u>	<u>11,813</u>
Ending Balance	\$14,836	\$14,109	\$13,434	\$12,414	\$11,282

Source: Developed by LB&FC staff using information obtained from the PFBC.

Capital and Infrastructure Funding Needs

In addition to the funds required to pay for the daily operations of both Commissions, significant amounts of funding are needed for infrastructure repairs and capital improvements. As expenditures from the Fish Fund and the Game Fund exceed annual revenues, both agencies have had to take steps to reduce the costs of day-to-day operations in an effort to maximize available revenues and stabilize fund reserves. Under such conditions, little, if any, funding is available for infrastructure needs, and as such, both Commissions have a list of unfunded capital projects.

Game Commission

The PGC owns 1,412,227 acres of land and leases another 24,238 acres. The Commission also has 2,600 miles of roads, four Game Farms, six regional offices, the Harrisburg headquarters building, Howard Nursery, two visitor's centers, and various radio towers to maintain.

At the time of this study, the PGC had identified \$35.3 million in infrastructure needs. These capital improvement projects included \$2.2 million in current backlog projects and \$33.1 million in one-time expenditure projects. The Game Commission anticipates that these costs could be funded over 10 years, which would result in approximately \$4.0 million in annual costs.

The PGC also anticipates that it will need to pursue an additional \$7.3 million in annual infrastructure costs outside of the projects identified above. These projects are annual infrastructure maintenance costs that, if accomplished, would prevent severe deterioration, and ultimately replacement, of these structures. Table 13 shows the infrastructure projects and their associated costs as reported by the Game Commission.

Fish and Boat Commission

The PFBC owns 19,547 acres, and leases another 8,631 acres, of reservoirs, boat access areas, lakes, canals, springs, dams, creek easements, and ponds. The Commission also has 15 hatchery locations, two marinas, six regional offices, and the Harrisburg headquarters building to maintain.

At the time of this study, the PFBC reported having funding needs of \$150 million for infrastructure needs. These capital improvement projects included \$85 million for the hatcheries, \$55 million for dam repairs, and \$10 million for boating access area improvements. It is anticipated that \$95 million of these costs would be allocated to the Fish Fund with the remaining \$55 million charged to the Boat Fund.

Table 13

PGC Infrastructure Needs and Estimates of Associated Costs

<u>Item</u>	<u>Cost</u>
I. <u>Current Project Backlog:</u>	
Dam Repairs/Correct Safety Hazard—Cove Creek.....	\$ 49,000
Breach Lofty Res. Dam	40,000
Breach Brady's Lake Dam	200,000
Breach Rexmont Dam #2.....	175,000
Dam Repairs at Buzzard Swamp Dam #6	40,000
Clarks Creek Bridge	100,000
Faulkner Brook Dam Repair	30,000
SGL #252 Impoundment Repairs	40,400
Wildcat Dam Repairs	75,000
Replace 2 Stream Crossings	40,700
Wetlands Dam Repairs	15,000
Bridge Replacement.....	40,000
Northcentral Regional Office Renovations.....	208,000
Southcentral Regional Office Renovations	162,000
Northeast Regional Office Renovations.....	195,250
Northwest Regional Office Renovations	<u>765,000</u>
Total Current Project Backlog	\$ 2,175,350
II. <u>Other One-Time Expenditure Projects:</u>	
Middle Creek Visitors Center/Environmental Education	\$ 3,500,000
Remove Ammunition Bunkers on SGL #252	650,000
Elk Viewing Area Facilities for Environmental Education	1,180,000
Initial Bridge Safety Inspections: 50 @ \$4,000 each	200,000
Harrisburg Headquarters Building Renovations	1,000,000
Abandoned Mine Reclamation Projects.....	20,055,000
Lead Pollution/Safety Investigation and Remediation at 65 Rifle/Pistol Ranges: 65 @ \$100,000 each	<u>6,500,000</u>
Total One-Time Expenditure Projects.....	\$33,085,000
III. <u>Projected Annual Cost to Eliminate Unfunded Project Requirements, at a 10-year time frame:</u>	
Current Project Backlog	\$ 2,175,350
One-Time Expenditure Projects.....	<u>33,085,000</u>
Total Unfunded Projects.....	\$35,260,350
Annual Cost, Estimated	\$ 4,000,000
IV. <u>Estimated Annual Infrastructure Costs:</u>	
Annual Unfunded Project Requirement	\$ 4,000,000
Annual Bridge Inspections	50,000
Annual Dam Repairs/Construction.....	750,000
Roads and Bridges.....	1,500,000
Annual Facilities Maintenance/Materials.....	600,000
Deer Proof Fencing for Forest Regeneration.....	990,000
Streambank Fencing	360,000
Maintain Existing Mine Reclamation and Watershed Improvement Projects	2,281,000
Building Renovations	<u>750,000</u>
Total Annual Infrastructure Costs	\$11,281,000

Source: Developed by LB&FC staff using information obtained from the PGC.

An outside consultant has developed estimated hatchery costs for the PFBC. In March 2001, the Commission contracted with FishPro/Cochran & Wilken, Inc., Consulting Engineers and Scientists (FishPro) to complete a “Commonwealth Cold and Cool/Warmwater Fish Culture System Evaluation.” FishPro identified the need for infrastructure improvements at all fish culture stations and developed a prioritized list of improvements. Table 14 shows the costs identified by FishPro for needed hatchery improvements.

Table 14

Fish Culture Station Improvements and Renovations (Priorities and Expenditures as Developed by FishPro*)				
<u>Fish Culture Station</u>	<u>Priority 1^a</u>	<u>Priority 2^b</u>	<u>Priority 3^c</u>	<u>Total</u>
Bellefonte	\$ 4,219,302	\$ 2,224,049	\$ 18,590	\$ 6,461,941
Benner Spring	4,215,671	1,074,365	17,875	5,307,911
Big Spring.....	10,829,752	0	0	10,829,752
Corry.....	2,635,631	351,395	2,618,988	5,606,014
Huntsdale	3,671,859	2,482,466	1,306,710	7,461,035
Oswayo	2,039,053	548,989	1,870,197	4,458,239
Pleasant Gap.....	2,127,366	950,109	511,551	3,589,026
Reynoldsdale.....	5,572,648	1,291,414	3,919,276	10,783,338
Tylersville	1,971,245	1,828,606	193,086	3,992,937
Fairview	1,104,686	911,002	1,171,638	3,187,326
Linesville.....	3,393,998	4,686,289	1,857,863	9,938,150
Pleasant Mount	3,224,740	828,832	526,378	4,579,950
Tionesta.....	2,184,540	486,674	74,058	2,745,272
Union City.....	2,893,072	374,897	75,675	3,343,644
Upper Spring Creek	<u>1,033,504</u>	<u>1,476,210</u>	<u>0</u>	<u>2,509,714</u>
Total	\$51,117,067	\$19,515,297	\$14,161,885	\$84,794,249

*The PFBC contracted FishPro/Cochran & Wilken, Inc., Consulting Engineers and Scientists (FishPro) to complete a Commonwealth Cold and Cool/Warmwater Fish Culture System Evaluation. FishPro identified infrastructure improvements at all fish culture stations, and a prioritized list of improvements was developed.

^aPriority 1 items are improvements that are considered essential to the fish culture station's ability to meet fish production goals and compliance with the Commonwealth's operational codes and permits. Enhanced effluent treatment is a system-wide Priority 1 item. Renovation of these systems is generally required to repair deteriorated components and restore operational performance requirements and/or provide for expansion opportunities.

^bPriority 2 items are recommended hatchery infrastructure improvements that are needed but are less critical than Priority 1. These items can be constructed in the future given that provisions for their completion are included in the design engineering of Priority 1 items.

^cPriority 3 items can be added at some future date without major disruption of ongoing fish production.

Source: Developed by LB&FC staff using information obtained from the PFBC.

Capital improvements cost estimates for dams and boating access areas were developed by Commission staff within the Bureau of Engineering and Development. The \$10 million cost estimate for boating access areas is based on \$40,000 for each of the 250 access areas. This figure of \$40,000 is based on past work conducted at boating access areas. As for dam repairs, Table 15 shows the dam infrastructure needs of the PA Fish and Boat Commission.

Table 15

Dam Infrastructure Needs of the PA Fish and Boat Commission

<u>Impoundment</u>	<u>Estimated Cost</u>
Lower Hereford Manor Lake.....	\$ 6,750,000
Upper Hereford Manor Lake.....	4,147,000
Kaercher Creek Lake.....	50,000
Glade Run Lake.....	2,200,000
Mauch Chunk Lake.....	1,000,000
Colyer Lake	2,200,000
Kahle Lake.....	2,200,000
Briar Creek Lake.....	1,000,000
Tamarack Lake Dam "A"	750,000
Tamarack Lake Dam "B"	750,000
Opossum Lake	2,200,000
Virgin Run Lake	2,500,000
Meadow Grounds Lake	1,500,000
Hemlock Lake (Straight Run Dam).....	5,000
Kyle Lake	2,500,000
Speedwell Forge Lake.....	2,760,000
Leaser Lake (21' drawdown)	4,700,000
Harris Pond.....	500,000
Mountain Springs Lake.....	1,300,000
Rose Valley Lake.....	1,000,000
Minsi Lake	2,200,000
C.F. Walker Lake.....	1,000,000
High Point Lake	50,000
Somerset Lake	2,200,000
Hunters Lake	5,000
Beechwood Lake	500,000
Nessmuk Lake.....	500,000
Canonsburg Lake	1,200,000
Dutch Fork Lake	2,200,000
Belmont Lake.....	1,000,000
Hankins Pond	500,000
Lower Woods Pond	1,000,000
Miller Pond.....	5,000
White Oak Pond	100,000
Donegal Lake	2,200,000
Stevens Lake.....	<u>750,000</u>
Total Estimated Dam Needs	\$55,422,000

Source: Developed by LB&FC staff using information obtained from the PFBC.

The PGC and the PFBC are not alone in their need for significant infrastructure and capital improvements. A year long investigation by *Field & Stream* found that “American fish and wildlife, once the envy of the world for its funding and accomplishments, is going broke.” This study went on to identify Pennsylvania as “a worst-case example” and states that “maintenance of boat ramps, fish hatcheries, reservoirs, ponds, dams, and road systems, as well as land acquisition, has been abandoned as the agencies strive to do the basics.”

Act 2002-208, which was signed into law on December 9, 2002, is the Fish and Boat Commission Capital Budget Act for FY 2002-03. It authorizes capital projects to be funded by incurring debt or from operating funds in the Fish and Boat Funds. Section 3 of the act authorizes 18 specific PFBC projects with an estimated total cost of \$54.5 million. All the projects must be released for design within four years of enactment of the bill or they are repealed unless extended for up to one year by the Secretary of the Budget.

Table 16 lists the projects that can be funded pursuant to Act 2002-208. The high priority hatchery projects are listed first, along with their cost, which totals \$24.7 million.

Table 16

PA Fish and Boat Commission Capital Projects Authorized by Act 2002-208

<u>Project</u>	<u>Authorized Cost</u>
PFBC Priority Projects:	
Reynoldsdale Fish Culture Station	\$ 5,575,000
Bellefonte Fish Culture Station	2,200,000
Benner Spring Fish Culture Station	2,465,000
Pleasant Gap Fish Culture Station	2,090,000
Tylersville Fish Culture Station	2,040,000
Huntsdale Fish Culture Station	3,840,000
Corry Fish Culture Station	2,655,000
Oswayo Fish Culture Station	2,220,000
Brandy Camp (Blue Valley) Mine Drainage/Fish Culture Station Recirculation Demonstration Project	<u>1,600,000</u>
Total Priority Projects	\$24,685,000
Other Authorized Projects:	
Upper and Lower Hereford Lakes	\$ 7,800,000
Charming Forge Dam	500,000
Glade Run Lake	1,560,000
Mauch Chunk Lake	325,000
Big Spring Fish Culture Station	8,250,000
Merli/Sarnoski Park Disabled Access	720,000
Lackawanna River in Scranton Disabled Access	720,000
Leaser Lake	5,400,000
Canonsburg Lake	<u>4,500,000</u>
Total Other Authorized Projects	\$29,775,000
Total Authorized Projects Per Act 2002-208	\$54,460,000

Source: Developed by LB&FC staff using information obtained from the PFBC.

While Act 2002-208 authorizes these 18 capital improvement projects, it is not possible for the PA Fish and Boat Commission to pursue all of them at this time due to funding constraints. This act provides that the Commission may incur debt for these projects, or they can use operating funds. Given the financial condition of the Fish and Boat Funds, and especially the Fish Fund, it is not possible for the PFBC to use operating funds to finance these projects. While the agency may incur

debt for these projects, it is likely that the Fish Fund and Boat Fund will have to pay for all or some of the debt service on these projects using funds that are otherwise needed for operational and program expenses. Therefore, the PFBC is currently pursuing only the following six projects:

- Bellefonte Fish Culture Station.....	\$ 2,200,000
- Benner Spring Fish Culture Station.....	2,465,000
- Pleasant Gap Fish Culture Station.....	2,090,000
- Tylersville Fish Culture Station.....	2,040,000
- Huntsdale Fish Culture Station	3,840,000
- Brandy Camp (Blue Valley) Mine Drainage/Fish Culture Station Recirculation Demonstration Project.....	<u>1,600,000</u>
Total	\$14,200,000

These projects have a total estimated cost of approximately \$14.2 million, and the PFBC estimates that the annual debt service on these projects when bonds are sold and the projects are progressing will be approximately \$1.0 million. PFBC officials state that they “are prepared to move forward with these projects now and to pay the debt service for at least years one and two, but it is essential that an alternative means of funding this debt be developed and implemented soon.” As a result of paying \$1.0 million per year debt service from the Fish Fund, fiscal resources are depleted, which impacts operations and prevents the Commission from pursuing additional major capital projects that are needed, such as dam repairs.

Estimates indicate that debt service for the \$24.7 million in high priority projects as authorized by Act 2002-208 would be approximately \$2.0 million a year. In order to pursue the full \$54.5 million in projects authorized by Act 208, debt service would total about \$4.6 million per year, a figure that is clearly prohibitive given the Commission’s overall financial condition.

Potential Sources of Additional and Alternative Revenues

Pending Requests for License Fee Increases

License fee increases are periodically imposed to boost fund revenues. Fishing license fees were last increased in 1996, while hunting license fees were last increased in 1999. Discussions of the need for a license increase for both the Game Fund and the Fish Fund have occurred during the course of the public hearings on House Resolution 15. During these hearings, officials from both agencies presented information on the financial condition of the Game, Fish, and Boat Funds. At the July 29, 2003, hearing in Towanda, officials from the PGC stated that they will need a license increase by FY 2006-07 in order to maintain solvency in the Game Fund. At that same hearing, officials for the PFBC stated that they would need a license increase “much sooner than the PGC,” but would not provide a more specific time

frame. However, the Commission is on record as stating that a fishing license fee increase would be needed no later than the 2005 license year.

The Fish and Boat Commission has been exploring several alternative license fee structures for the Fish and Boat Funds. House Bill 2155 was introduced in November 2003. This legislation provides for increases in fishing licensee fees and boat registrations. Table 17 shows the fee increase proposal as outlined in HB 2155.

Table 17

HB 2155 Proposal for Increase in Fishing Licenses and Boat Registrations		
<u>Category</u>	<u>2003 Cost</u>	<u>HB 2155 Proposed Cost</u>
Fishing Licenses:		
Resident.....	\$16.25	\$20.00
Nonresident.....	34.25	50.00
Resident Senior (Annual).....	3.25	10.00
Resident Senior Lifetime.....	15.25	50.00
3-Day Tourist	14.25	25.00
1-Day Resident (After May 1 Only).....	New	10.00
Trout Stamp	5.00	8.00
Lake Erie (Steelhead) Stamp.....	New	8.00
Combo Lake Erie (Steelhead)/Trout Stamp	New	12.00
Junior Fishing License (12 to 15 year olds).....	New	2.00
	<u>Current Price</u> <u>(2 years)</u>	<u>HB 2155</u> <u>Proposed Cost</u>
Boat Registrations:		
Unpowered.....	\$10.00	\$18.00
Less than 16 Feet	20.00	26.00
16 to 20 Feet.....	30.00	39.00
20 + to 40 Feet.....	40.00	52.00
40 + to 65 Feet.....	40.00	52.00
65 + Feet.....	40.00	52.00

Source: Developed by LB&FC staff using information obtained from the PFBC.

Fish and Boat Commission staff estimated that this fee proposal would generate approximately \$4 million to \$4.5 million per year in new revenues for the Fish Fund and over \$1.0 million per year for the Boat Fund. It is important to note, however, that this is an initial proposal only, not a final license increase agreement.

Tipping Fee Proposal

The General Assembly may consider creation of a new Conservation Heritage Account to be funded with “tipping fees” collected for waste deposited in landfills. A “tipping fee” is a recycling fee imposed, in this instance, by the Environmental Stewardship and Watershed Protection Act whereby each operator of a municipal

waste landfill is required to pay, in the same manner prescribed in section 701 of the Municipal Waste Planning, Recycling and Waste Reduction Act, for all solid waste received at the landfill.

This amendment does not increase the tipping fee. Rather, it provides that the first \$12.5 million collected in tipping fees each year would be deposited in the Conservation Heritage Account.

Both the Game Commission and the Fish and Boat Commission would receive a portion of the funds from this account. Each year, 45 percent of the \$12.5 million would be allocated to each Commission for the construction and rehabilitation of infrastructure or for providing habitat and resource management programs. The remaining 10 percent of the Conservation Heritage Account would be allocated to the Wild Resources Conservation Fund.

General Fund Support

Presently, Pennsylvania's General Fund monies do not augment the Game, Fish, or Boat Funds. However, in 28 states, the fish and wildlife agencies receive some degree of General Fund support, ranging from less than 1 percent of total agency funding in three states to more than 25 percent in eight states (Delaware, Florida, Georgia, Hawaii, Illinois, Maryland, South Carolina, and Washington).

Officials of both the PGC and the PFBC favor General Fund augmentations. PGC officials anticipate that, at some point, they will have to request General Fund assistance to help cover the costs of such items as personnel costs, in-lieu-of tax payments, capital improvements, and/or fixed assets. The PFBC officials have stated that a stable, reliable, long-term source of funding for fish and wildlife programs is needed in Pennsylvania, and believes General Fund augmentations are a means to attain this funding.

A 1999 report by the Izaak Walton League of America called General Fund support "a sensible and practical funding mechanism" available to every state. This report stated that "state legislatures could begin to provide adequate General Fund appropriations to their fish and wildlife agencies. As has been demonstrated, recreation activities supported by these agencies provide significant tax revenue to the state. Returning an equitable portion of those tax proceeds to the agency for fish and wildlife management simply makes sound business sense."

The Center for Rural Pennsylvania studied the economic impacts and values of hunting, fishing, and trapping activities in Pennsylvania. They found that the economic impact for Pennsylvania was about \$4.8 billion for hunting, \$4.7 billion for fishing, and \$19 million for furtaking, for a total of more than \$9.6 billion. This study also found that the total number of jobs associated with hunting was 45,089, while those for fishing were 43,134 and 176 for trapping. A recreational boating

participation survey conducted by Chilton Research Services found that Pennsylvania residents spend over \$1.7 billion on boating annually.

Current Commission Ideas on Alternative Funding

PA Game Commission. One of the six goals of the Game Commission's Strategic Plan is to: "*Develop a sustainable funding structure that supports the agency's mission and identity.*" The Commission has developed the following strategic objectives to guide the agency in meeting this "Funding Goal":

- establish a Game Commission Foundation;
- increase the PGC's access to grants, mitigation, reimbursements, and foundations;
- seek General Fund augmentations;
- create a "Friends of Game and Wildlife" Program;
- review license program for economies and efficiencies; and
- set license fees to an inflation index.

Each of these ideas was presented to the House Game and Fisheries Committee at the September 25, 2003, House Resolution 15 public hearing in Bradford. The following briefly describes each of these objectives as described by PGC staff.

Establish a Game Commission Foundation. This would be an independent foundation to provide resources to the Game Commission for specific programs and projects. The foundation would receive funds from donors and its board would disperse the funds to the Game Commission programs. The long-term goal would be to establish an endowment to augment the operations budget of the PGC within the parameters of the foundation's charter. The charter could be oriented to wildlife education, land acquisition, wildlife species programs, or a variety of other areas.

Increase the PGC's Access to Grants, Mitigation, Reimbursements, and Foundations. The intent is for the PGC to expand its knowledge and awareness of the availability of new funding sources that could be used for PGC programs. For example, opportunities could exist in mitigation and reimbursement programs at the local level, especially in the area of habitat development programs.

External stakeholders presented this concept to the Game Commission when they participated in the development of the Strategic Plan. These conservation organizations have advised the PGC that there are mitigation requirements when land is developed, (e.g., a new mall that would have environmental impacts), and as such, developers should pay the PGC for disturbing wildlife areas. The PGC anticipates partnering with state and local conservation organizations as they pursue this revenue source.

Seek General Fund Augmentations. As previously discussed, the Game Commission believes General Fund augmentations to the Game Fund would be a viable source of revenue for the PGC.

Create a "Friends of Game and Wildlife" Program. This program would be oriented to smaller donors who want to contribute to the Game Commission. The program would provide opportunities through the e-commerce system for customers to donate one dollar or similar small sums in conjunction with their purchase of products and licenses. Other opportunities for donations could be provided at annual sporting shows and local events where PGC personnel have an established booth or demonstration area.

Review License Program for Economies and Efficiencies. PGC officials have stated that they will conduct an in-depth analysis of the licensing program. It will initially focus on cost reductions, but in the long term it will be oriented to a computerized point of sale system. Commission officials anticipate that such a system would reduce costs for the Game Commission as well as provide improved customer service for hunters and trappers.

Set License Fees to Inflation Index. In this case, the PGC's objective is to receive authorization to annually, or possibly every two years, adjust license costs based on the Consumer Price Index for that time period. The rationale is that this would assist in minimizing the negative inflationary impact on a significant portion of the PGC's revenue stream. This concept would also apply to permits and other fees.

The Game Commission reports that it will begin to further define and implement these objectives during FY 2003-04. However, Commission officials concede that the majority of these alternative revenue sources will only have a marginal impact on funding. They believe that only General Fund augmentations could have a major impact on the financial condition of the Game Fund.

Fish and Boat Commission. The Fish and Boat Commission has also considered alternative revenue sources. As presented to the House Game and Fisheries Committee at its September 25, 2003, public hearing on House Resolution 15, PFBC staff stated that they believe several of the alternative revenue sources used in other states could be viable sources of revenue in Pennsylvania. These include General Fund augmentations, an allocation of state sales tax, or a state sales and use tax on fishing, hunting, and boating equipment. The PFBC is also considering selling advertisements on its web site. This revenue source, however, like voluntary donations and sales of merchandise, would most likely not generate significant additional revenues.

V. A Review of the Organizational Structure and Funding of Fish and Wildlife Agencies in Other States

Organizational Structure and Functions

Organizational Types

The diversity and complexity of organizational arrangements among state fish and wildlife agencies makes categorizing them difficult. In a 1997 report, the Wildlife Management Institute noted that state fish and wildlife agencies are different in so many ways that it is not possible to categorize accurately all of their organizations without listing each agency separately.

However, in reviewing the organizational structures of the various state agencies, it is possible to make a broad, basic distinction between (1) states whose fish and game functions are carried out by a stand-alone department or commission; and (2) those in which these functions are the responsibility of an organizational unit or units within a larger state agency, such as a department of conservation or natural resources. A third category, separate and organizationally independent fish/boat and game commissions, is found only in Pennsylvania.

To document the various organizational structures in use among the states to manage fish and wildlife resources, we surveyed all states and requested basic information on their organizational structures. As part of the same survey, we obtained information on agency functions, annual spending levels, and funding sources.

We found that, as of mid-2003, fish and wildlife functions were organizationally located within a larger state agency (e.g., within a department of natural resources or conservation) in the majority of states (27 of 50). In 22 others, these functions are assigned to a single stand-alone fish and wildlife department or commission. Pennsylvania is the only state that has separate, stand-alone fish and game commissions. (See Exhibit 16.)

Recent Organizational Changes

Florida. A 1998 constitutional amendment created the Florida Fish and Wildlife Conservation Commission through a merger of the former Game and Freshwater Fish Commission with the former Marine Fisheries Commission and elements of the Divisions of Marine Resources and Law Enforcement of the Florida Department of Environmental Protection. According to a Commission spokesperson, this merger occurred because the Game and Freshwater Fish Commission was

State Fish and Wildlife Organization Structures and Agency Titles

<u>Fish and wildlife functions are carried out:</u>	<u># of States</u>
I. Within an Independent Department or Commission.....	22
II. Within an Organizational Unit(s) of a Larger State Agency.....	27
III. Separate, Independent Commissions	1

I. Fish and Game Functions Within an Independent Department or Commission (Total 22)

<i>Alaska</i>	Department of Fish & Game
<i>Arizona</i>	Department of Game and Fish
<i>Arkansas</i>	Game and Fish Commission
<i>California</i>	Department of Fish and Game
<i>Florida</i>	Fish & Wildlife Conservation Commission
<i>Idaho</i>	Department of Fish & Game
<i>Kentucky</i>	Department of Fish and Wildlife Resources
<i>Louisiana</i>	Department of Wildlife & Fisheries
<i>Maine</i>	Department of Inland Fisheries and Wildlife
<i>Massachusetts</i>	Department of Fish and Game
<i>Nevada</i>	Department of Wildlife
<i>New Hampshire</i> ..	Department of Fish & Game
<i>New Mexico</i>	Department of Game & Fish
<i>North Carolina</i>	Wildlife Resources Commission
<i>North Dakota</i>	Game & Fish Department
<i>Oklahoma</i>	Department of Wildlife Conservation
<i>Oregon</i>	Department of Fish & Wildlife
<i>Tennessee</i>	Wildlife Resources Agency
<i>Vermont</i>	Department of Fish & Wildlife
<i>Virginia</i>	Department of Game & Inland Fisheries
<i>Washington</i>	Department of Fish and Wildlife
<i>Wyoming</i>	Department of Game and Fish

II. Fish and Game Functions Within a Larger State Agency (Total 27)

<i>Alabama</i>	<u>Wildlife & Freshwater Fisheries Division</u> within the Department of Conservation & Natural Resources
<i>Colorado</i>	<u>Division of Wildlife</u> within the Department of Natural Resources
<i>Connecticut</i>	<u>Bureau of Natural Resources</u> within the Department of Environmental Protection
<i>Delaware</i>	<u>Division of Fish & Wildlife</u> within the Department of Natural Resources and Environmental Control

Exhibit 16 (Continued)

II. Fish and Game Functions Within a Larger State Agency (Total 27) (Continued)

<i>Georgia</i>	<u>Wildlife Resources Division</u> within the Department of Natural Resources
<i>Hawaii</i>	<u>Division of Aquatic Resources and Division of Forestry and Wildlife</u> within the Department of Land and Natural Resources
<i>Illinois</i>	<u>Office of Resource Conservation</u> within the Department of Natural Resources
<i>Indiana</i>	<u>Division of Fish and Wildlife</u> within the Department of Natural Resources
<i>Iowa</i>	<u>Division of Conservation and Recreation</u> within the Department of Natural Resources
<i>Kansas</i>	<u>Fisheries and Wildlife Division</u> within the Department of Wildlife and Parks
<i>Maryland</i>	<u>Resource Management Service</u> within the Department of Natural Resources
<i>Michigan</i>	<u>Fisheries Division and Wildlife Division</u> within the Department of Natural Resources
<i>Minnesota</i>	<u>Division of Wildlife and Division of Fisheries</u> within the Department of Natural Resources
<i>Mississippi</i>	<u>Division of Hunting and Wildlife and Division of Fisheries</u> within the Department of Wildlife
<i>Missouri</i>	<u>Division of Fisheries and Division of Wildlife</u> within the Department of Conservation
<i>Montana</i>	<u>Fisheries Division and Wildlife Division</u> within the Department of Fish, Wildlife and Parks
<i>Nebraska</i>	<u>Wildlife Division and Fisheries Division</u> within the Game & Parks Commission
<i>New Jersey</i>	<u>Division of Fish and Wildlife</u> within the Department of Environmental Protection
<i>New York</i>	<u>Division of Fish, Wildlife and Marine Resources</u> within the Department of Environmental Conservation
<i>Ohio</i>	<u>Division of Wildlife</u> within the Department of Natural Resources
<i>Rhode Island</i>	<u>Division of Fish and Wildlife</u> within the Department of Environmental Management
<i>South Carolina</i>	<u>Division of Wildlife and Freshwater Fisheries</u> within the Department of Natural Resources
<i>South Dakota</i>	<u>Division of Wildlife</u> within the Department of Game, Fish and Parks
<i>Texas</i>	<u>Wildlife Division and Inland Fisheries Division</u> within the Parks & Wildlife Department
<i>Utah</i>	<u>Division of Wildlife Resources</u> within the Department of Natural Resources
<i>West Virginia</i>	<u>Wildlife Resources Section</u> within the Division of Natural Resources
<i>Wisconsin</i>	<u>Division of Land and Division of Water</u> within the Department of Natural Resources

III. Fish and Wildlife Functions Within Two Separate Commissions (Total 1)

***Pennsylvania*..... Game Commission; Fish and Boat Commission**

Source: Developed by LB&FC staff from an examination of organizational, program, and legal materials obtained from the various states.

operating under the direction of a constitutionally established commission, while marine fisheries were under a separate statutorily established commission.

The Commissioners are appointed by the Governor and confirmed by the Florida Senate to five-year terms. There are currently seven commissioners who are to exercise the “. . . regulatory and executive powers of the state with respect to wild animal life and fresh water aquatic life and shall also exercise regulatory and executive powers of the state with respect to marine life, except that all license fees and penalties for violating regulations shall be as provided by law.” The Executive Director serves at the pleasure of the Commissioners, and any new appointee the Commissioners select must also be confirmed by the Senate.

The agency has approximately 1,800 employees organized in the following divisions: (1) Wildlife; (2) Freshwater Fisheries; (3) Marine Fisheries; (4) Law Enforcement and Administration; (5) the Office of Environmental Services; (6) the Office of Informational Services; (7) the Office of Executive Director; (8) the Florida Marine Research Institute; and (9) the Division of Administrative Services.

Nevada. On July 1, 2003, the state legislature authorized the Nevada Division of Wildlife to begin operating as the Nevada Department of Wildlife. In 1994, the Nevada Legislature combined all natural resource agencies in the state to create the Nevada Department of Conservation and Natural Resources (DCNR). At that time, the Department of Wildlife was moved into the new DCNR and was renamed the Nevada Division of Wildlife.

According to a representative of the Nevada Department of Wildlife, Nevada sportsmen and the general public were not happy with this consolidation because the Department had essentially been reduced from a cabinet-level agency to a division within an agency. Instead of having a director of wildlife appointed by the Governor, the state had an administrator at the division level who was selected by the DCNR Director. Stakeholder concerns reportedly centered on the lack of direct access to the persons in charge of fish and wildlife matters (i.e., the division director) and questions about the use of funds.

The Administrator of the new Department of Wildlife stated that Department of Wildlife stakeholders will probably not notice much difference in the way the agency performs. He also noted that the agency will continue to work on improved coordination and communication with other state natural resources agencies.

Functional Classification

The core program functions of the PFBC and the PGC are shown on Exhibit 17.

Exhibit 17

Core Functions of the PFBC and PGC*

Fish and Boat Commission. The core functions of the PFBC include:

- Fisheries Management
- Fish Propagation
- Law Enforcement
- Boat Education and Training
- Boat Titling and Registration

Game Commission. The core functions of the PGC are:

- Wildlife Management
- Pheasant Propagation (Game Farms)
- Law Enforcement
- Land Management

*Because functions such as licensing and information and education are administrative functions performed by all state agencies, they are not listed here as core functions.

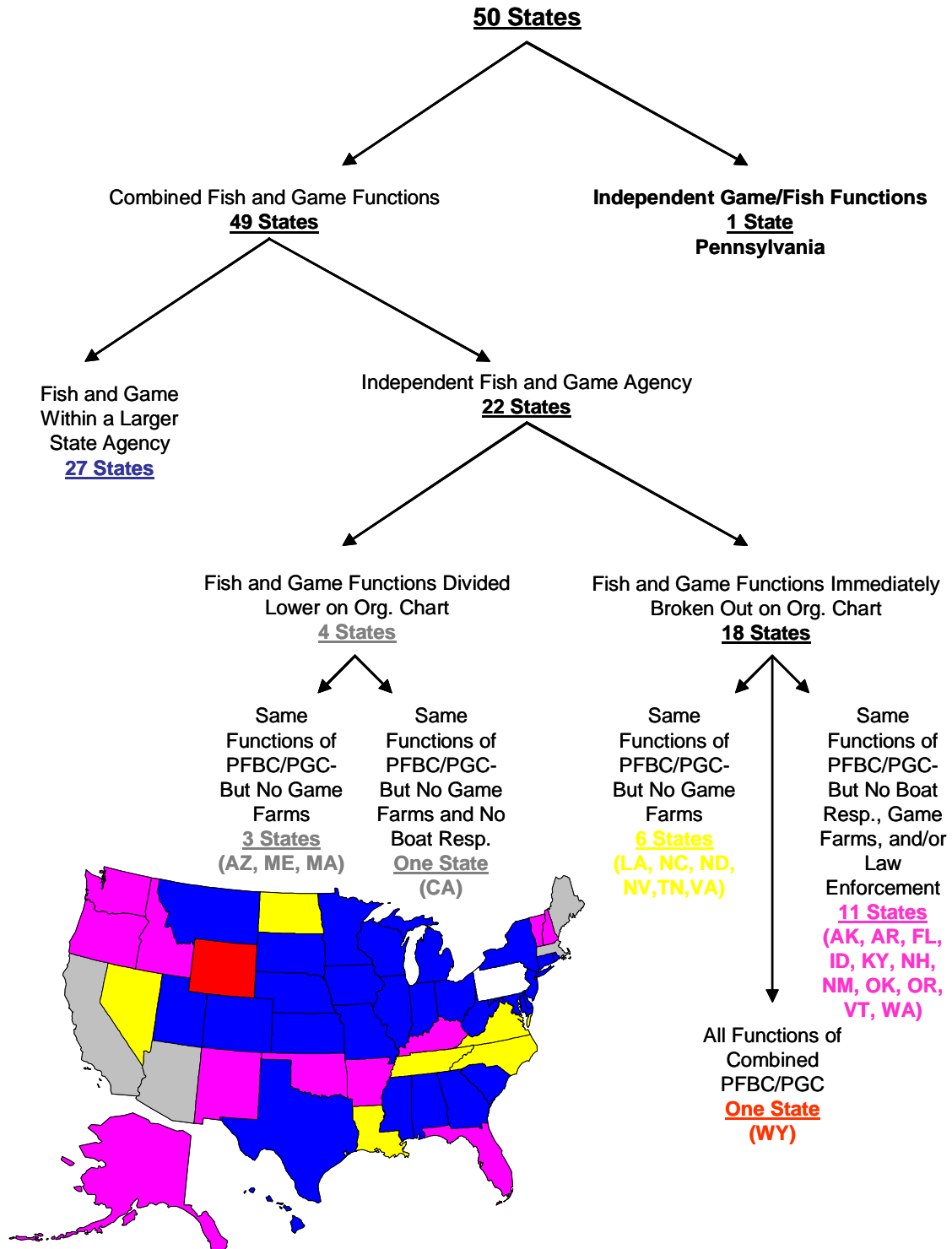
Source: Developed by LB&FC staff using information obtained from the PFBC and PGC.

As part of the study, we examined the organizational placement of these functions in every other state. We structured this analysis around the two fish and wildlife agency types previously discussed (i.e., independent fish/game departments or commissions and fish and wildlife units within a larger state agency). The results of this analysis are shown on Exhibits 18 and 19.

A primary purpose of this analysis was to determine if the various states are performing the same or similar functions as the PFBC and PGC and, if so, the organizational location and responsibility for these functions. Consistent with the study's scope, we attempted to identify an existing organizational model that incorporates all of the current combined functions of the PFBC and PGC. From the analysis we determined the following:

- Of the 22 states with stand-alone or organizationally independent fish and game agencies, 18 states had organizationally broken out fish and game functions at the highest level possible. For example, in these states, the organization had a Bureau of Game and Bureau of Fish. In the four remaining states, the game and fish functions were separated at a lower level. For example, these states most commonly had a Bureau of Wildlife and then separate divisions for Fish and Game within that Bureau.

A Functional Classification of State Fish and Wildlife Agency Structures



Source: Developed by LB&FC from information obtained from state fish and wildlife agencies.

Exhibit 19 (Continued)

II. Fish and Wildlife Functions Performed Within a Larger State Agency (Total 27 States)

State	Fisheries Management	Fish Propagation	Wildlife Management	Game Farms	Land Management	Wildlife Enforcement	Fish Enforcement	Boating Enforcement	Boat Education and Training	Boat Tilling/Registration	State Parks	Environmental Regulation	Historical/Cultural Resources
Alabama	X	X	X		X	X	X	X	X	X	X	0	0
Colorado	X	X	X		X	X	X	X	X	X	X	X	0
Connecticut	X	X	X		X	X	X	X	X	0	X	X	0
Delaware	X		X		X	X	X	X	X	X	X	X	0
Georgia	X	X	X		X	X	X	X	X	X	X	X	X
Hawaii	X	X	X		X	X	X	X	X	X	X	X	X
Illinois	X	X	X		X	X	X	X	X	X	X	X	X
Indiana	X	X	X	X	X	X	X	X	X	0	X	X	X
Iowa	X	X	X		X	X	X	X	X	0	X	X	0
Kansas	X	X	X		X	X	X	X	X	X	X	0	0
Maryland	X	X	X		X	X	X	X	X	X	X	0	0
Michigan	X	X	X		X	X	X	X	X	0	X	0	0
Minnesota	X	X	X	X	X	X	X	X	X	X	X	0	0
Mississippi	X	X	X		X	X	X	X	X	X	X	0	0
Missouri	X	X	X		X	X	X	0	0	0	a/	0	0
Montana	X	X	X		X	X	X	X	X	X	X	0	0
Nebraska	X	X	X		X	X	X	X	X	0	X	0	0
New Jersey	X	X	X	X	X	X	X	0	0	0	0	X	0
New York	X	X	X	X	X	X	X	0	0	0	0	X	0
Ohio	X	X	X	X	X	X	X	X	X	X	X	X	0
Rhode Island	X	X	X		X	X	X	X	X	X	X	X	0
South Carolina	X	X	X		X	X	X	X	X	X	0	X	0
South Dakota	X	X	X		X	X	X	X	X	0	X	0	0
Texas	X	X	X		X	X	X	X	X	X	X	0	0
Utah	X	X	X		X	X	X	X	X	0	X	0	0
West Virginia	X	X	X		X	X	X	X	X	0	X	0	0
Wisconsin	X	X	X	X	X	X	X	X	X	X	X	X	0

In these states the "Larger State Agency" is also responsible for:

Exhibit 19 (Continued)

III. Fish and Wildlife Functions Performed Within Two Separate Commissions (Total 1 State)

State	Fisheries Management	Fish Propagation	Wildlife Management	Game Farms	Land Management	Wildlife Enforcement	Fish Enforcement	Boating Enforcement	Boat Education and Training	Boat Titling/Registration
PGC	O	O	X	X	X	X	O	O	O	O
PFBC	X	X	O	O	X	O	X	X	X	X

Legend

X = Function performed by agency.

O = Function performed by another state agency.

Notes:

Fisheries Management and Wildlife Management includes nongame species.

Land Management includes environmental impacts on water, fish, land, and wildlife.

^aState parks responsibility resides in another agency; however, organizationally, this Department is most similar to the PA DCNR.

Source: Developed by LB&FC staff from information obtained from state fish and wildlife agencies.

- Of these 22 states, only one state, Wyoming, administers all the core programs administered by the Game Commission and the Fish and Boat Commission. However, preliminary review shows Wyoming's financial and licensing structure to be significantly different from Pennsylvania.
- Another 6 of the 22 states manage all the core functions administered by the Game Commission and the Fish and Boat Commission with the exception of Game Farms. These six are: Louisiana, Nevada, North Carolina, North Dakota, Tennessee, and Virginia.
- Only 10 of the 22 states administer all boat programs, which include boat registration/titling, boat education/training, and boat law enforcement. These ten states are: Louisiana, Nevada, North Carolina, North Dakota, Tennessee, Virginia, Wyoming, Arizona, Massachusetts, and Maine. Six states do not administer any boat programs: Alaska, New Hampshire, New Mexico, Oklahoma, Oregon, and California.
- More than half of the 22 states have the boat registration and titling function assigned to the Department of Motor Vehicles.
- Two of the state fish and game agencies, Alaska and Oregon, do not administer any law enforcement programs for wildlife, fishing, and boating. In these states, the State Police have such enforcement functions.
- Of the other 20 states that have a law enforcement function, four of them do not enforce boat laws. New Hampshire, New Mexico, Oklahoma, and California have another state agency that is responsible for the enforcement of boat laws.
- Only two of the 22 states have a game propagation program (pheasants); however, all of them have a fish propagation program. The two states with pheasant farms are Washington and Wyoming. Other states may have a pheasant-stocking program; however, these states purchase birds from private breeders.

Funding Mechanisms

State fish and wildlife agencies are responsible for managing a vast array of game, nongame, and endangered species. As wildlife management and conservation demands grow, state agencies face an increasing challenge to expand their revenue base to meet these needs.

Traditionally, state fish and wildlife agencies have relied primarily on hunting and fishing license fees along with funding from federal excise taxes on hunting and fishing equipment. According to a survey conducted by the Wildlife Conservation Fund of America, funding from these two sources accounted for about 64 percent of total revenues available to state fish and wildlife agencies in FY 2000-01. Another study by the Izaak Walton League reported that 37 states relied on license

sales and federal excise tax disbursements paid by hunters and anglers to provide two-thirds or more of their agency's overall funding.

The same Izaak Walton League study posed the following question regarding fish and wildlife agency finances: "Are the states investing an appropriate amount of their own money in fish and wildlife management?" The study's answer to its own question was as follows:

Unfortunately, despite the enormous direct economic contribution of tax revenue generated by wildlife-associated recreation, most states still fail to provide adequate funding for fish and wildlife management. Instead, they rely inordinately on those who hunt and fish for financial support of their state agencies' operations.

Surveys indicate that, in general, there is low awareness among the public regarding the sources of fish and wildlife agency funding. Many citizens erroneously believe that their state agency receives taxpayer support for all or a significant portion of its annual budget. Given the broad public interest in conserving biological diversity and the substantial tax revenue derived from hunting, fishing, and wildlife watching, the system currently employed by the overwhelming majority of states clearly is not an equitable approach. More importantly, it is not an effective one.

As is the case with fish and game agency organizational structures, the manner in which states fund their agencies varies from state to state. Overall, however, the primary sources of agency revenues can be categorized as follows:

- Hunting and fishing license, stamp, and permit sales.
- Federal payments (primarily from the Federal Aid in Sport Fish Restoration and Federal Aid in Wildlife Restoration programs funded through excise taxes on hunting and fishing equipment and motorboat fuel sales).
- Taxpayer supported state General Fund appropriations.
- Interest income earned on deposited funds.
- "Other" income, such as revenue from income tax check-off programs, special automobile license plates, lottery proceeds, or in a few cases, a dedicated tax source.

Because the survey data currently available on state fish and wildlife agency funding is several years old, LB&FC staff surveyed all states during July 2003 to obtain updated information on the various revenue sources being used and the relative contribution each makes to the state's total fish and wildlife funding effort. The results of this survey are summarized on Table 18 and are discussed below.

Table 18

State Fish and Wildlife Agency Funding Sources

(As a Percentage of Total Agency Revenues)

<u>State</u>	<u>License Revenue^a</u>	<u>State General Fund</u>	<u>Federal Funds</u>	<u>Interest Income</u>	<u>Miscellaneous Revenue^b</u>	<u>Other Alternative Revenue Sources</u>
Alabama.....	47.00%	0.00%	30.00%	3.00%	11.60%	8.40%
Alaska	18.00	24.00	35.00	0.00	23.00	0.00
Arizona.....	34.80	0.00	37.00	0.00	6.90	21.30
Arkansas.....	30.30	0.00	27.30	0.30	2.60	39.50
California.....	35.00	18.00	19.00	0.00	21.00	7.00
Colorado	59.50	0.00	14.20	5.10	21.20	0.00
Connecticut.....	42.00	0.00	44.00	0.00	14.00	0.00
Delaware.....	6.00	41.00	39.00	1.00	12.00	1.00
Florida	18.60	26.40	16.50	1.40	18.20	18.90
Georgia	54.80	31.90	12.80	0.00	0.50	0.00
Hawaii	0.90	60.30	32.50	< 0.10	6.30	0.00
Idaho	49.60	0.00	12.00	1.20	36.10	1.10
Illinois	27.60	55.20	6.10	0.50	5.30	5.30
Indiana	63.10	0.00	34.60	0.00	2.30	0.00
Iowa.....	70.00	0.00	22.00	< 1.00	7.00 ^c	d
Kansas	49.90	0.00	26.70	0.70	22.50	0.20
Kentucky	58.00	0.00	23.40	4.00	14.50	0.10
Louisiana.....	45.80	< 1.00	23.40	< 1.00	28.90 ^c	d
Maine	56.90	4.75	19.80	0.00	12.10	6.56
Maryland	46.00	28.00	19.00	1.00	0.00	6.00
Massachusetts.....	54.85	2.32	31.68	0.70	2.46	7.99
Michigan.....	53.60	7.30	18.40	3.50	15.20	0.00
Minnesota	61.70	16.60	17.10	1.20	3.40	0.00
Mississippi.....	26.90	13.00	15.40	1.80	42.90	0.00
Missouri.....	20.00	0.00	11.00	4.00	e	63.00
Montana	65.00	< 1.00	31.00	3.00	< 1.00	< 1.00
Nebraska.....	46.50	0.00	22.70	5.60	16.80 ^f	6.60 ^g
Nevada.....	37.00	3.00	32.00	1.00	27.00	0.00
New Hampshire	55.71	0.26	18.97	0.52	19.32	5.22
New Jersey	66.70	16.90	10.90	1.90	3.60	0.00

Table 18 (Continued)

<u>State</u>	<u>License Revenue^a</u>	<u>State General Fund</u>	<u>Federal Funds</u>	<u>Interest Income</u>	<u>Miscellaneous Revenue^b</u>	<u>Other Alternative Revenue Sources</u>
New Mexico	65.00%	< 1.00%	30.00%	1.00%	1.00% ^g	< 1.00%
New York	51.50	17.00	29.00	0.30	1.10 ^h	1.00
North Carolina.....	29.45	0.00	16.78	1.40	19.39	32.98
North Dakota.....	55.00	0.00	40.00	4.00	0.00	1.00
Ohio.....	61.00	2.00	21.00	4.00	9.00	3.00
Oklahoma.....	41.50	0.00	39.70	10.50	7.50	0.80
Oregon	31.00	7.00	45.00	< 1.00	6.00 ^h	6.00 ^f
PA Game Commission	59.50	0.00	11.30	1.40	27.80ⁱ	0.00
PA Fish & Boat Comm.....	63.10	0.00	21.90	2.00	6.90	6.10^j
Rhode Island.....	24.00	8.00	68.00	0.00	0.00	0.00
South Carolina	19.30	49.30	23.10	0.00	5.15	3.15
South Dakota	70.00	0.00	25.00	< 1.00	3.00 ^h	0.00
Tennessee	62.00	0.00	23.00	1.00	14.00 ^h	d
Texas	47.80	0.00	23.60	2.30	26.30	0.00
Utah.....	58.13	8.51	28.75	0.57	3.54	0.50
Vermont	49.00	0.00	27.00	0.00	11.02	12.98
Virginia	41.06	0.00	24.32	1.19	9.20	24.23
Washington	21.00	38.00	30.00	0.00	11.00	0.00
West Virginia.....	65.00	2.00	25.00	< 1.00	k	4.00 ^h
Wisconsin.....	74.40	0.40	18.90	0.90	5.40	0.00
Wyoming	68.00	0.00	23.00	5.00	3.00	1.00

^aLicense Revenue includes revenue from licenses, stamps, and permit fees.

^bMiscellaneous Revenue includes among others: fines and penalties; sale of timber, merchandise sales; individual and non-profit group donations; gas and oil rentals and royalties; watercraft, snowmobile, and off-highway vehicle registration and fees; and magazine sales.

^cIn addition this revenue source includes four sources of less than 1.00% each.

^dThis revenue source includes two sources of less than 1.00% each.

^eThis revenue source includes four sources of less than 1.00% each.

^fIn addition this revenue source includes two sources of less than 1.00% each.

^gIn addition this revenue source includes one source of less than 1.00% each.

^hIn addition this revenue source includes three sources of less than 1.00% each.

ⁱPrimarily timber sales.

^jPortion of State Liquid Fuels Tax.

^kThis revenue source includes five sources of less than 1.00% each.

Source: Developed by LB&FC staff from information obtained from each respective state agency.

Hunting and Fishing License Revenue

The “License Revenue” category is derived primarily from hunting and fishing license fees. This category also includes revenues from trapping and all other types of licenses, permits, and stamps which are issued for the utilization of fish and wildlife by sportsmen and women. In states with commercial fisheries, license revenues are generally included in the “Other Revenue” category.

As shown on Table 18, 22 states reported that license fees account for more than 50 percent of their agencies’ total revenues, with a high of 74.4 percent in Wisconsin. In FY 2002-03, license revenues accounted for 63.1 percent of PFBC revenues and 59.5 percent of PGC revenues. According to a FY 2000-01 survey conducted by the Wildlife Conservation Fund of America, license revenues account for approximately 43 percent of the total funds available for state fish and wildlife agencies nationwide.

State General Fund

The General Fund is a state’s major operating fund into which all tax receipts and other types of revenue not specified by law to be placed in special funds are deposited. General Fund monies are appropriated in specific amounts for state government agencies and programs.

Traditionally, state fish and wildlife agencies have relied on license revenues and an apportionment of federal excise taxes paid by hunters and anglers for the vast majority of their funding. Advocates of state contributions from General Fund revenues note that adequately funded scientific wildlife management practices result in healthy, diverse wildlife populations which provide benefits for the population as a whole, not just for sportsmen and women. More than half of the states now provide some level of General Fund support for their fish and wildlife agencies.

Our survey found that 28 states reported the availability of some degree of General Fund support, ranging from less than 1 percent of total agency funding in three states to more than 25 percent in eight states (Delaware, Florida, Georgia, Hawaii, Illinois, Maryland, South Carolina, and Washington).

Federal Funds

The excise taxes from the Wildlife and Sport Fish Restoration Programs (commonly known as the Pittman-Robertson and Dingell-Johnson/Wallop-Breaux Acts) have been a reliable, dedicated funding source for state fish and wildlife agencies for more than 50 years. Payments from these sources constitute the second largest source of revenue for state fish and wildlife agencies.

From our survey, we found that federal funds range from a low of 6 percent of total agency revenues to a high of 68 percent in Rhode Island. In Pennsylvania, for FY 2002-03, federal funds made up 21.9 percent of the PFBC’s total revenues and 11.3 percent of total PGC revenues.

Interest Income

Interest income includes revenue from investment earnings on an agency's funds (e.g., from license fee revenues deposited in state treasuries). The survey indicates that 38 states report interest income as a revenue source, although such revenues comprise 3 percent or less of total agency revenues in 29 of the 38 states. Four states (Colorado, Nebraska, Oklahoma, and Wyoming) reported that interest income makes up 5 percent or more of their total revenues. In FY 2002-03, interest income was 2.0 percent of total PFBC revenues and 1.4 percent of total PGC revenues.

Miscellaneous Revenues

As defined in our survey, miscellaneous income includes fines and penalties; sale of timber; merchandise sales; individual and nonprofit group donations; gas and oil rentals and royalties; watercraft, snowmobile, and off-highway vehicle registration and fees; and magazine sales. Overall, miscellaneous revenues make up from less than 1 percent to more than 42 percent of total revenues in the various states. In FY 2002-03, the PFBC had miscellaneous revenues totaling 6.9 percent of total revenues, while such funds made up 27.8 percent of total PGC revenues, of which the majority was from timber sales.

Other Alternative Revenue Sources

In recent years, state fish and wildlife agencies have faced mounting financial pressures because revenues from sportsmens' and sportswomens' license fees and federal excise taxes are no longer sufficient to meet the agencies' budget and service demands. In some cases, states have acquired non-traditional funding sources such as the following:

- User Fees,
- State Income Tax Refund Checkoff,
- Portion of State Lottery Proceeds,
- Portion of State Fuels Tax,
- Dedicated Portion of Sales Tax,
- Vehicle License Plates,
- Portion of Real Estate Transfer Fees, and
- Other Miscellaneous Sources.

As shown on Table 19, in most cases, these alternative revenue sources do not account for a large percentage of total agency revenues. The exceptions are dedicated funding mechanisms in place in Arkansas, Missouri, North Carolina, and Virginia.

Arkansas. After two failed attempts, a coalition of conservation groups won a state referendum for a "Missouri-style" tax program for the state's fish and wildlife agency. As a result of Constitutional Amendment 75, the Arkansas Conservation Sales Tax has, since 1997, taken 1/8th of 1 percent of a statewide sales tax. Of this amount, 45 percent goes to the Arkansas Game and Fish Commission, 45 percent goes to the Department of Parks and Tourism, 9 percent goes to the Department of Heritage, and 1 percent goes to the Keep Arkansas Beautiful Commission.

According to an article in *Field and Stream*, the benefits to the agency and the results for the wildlife resources were immediate. The agency staff reportedly grew, including new game wardens, and \$12 million was pledged to begin capital improvements for such critical infrastructure as lake dams, hatcheries, and boat ramps. In CY 2000, the Arkansas Game and Fish Commission completed the first of five \$5 million regional nature centers, which are state-of-the-art facilities that house nonconsumptive and hunting and fishing outreach programs.

The article noted that some sportsmen feared that hunting and fishing interests would become secondary when nonconsumptive users became a primary revenue source. However, a spokesman for the Arkansas Game and Fish Commission said that this has not happened, and there is now more financial support available for hunting and fishing interests.

Missouri. In 1976, Missouri became the first state to allocate a portion of its state sales and use tax for conservation purposes. The State Constitution provides a funding mechanism for the Conservation Commission and the Department of Conservation. These funds come from a sales tax of one-eighth of 1 percent which is “imposed on all sellers for the privilege of selling tangible personal property or rendering taxable services at retail.” An additional use tax of one-eighth of 1 percent is imposed for the privilege of storing, using, or consuming any article of tangible personal property. These agencies are to use the funds “for the control, management, restoration, conservation, and regulation of the bird, fish, game, forestry, and wildlife resources of the state . . .” The moneys are also to be used to make payments to counties for the unimproved value of land as payment in lieu of real property taxes for privately owned land acquired by the Commission after July 1, 1977, and for land classified as crop land in the forest crop land program.

North Carolina. The Sales and Use Tax Act provides for the Secretary of Revenue to make periodic transfers of state sales and use tax monies to the Wildlife Resources Fund (computed as follows: one fourth the amount transferred the preceding fiscal year, plus or minus the percentage of that amount by which the total collection of state sales and use taxes increased or decreased during the preceding fiscal year). Beginning on July 1, 2003, the general tax rate is 4 percent. Prior to this, the general tax rate was 4.5 percent.

Virginia. Beginning July 1, 2000, a 2 percent sales and use tax from the sales of hunting equipment, fishing equipment, auxiliary fishing equipment, wildlife-watching equipment, and auxiliary wildlife-watching equipment was instituted. Up to \$13 million of these funds are to be paid into the state’s Game Protection Fund.

Other Miscellaneous Sources

Arizona-Conservation Development Fund. Arizona law allows for the sale of bonds to finance “game and fish facilities purposes” including: (1) construction of game and fish facilities; (2) acquiring, converting, renovating, or improving existing

Table 19 (Continued)

<u>State</u>	<u>User Fees</u> %	<u>State Income Tax Refund Checkoff</u> %	<u>Portion of State Lottery Proceeds</u> %	<u>State Fuel Tax</u> %	<u>Dedicated Portion of Sales Tax</u> %	<u>Vehicle License Plates</u> %	<u>Real Estate Transfer Fees</u> %	<u>Other</u> %
New Mexico.....		< 1.0						
New York.....		1.0						
North Carolina.....		< 1.0		3.1	25.9	< 1.0		3.2 ^d
North Dakota.....		1.0						
Ohio.....		1.0				2.0		
Oklahoma.....		< 1.0				< 1.0		
Oregon.....	2.0	< 1.0	4.0			< 1.0		
PA Game Commission.....								
PA Fish & Boat Commission.....				e				
Rhode Island.....								
South Carolina.....		< 1.0				< 1.0	3.0	
South Dakota.....								
Tennessee.....	< 1.0					<1.0		
Texas.....								
Utah.....	< 1.0	< 1.0				< 1.0		
Vermont.....		1.2		10.4		1.4		
Virginia.....		< 1.0			23.4 ^f	< 1.0		
Washington.....								
West Virginia.....	< 1.0	< 1.0	2.0			2.0	< 1.0	
Wisconsin.....								
Wyoming.....	1.0							
Total Number of States Using This Source.....	12	25	4	8	4	19	3	4

^aConservation Development Fund/Surcharge Fund.

^bState Documentary Stamp Tax.

^cTobacco Products Tax.

^dState Endowment Fund.

^eThe PA Fish and Boat Commission annually receives a portion of the Liquid Fuels Taxes for the administration of boating programs.

^fState Sales Tax on Hunting and Fishing Equipment only.

Source: Developed by LB&FC staff from information obtained from state fish and wildlife agencies.

facilities for game and fish facilities; (3) acquiring real property for game and fish facilities; (4) establishing reserves to secure payment of principal, interest and premiums due on the bonds; (5) refunding any matured or unmatured bonds; or (6) expenses of the commission incident to and reasonable and necessary to carry out the purposes of the act. The bonds are paid solely from monies in the state's "Conservation Development Fund", which is a fund administered by a fiscal agent and is outside the appropriation or budget laws of the state. The Conservation Development Fund receives monies from, in part, the sale of lifetime licenses and trout stamps and from a surcharge of up to two dollars on certain classes of licenses and on trout stamps.

Florida-State Documentary Stamp Act. Florida law levies certain taxes against certain legal documents, such as (1) deeds and other instruments relating to real property; (2) bonds, debentures, and certificates of indebtedness; (3) promissory notes or nonnegotiable notes, written obligations to pay money, assignments of wages or other compensations; and (4) mortgages, trust deeds, security agreements, and other evidences of indebtedness. Funds generated by these taxes are distributed to many purposes, some of which are as follows: the Marine Resources Conservation Trust Fund; the Water Management Lands Trust Fund; the Invasive Plant Control Trust Fund; and the State Game Trust Fund (for the Lake Restoration 2020 Program).

Nebraska-Tobacco Products Tax Act. State law imposes a tax on the first owner of tobacco products sold in the state. The tax is 20 percent of (a) the purchase price of the tobacco products paid by the first owner, or (b) the price at which a first owner who made, manufactured, or fabricated the tobacco product sells the items to others. Until October 1, 2004, the tax funds are remitted to the State Treasurer for deposit into the General Fund (3/4) and the Cash Reserve Fund (1/4). After October 1, 2004, tax monies will be placed in a Tobacco Products Administration Cash Fund, to cover the cost of administration of the tobacco tax act. The legislature may transfer surplus monies to the General Fund.

North Carolina-Wildlife Endowment Fund (Eddie Bridges Fund). State law creates the North Carolina Wildlife Endowment Fund (also known as the Eddie Bridges Fund) as recognition of the "inestimable importance to the State and its people of conserving the wildlife resources of North Carolina, and for the purpose of providing the opportunity for citizens and residents of the State to invest in the future of its wildlife resources." The Fund operates as a special trust and is to be used "only for the purpose of supporting wildlife conservation programs of the State in accordance with [this law.]" The assets of the Fund come from the following sources: proceeds of specific gifts, grants and contributions to the Fund; sale of lifetime sportsman combination licenses; sale of lifetime hunting and lifetime fishing licenses; sale of lifetime subscriptions to state wildlife magazine; any amount in excess of statutory fee for a particular lifetime license or lifetime subscription; sale of lifetime combination hunting and fishing licenses for disabled residents; and other sources as specified by law.

VI. A Framework for a Combined Pennsylvania Fish and Wildlife Commission

As evidenced by the U.S. Fish and Wildlife Service and 49 other states that manage fish and wildlife resources in a single agency structure, a merger of the PGC and PFBC and the combined management of Pennsylvania fish and wildlife resources is clearly feasible. In this section, we describe a possible organizational structure for such a merged agency. Merging two agencies, even agencies with similar goals and functions, is a complex task, and the structure presented below should be considered as a suggested framework rather than a detailed blueprint. Although often presented as exact numbers, our staffing calculations are only estimates, and we would assume any new Commission would be given significant flexibility to make adjustments as it sees fit within and between bureaus.

Also, given the wording of House Resolution 15—to update our prior report on the feasibility of merging the Game Commission and the Fish and Boat Commission—we did not explore the possibility of other administrative structures, such as a stand-alone Executive Branch agency or a consolidation of fish and wildlife functions in the Department of Conservation and Natural Resources. While these are both viable options, as evidenced by their use in other states, an analysis of the costs and benefits of these alternative organizational structures was not within the scope of this project.

A. A Proposed Organizational Structure

Beginning with the assumption that a merger is feasible, and given the deteriorating financial condition of both the PGC and the PFBC, we updated and expanded our earlier work on the merger issue by structuring a combined single agency model for Pennsylvania. The overall framework of this “Fish and Wildlife Commission” is described in the following pages and on the organizational chart at Exhibit 20. For each organizational unit, we present a description of the existing structure at both the PGC and PFBC, a description of the proposed structure in a merged agency, and an analysis of the staffing and functional implications of the proposed consolidations.

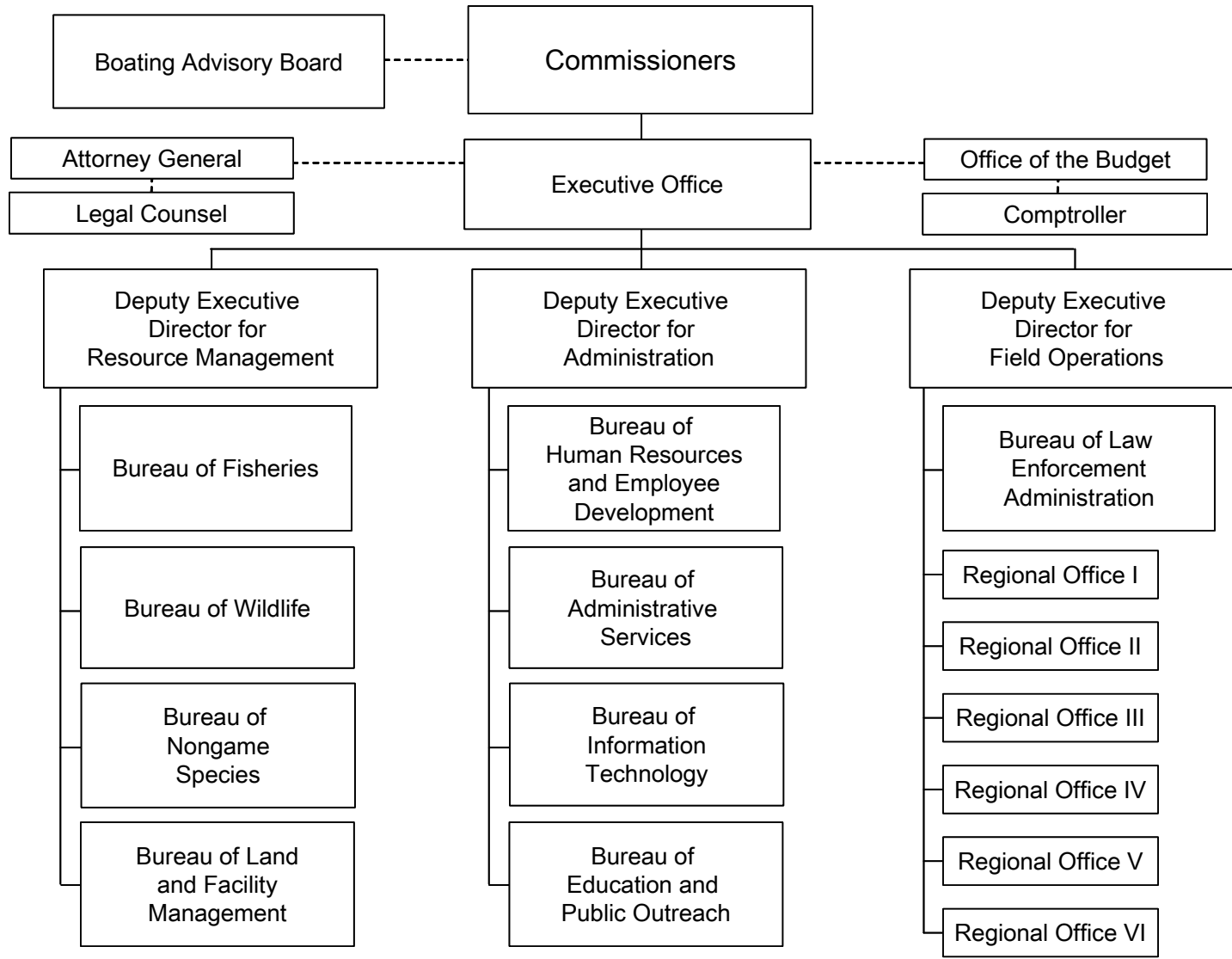
Executive Office

Executive Director and Deputy Executive Directors.

Existing Structure:

PGC: The PGC has one Executive Director and two Deputy Executive Directors. One deputy is responsible for Administration (Administration, Personnel

Proposed Organization Chart for a Combined “Pennsylvania Fish and Wildlife Commission”



Services, Training, Wildlife Management, Information and Education, and Automated Technology Services). The second deputy is responsible for Law Enforcement, Land Management, and Regional Operations.

PFBC: The PFBC has one Executive Director, but this position is currently vacant. The PFBC also has one Deputy Executive Director. The individual in this position also serves as the Chief Counsel for the agency.

Merged Agency Structure: We propose that in a merged agency there would be one Executive Director and three Deputy Executive Directors. The three deputies would be responsible for Resource Management, Administration, and Regional Office operations, respectively. (Drawn from two existing PGC deputy positions and one PFBC deputy position.)

Staffing Analysis: Because only one Executive Director would be needed for this new agency, one Executive Director position could be eliminated, with an associated salary and benefit reduction of \$138,180. (See Position Analysis Code 1 on Table 20 beginning on page 96.)

Legal Staff.

Existing Structure:

PGC: The PA Game Commission has one Chief Counsel position.

PFBC: The PFBC has an Attorney II assigned to the Executive Office. As mentioned above, the present Deputy Executive Director of the PFBC is also the Chief Counsel.

Merged Agency Structure: All legal staff would be housed under the Executive Office. This would consist of a Chief Counsel and an Attorney II.

Staffing Analysis: In a merged agency, the number of legal concerns and issues is not likely to diminish, and there may even be more legal issues to address as a result of the merger. The Chief Counsel of the PA Game Commission and the Attorney II of the PA Fish and Boat Commission would, therefore, both be needed, so we do not envision any elimination of legal services staff in a merged agency.

Legislative Liaison.

Existing Structure:

PGC: At present, the PGC has one Legislative Liaison position on its complement; however, this position is vacant.

PFBC: The PFBC Legislative Liaison position is also vacant. Currently, a member of the Bureau of Law Enforcement staff is performing these duties.

Merged Agency Structure: The Legislative Liaison responsibilities would continue to be housed within the Executive Office. Only one Legislative Liaison is needed in a merged agency.

Staffing Analysis: Under a merged agency, only one Legislative Liaison position would be needed. However, there would be no elimination of staff with the merger because, under the proposed structure, the PFBC Acting Legislative Liaison would return to the Bureau of Law Enforcement on a full-time basis.

Press Secretary.

Existing Structure:

PGC: The PGC has one Press Secretary position.

PFBC: The PFBC has one Press Secretary position.

Merged Agency Structure: Only one Press Secretary would be required for a merged agency. The Press Secretary will be responsible for all agency communications to the media.

Staffing Analysis: The Department of Conservation and Natural Resources, which has a budget of over \$300 million, has only one Press Secretary. Under a merged agency, we also provide for only one Press Secretary, thus allowing for the elimination of one position with resulting cost savings of \$74,258. (See Position Analysis Code 2 on Table 20 beginning on page 96.)

Policy and Planning Specialist.

Existing Structure:

PGC: In the PA Game Commission, this position is an Executive Policy Specialist.

PFBC: In the PA Fish and Boat Commission, this position is held by the Director for Policy and Planning.

Merged Agency Structure: This position would work with the Executive Office to identify policy issues that impact the priorities of the new merged agency. Additionally, this person would oversee the development of a strategic plan for the new agency.

Staffing Analysis: Under a merged agency, most policy and planning would be done at the Deputy Executive Director level. The role of the Policy and Planning Specialist would be to assist the Executive Director in coordinating these efforts and to undertake special assignments as needed. By providing for only one such Policy and Planning Specialist, one position would be eliminated, generating salary and benefit savings of \$81,449. (See Position Analysis Code 3 on Table 20 beginning on page 96.)

Fiscal Staff.

Existing Structure:

PGC: The PGC has a Budget Analyst and a Fiscal Technician in the Executive Office. They also have a Federal Aid Grants Manager in the Bureau of Land Management.

PFBC: The PFBC has a Budget Analyst and a Federal Aid Grants Manager in their Bureau of Administration.

Merged Agency Structure: All fiscal staff would be housed under the Executive Office. Such placement allows for direct reporting to the Executive Director where policy decisions are made. The number of fiscal staff needed in a merged agency is dependent largely on the fund structure that would be established in the new agency. If the current structure of three separate special funds is continued, we envision the need for a total of five positions: two Budget Analysts, one Fiscal Technician, and two Federal Aid Grants Managers. If a single operating fund were to be established for the new agency, as is discussed in Section VI-B, it is likely that fewer than five positions would be required.

Staffing Analysis: In a merged agency with three separate special funds, there would continue to be a need for all of the positions cited above. With three separate special funds, accounting responsibilities would not diminish in a merged agency, and may even increase during the merger until all accounting procedures and methods are standardized. It would not be unusual in a state agency responsible for an annual budget of more than \$100 million to have two Budget Analysts. One would still be needed to administer the Game Fund and another for the Fish and Boat Funds, especially since current statutes require that monies can be used only for specific purposes. The Fiscal Technician would be needed to provide continued assistance to the Budget Analysts. Where some financial transactions contain only one line of accounting codes presently, some transactions may need three lines of codes for processing under a merged agency, and for this reason alone, a Fiscal Technician position would be required.

If, in a merged agency, the decision is made to establish a single agency operating fund, it would be necessary for agency managers to reevaluate the size of the fiscal staff. Operation of a single fund may require fewer than the five positions discussed above. (See Section VI-B for a discussion of Funding and Funds Structure in a Merged Agency.)

Regardless of the fund structure, both Federal Aid Grants Manager positions would be needed in a merged agency. Presently, the Federal Aid Grants Manager at the PGC is primarily responsible for Pittman-Robertson grant funds, while the Federal Aid Grants Manager at the PFBC is primarily responsible for Dingell-Johnson/Wallop-Breaux grant funds. All these grant monies will continue to be essential to a merged agency. It is common in other states for a separate Federal Aid Grants Manager to be retained for the separate federal programs. The federal programs are so diverse that two managers would be needed in order for Pennsylvania to continue to function at their current levels. In a merged agency, special attention would need to be given to ensure that federal funds are not jeopardized and, as such, retaining the two federal specialists would be necessary.

Facilities Consultant.

Existing Structure:

PGC: No position exists.

PFBC: The PA Fish and Boat Commission has an Architectural Consultant housed in the Executive Office. This person, who is not a licensed architect despite the job title, is responsible for facilities planning and evaluation in all agency program areas including fisheries, boating, and law enforcement.

Merged Agency Structure: This position would be retained, but not within the Executive Office.

Staffing Analysis: Under a merged agency, the Facilities Consultant should be moved to the newly created Bureau of Land and Facility Management where issues related to facilities would be administered. Because concerns with facilities, most notably the hatcheries, would continue to be a primary concern to the merged agency, there would remain the need for a Facilities Consultant.

Other Executive Office Staff.

Existing Structure:

PGC: At the PA Game Commission, there are presently two Special Assistant to the Executive Director positions. The former Director for the Bureau of Administrative Services resigned from those responsibilities and was transferred to

the Executive Office. Additionally, the former Director of the Southcentral Region Office resigned from that position and was transferred to the Executive Office.

PFBC: None.

Merged Agency Structure: We do not envision a role for Special Assistants in a merged agency.

Staffing Analysis: Eliminating these two positions would result in cost savings of \$117,004. (See Position Analysis Codes 4 and 5 on Table 20 beginning on page 96.)

Support Staff in the Executive Office.

Existing Structure:

PGC: The PA Game Commission has three Executive Secretaries and one Administrative Assistant to support the various positions in the Executive Office.

PFBC: The PA Fish and Boat Commission has one Executive Secretary, two Administrative Assistants, and two Clerks to support the various positions in the Executive Office, as well as the fiscal positions.

Merged Agency Structure: In a merged agency, a total of eight support staff would be required. These positions include: four Executive Secretaries, two Administrative Assistants, and two Clerk Typists.

Staffing Analysis: Under a merged agency, the Executive Director, along with each of the Deputy Executive Directors, would need an Executive Secretary to support their functions; thus, there would be no eliminations among the Executive Secretary staff. Also, it appears that two Administrative Assistants would be needed in the Executive Office. These positions would be needed to support the Legal staff, the Policy Analyst, the Press Secretary, and the Legislative Liaison. With the elimination of duplicative Press Secretary and Policy Analyst positions, the elimination of one Administrative Assistant position would be possible, generating salary and benefit savings of \$52,282. (See Position Analysis Code 6 on Table 20 beginning on page 96.)

The two Clerk positions that presently assist the Budget Analyst and Federal Aid Grants Manager positions in the Fish and Boat Commission would be necessary to retain in a merged agency. These Clerks would also be available to assist both Budget Analysts and both Federal Aid Grants Managers.

Deputy Executive Director for Resource Management

Bureau of Fisheries.

Existing Structure:

PGC: None.

PFBC: This is the largest Bureau within the PFBC with 180 employees. This Bureau consists of 4 divisions (Warmwater/Coolwater Production, Trout Production, Fisheries Management, and Research). In 2002, 72,000,000 game fish were propagated and released.

Merged Agency Structure: The Bureau of Fisheries within the new merged agency would continue operations as they are presently structured under the Fish and Boat Commission. We envision no changes to the programs or the staffing of the Bureau of Fisheries under a merger situation.

Staffing Analysis: Currently, Waterways Conservation Officers assist in fish stocking activities for approximately 12 weeks each year. In a merged agency, law enforcement personnel would no longer be assigned or responsible for this activity, as they would be dedicated to law enforcement duties. The current PFBC Director of the Bureau of Fisheries told us that if law enforcement personnel were not available to assist with fish stocking, additional staff would be needed for this activity. If, in a merged agency structure, management determines that it needs additional personnel, the agency could draw resources from the Bureau of Land and Facility Management (food and cover corps employees) to assist in this activity. If this is still insufficient, seasonal wage employees could be hired to assist in stocking.

Bureau of Wildlife.

Existing Structure:

PGC: The Bureau of Wildlife Management employs 64 employees and consists of two divisions—Research and Propagation. The primary goal of the PGC's wildlife management program is to manage for healthy, functional wildlife populations that are socially acceptable to Pennsylvanians and their communities. The Bureau studies the relationships between wildlife, habitat, and humans, and their communities. The Bureau develops and implements management plans and applies the management tools of hunting, trapping, habitat management, enforcement, communications, and education to achieve a balance between biological and social acceptability. The Bureau maintains four pheasant game farms, from which approximately 240,000 pheasants are propagated and released annually.

PFBC: None.

Merged Agency Structure: The Bureau of Wildlife within the new merged agency would continue operations as they are presently structured under the Game Commission, with one exception. All staff and functions related to the Wildlife Diversity Section (endangered, threatened, and nongame species) would be moved out of this bureau to a new Bureau of Nongame Species. The new Bureau of Wildlife would consist of 61 employees, including those at the four pheasant game farms.

Staffing Analysis: The Wildlife Diversity Section, comprised of three Wildlife Biologists, would be transferred to the new Bureau of Nongame Species. All other responsibilities of the old PGC Bureau of Wildlife Management would remain the same.

Currently, law enforcement personnel assist the Bureau of Wildlife Management with research surveys and pheasant stocking. This averages to approximately 8.7 percent of the law enforcement officers' time. In a merged agency, law enforcement personnel would no longer be responsible for assisting in this activity, as they would be dedicated to law enforcement duties. The PGC's Director of Wildlife Management stated that if law enforcement officers were not available to assist with wildlife surveys, he would need Wildlife Technicians added to the staff, as the surveys are a valuable tool in wildlife management. Accordingly, we added 12 Wildlife Technicians to this Bureau's complement in our organizational structure, with associated salary and benefit costs of \$456,894. (See Position Analysis Codes 84-95 on Table 20 beginning on page 96.)

Bureau of Nongame Species.

Existing Structure:

PGC: Three persons are assigned to the Wildlife Diversity Section in the Bureau of Wildlife Management. This section works primarily with endangered, threatened, and nongame species. Additionally, six employees are assigned to the Environmental Planning and Habitat Protection Division under the Bureau of Land Management. This Division is responsible for addressing environmental impacts on natural resources.

PFBC: The Division of Environmental Services has 15 employees who work with endangered, threatened, and nongame species, as well as having the responsibility for addressing environmental impacts on fish and water resources.

Merged Agency Structure. This would be a new bureau that merges the Division of Environmental Services within the Fish and Boat Commission and the staff from two division's within the Game Commission. Staff from the PGC's Bureau of

Wildlife Management that are responsible for administering threatened and endangered species programs would be transferred to this new bureau, as would the staff from the PGC's Bureau of Land Management that worked in the Environmental Planning and Habitat Management Division. This new Bureau would consist of 24 employees.

Staffing Analysis: Virtually all the states we reviewed had a high level organizational unit to take the lead on issues concerning endangered and nongame species. The vast majority of species are nongame, and the perceived lack of a focus on biodiversity and nongame species has been a concern frequently expressed about the current structure of wildlife programs in Pennsylvania. For these reasons, we believe a Bureau monitoring these species is warranted. This Bureau would also be responsible for assessing and ameliorating environmental impacts on the natural resources. Thus, this new Bureau would continue all the functions of the old Division of Environmental Services within the PFBC, as well as the related functions at the PGC as discussed above. We see no reduction in staff with the creation of this Bureau.

Bureau of Land and Facility Management.

Existing Structure:

PGC: The Bureau of Land Management has 87 employees. This Bureau is responsible for State Game Lands planning and development focusing on habitat management and protection, including the forestry program on those lands. This Bureau includes the following divisions: Engineering and Contract Management, Federal Aid and Public Access Division, Federal/State Coordination, Game Lands Planning and Development, Forestry, Real Estate, Environmental Planning and Habitat Protection, and Support Services.

PFBC: The Bureau of Engineering and Development has 57 employees and is responsible for facility construction and management (hatcheries, access areas, etc.), as well as dam maintenance. This Bureau has only one division, Construction and Maintenance.

Merged Agency Structure: This newly created bureau would be a combination of the PGC's Bureau of Land Management and the PFBC's Bureau of Engineering and Development, along with additional functional realignment as discussed in the analysis section. This Bureau would consist of 139 employees.

Staffing Analysis: The Division of Environmental Planning and Habitat Management that currently exists in the PGC's Bureau of Land Management would be transferred to the newly created Bureau of Nongame Species. One position in the PGC's Federal Aid and Public Access Division would be transferred to the Executive Office as previously discussed in that section because all positions related to any

type of funding would be part of the Executive Office staff. Merging the PGC Bureau of Land Management and the PFBC Bureau of Engineering and Development into one new bureau is feasible because they both focus on the management of property and facilities. Because only one Bureau Director position would be needed, one Bureau Director position could be eliminated under the new merged structure. However, given the size of this new Bureau and its associated responsibilities, an Assistant Bureau Director position appears warranted and should be created. Therefore, savings from eliminating the second Bureau Director position would be minimal.

Additionally, Marina Management Services, presently housed in the PFBC's Bureau of Boating and Education and staffed by one person, would be transferred to this newly created Bureau of Land and Facility Management. This includes the management and operation of the agency's marinas at Walnut Creek, Northeast Marina, and the Frankford Arsenal access area.

Additionally, there is currently an Architectural Consultant position housed in the Executive Office of the Fish and Boat Commission. This position is responsible for the development, coordination, and evaluation of planning efforts associated with facilities. This person also develops plans for addressing facility needs in all program areas. In a merged agency, such a position would continue to be needed as facilities, especially related to fish hatcheries and dams, would continue to be a priority. However, this position would be renamed "Facilities Consultant" and would be transferred out of the Executive Office to this new Bureau where the management of facilities is a focus area.

Some job classifications, such as Surveyor, Maintenance Repairman, Drafter, Designer, and Civil Engineer, are common to both agencies. However, the workload demands for these positions are not anticipated to diminish in a merged agency. In fact, with the continued deterioration of the dams and hatcheries, coupled with the continued expansion of the State Game Lands system, workload demands and obligations will increase for these employees. While we anticipate no increase in the complement for these classifications, by merging their resources, there should be an opportunity to better manage the priorities of the newly created Bureau of Land and Facility Management and, thereby, optimize habitat for Pennsylvania's natural resources.

Deputy Executive Director for Administration

Bureau of Human Resources and Employee Development.

Existing Structure:

PGC: The PGC's Personnel Office employs one Personnel Director, five Human Resource Analysts, and two Human Resource Assistants. As for training, at present the Game Commission has a Training Director, a WCO Training Coordinator, a Clerical Supervisor, and a Clerk Typist.

PFBC: The PFBC's Human Resources Office employs one Personnel Director, four Human Resource Analysts, and one Clerk-Typist. The PFBC also has a WCO Training Coordinator assigned to the Bureau of Law Enforcement.

Merged Agency Structure: This would be a new bureau comprised of the Game Commission's Personnel Services Office and the Training Office, the Fish and Boat Commission's Human Resources Office, and the training staff that is under the Bureau of Law Enforcement in the PFBC. At present, the PFBC does not have staff dedicated solely to training. With a merged agency, training will be a key issue, and as such, staff at the Bureau level will be necessary. This Bureau would be responsible for all law enforcement training as well as all employee development. A total of 17 employees would work in this Bureau, which would consist of a Human Resources Division and a Training Division.

Staffing Analysis: With regard to Human Resources, the two personnel offices at the PGC and PFBC would be merged into this new Bureau. As such, only one Bureau Director would be needed, thus allowing one Personnel Director position to be eliminated, with associated salary and benefit savings of \$97,102. (See Position Analysis Code 7 on Table 20 beginning on page 96.)

Although the Clerk-Typist and two Human Resource Assistant positions appear necessary since the Bureau would be responsible for over 1,000 employees, reductions may be possible in the number of Human Resources Analysts required. With 732 authorized positions and 5 Human Resource (HR) Analysts, the PGC has a present ratio of 1 HR Analyst for every 146 employees. With an authorized complement of 436 and a staff of 4 HR Analysts, the PFBC has a ratio of 1 HR Analyst for every 109 employees. An average of the two ratios yields an HR Analyst to employee ratio of 1 to 125. On this basis, the merged agency, which would have a combined staff of approximately 1,000, would warrant a staff of 8 Human Resource Analysts. Using this analysis, there is potential to eliminate one Human Resource Analyst position with associated salary and benefit savings of \$71,382. (See Position Analysis Code 8 on Table 20 beginning on page 96.)

With a merger, immediate training and employee development would be necessary. Law enforcement officers (FWOs)¹ would need to be cross-trained, as would Deputy FWOs. Most agency staff would need some orientation in the responsibilities of the new merged agency. Additionally, new training curricula would need to be developed for future FWO classes. Finally, the standard employee development training, in-service training, and out-service training would need to be continued for all employees.

No training and employee development staff would be eliminated with the creation of this new bureau.

Bureau of Administrative Services.

Existing Structure:

PGC: Currently, the PGC Bureau of Administrative Services has three divisions: Licensing, Automotive and Procurement, and Office Services.

PFBC: The PFBC's Bureau of Administration is comprised of seven divisions: Information Systems, Information Systems-Pleasant Gap, Budget and Fiscal Management, Federal Aids Grants, Purchasing, Office Services, and Licensing and Registration.

Merged Agency Structure: The Bureau of Administrative Services would merge the PA Game Commission's Bureau of Administrative Services with the Fish and Boat Commission's Bureau of Administration. Total complement in this Bureau would be 41 employees. This Bureau would house the purchasing, warehousing, automotive, mail processing, and other office services in addition to the licensing functions. The licensing function includes hunting and fishing licenses as well as boat registrations and titling.

Staffing Analysis: Presently, each Bureau has a Bureau Director and a support position for that director. With a merged agency, one of the director's positions and the associated support position could be eliminated, with associated salary and benefit savings totaling \$141,942. (See Position Analysis Codes 9 and 10 on Table 20 beginning on page 96.)

The Information Systems, Information Systems-Pleasant Gap, Budget and Fiscal Management, and Federal Aids Grants divisions that are presently in the Bureau of Administration in the PFBC would be relocated to other areas of the new merged agency.

¹In a merged agency the law enforcement officers and deputies would have a new classification of Fish and Wildlife Officer (FWO). See the regional office analysis in this section for more detail.

The PGC has an Administrative Officer in charge of the purchasing function and three Purchasing Agents while the PFBC has three Purchasing Agents on staff. Because the same DGS purchasing policies are followed for both agencies and because many of the items purchased for each agency are similar, we assume that only five of the seven Purchasing Agent positions would be needed in a merged agency. Elimination of these positions would save \$112,845 in salary and benefit costs. (See Position Analysis Codes 11 and 12 on Table 20 beginning on page 96.)

For warehousing and storage, the PGC presently has three Stock Clerks, one Clerk, and one Storekeeper. The PFBC has the same number of staff. Given that neither warehouse is large enough to house all materials for a merged agency, both warehouses must be maintained. However, if both Commissions' rarely used items were stored in the same warehouse (presumably at the Fish and Boat Commission Headquarters, which is the smaller of the two warehouses), this warehouse would not have to be open and staffed on a day-to-day basis. Although we have not included these savings in our calculations, it is possible that such a consolidation could eliminate at least two warehouse positions.

As for automotive, mailing, and other miscellaneous office service functions, both agencies presently have an Administrative Officer and a Clerk Typist assigned to such duties. Given that the workload would not diminish in these areas, it would appear that all four of these positions are necessary. However, if there were to be a significant reduction in the vehicle fleet, it is possible that one of these positions could be eliminated. The vehicle fleet is discussed further in Section VI-E.

As for the licensing function, the PGC presently has a Licensing Division Director, an Administrative Assistant, and four clerks for the processing of hunting licenses. They rely on wage employees to help them during busy seasons. The PFBC presently has a Licensing Division Director, an Administrative Assistant, two Clerical Supervisors, four Clerk Typists, and eight Clerks to process fishing licenses and boat titling and registrations. They too rely on wage staff to help them process applications during busy seasons.

With a merged Licensing Division within the new Bureau of Administrative Services, only one Division Director would be needed along with an Administrative Assistant for that director. Therefore, one Division Director and one Administrative Assistant could be eliminated through merging these functions, with associated salary and benefit savings of \$111,356. (See Position Analysis Codes 13 and 14 on Table 20 beginning on page 96.)

It is not anticipated that the workload or demand for licenses and registrations would diminish with a merger. Additionally, the PGC is beginning a new antlerless Deer Management Assistance Program (DMAP) license system, and officials anticipate the need for additional clerks to process these licenses. Therefore, at

least initially, it appears that personnel reductions would not be likely among the clerical staff for licensing. They should, however, be able to reduce or eliminate the use of temporary wage staff to help during busy seasons. Additional operational and staffing efficiencies may be possible in the longer term once a combined licensing system is developed, a new revenue collection system is developed, issuing agents are updated on procedures, and the DMAP license is implemented.

Bureau of Information Technology.

Existing Structure:

PGC: The PGC Bureau of Automated Technology Services consists of three divisions: Technical Services, Operations, and Data Resources. At present, the Information Technology (IT) function is reportedly short-staffed by not having personnel at the regional offices. Central office staff must travel to the regions to administer IT issues. Implementation of the new DMAP antlerless license system will place further demands on this staff.

PFBC: Information technology services at the PFBC reside within the Bureau of Administration. The two data centers are Information Systems-Harrisburg and Information Systems-Pleasant Gap. The Harrisburg staff consists of four employees, while five employees are located at Pleasant Gap. A Webmaster is also assigned to the Executive Office.

Merged Agency Structure: This Bureau would be made up of the present Bureau of Automated Technology Services within the Game Commission and the Information Systems Division and the Information Systems—Pleasant Gap Division that are housed presently in the Fish and Boat Commission's Bureau of Administration. Additionally, the Webmaster that is currently assigned to the Fish and Boat Commission's Executive Office would be assigned to this new Bureau. Twenty-six employees would staff this new Bureau.

Staffing Analysis: This Bureau would be headed by a Bureau Director and would consist of several divisions. The structural and functional responsibilities of these divisions would be determined by the best operational fit of merging the agency's systems and related equipment. Since there is currently only one Bureau Director between the two agencies, there would be no reduction in staff at the Bureau Director level.

With the merger of the two agencies and the two IT staffs, all present staff would be needed to administer the IT resources at the headquarters offices and at the regional offices with one exception. Each agency currently has a Webmaster on staff; therefore, with only one web site for the new merged agency, a Webmaster

position could be eliminated resulting in salary and benefit savings of \$60,621. (See Position Analysis Code 15 on Table 20 beginning on page 96.)

Additionally, in a merged agency the Pleasant Gap facility would serve an important role, as its physical location would allow for a more centrally located office from which IT staff could provide support to the regional offices, especially those in the Northern tier.

With a consolidation of technology systems (see the discussion on “Information Technology Services” later in this Section) a contracted consultant may be needed to effectively manage the migration to uniform systems; but this would not be a full-time permanent position. Further, all present staff would likely be needed to make the transition to a new IT structure.

Bureau of Education and Public Outreach.

Existing Structure:

PGC: The Bureau of Information and Education has five divisions: Conservation Education, Game News and Publications, Hunter-Trapper Education, Public Information, and Audio-Visual Services.

PFBC: The PFBC’s Bureau of Boating and Education consists of two divisions: Graphic Services and Education.

Merged Agency Structure: This new bureau would be created by merging the Bureau of Boating and Education of the PA Fish and Boat Commission and the Bureau of Information and Education of the PA Game Commission. The marina management duties that the current Bureau of Boating and Education administer would not be in this new bureau, but rather would be transferred to the new Bureau of Land and Facility Management. This Bureau would be responsible for boat, angler, and aquatic education and related responsibilities and all public information and education, including hunter-trapper education and public outreach. The Bureau would also be responsible for all agency publications and would consist of 35 employees.

Staffing Analysis: Presently, the PGC has a Bureau Director, an Assistant Bureau Director, an Administrative Officer, an Administrative Assistant, and a Clerk Typist. The PFBC has a Bureau Director, an Administrative Officer for Marina Management, two Secretarial Supervisors, and three Clerk Typists. The Administrative Officer for Marina Management would be transferred to the newly created Bureau of Land and Facility Management.

In this new Bureau of Education and Public Outreach, only one director would be needed; thus, allowing for the elimination of a Bureau Director position

and the associated Assistant Bureau Director position, generating salary and benefit savings of \$188,991. (See Position Analysis Codes 16 and 17 on Table 20 beginning on page 96.) It appears that one Administrative Officer and two Clerk Typists would be required for this Bureau, thus allowing for the elimination of four support staff positions, with salary and benefit savings of \$177,871. (See Position Analysis Codes 18-21 on Table 20 beginning on page 96.)

This Bureau would also be responsible for mandatory education programs. Successful completion of a Hunter-Trapper Safety Education course is required before a hunting license can be issued. Further, persons born on or after January 1, 1982, must successfully complete a boating safety education course in order to operate certain motorboats. These requirements will not change with the merger of the agencies, and as such, all current education specialist staff would be needed to continue these functions.

This Bureau would also be responsible for public information and education programs, including those administered in schools. Presently, the PFBC has six Aquatic Resource Program Specialists and the PGC has three Wildlife Conservation Education Specialists on staff. These nine positions would be responsible for public information and education programs in conjunction with the information and education staff at the regional offices. Each regional office would have one Fish & Wildlife Education Specialist on staff to address immediate information and education needs. These are discussed later in this Section under the “regional office” structure.

This Bureau would also be responsible for the publication of the agency magazine, as well as other published materials. As discussed later in this report, the PGC presently publishes the *Pennsylvania Game News* on a monthly basis, and the PFBC publishes the *Pennsylvania Angler and Boater* on a bi-monthly basis. With a merged agency, a new combined magazine could be developed and published on a monthly basis.

The PGC has a magazine and publication staff of nine employees: Managing Editor, Editor II, Information Writer, Administrative Assistant, Clerical Supervisor, and four Clerk Typists. The magazine and publication staff of the PFBC consists of five employees: Managing Editor, Editor II, Artist Illustrator, and two Lithograph Press Operators.

With a new magazine, a reduction in duplicate staff would be possible. Given that the PGC already publishes a monthly magazine, that full magazine staff would be needed to maintain a monthly magazine. In order to expand the magazine to include boating and fishing information, some staff from the PFBC would need to be retained. Two Managing Editors would not be needed (see Position Analysis Code 22 on Table 20 beginning on page 96), however, the Editor II and Artist Illustrator positions on the PFBC magazine staff would be needed to continue magazine fea-

tures on fishing and boating. With regard to other printed materials and publications, the two PFBC Lithographic Press Operators currently on staff at the PFBC would also be needed, at least initially, while the agencies merge their printed materials and consolidate their publication processes and systems. If management were to decide to publish the new magazine on a bi-monthly basis, additional magazine staff reductions could take place.

Also, a merged agency would provide a greater opportunity to expand public outreach in ways that may not be economical for two separate agencies. For example, currently neither the PGC nor the PFBC know the addresses of their license holders. The lack of this information prohibits the agencies from making targeted public outreach efforts to their constituencies. The new Bureau, with assistance from the Bureau of IT, could address this limitation. The advantage of developing this system in a merged agency structure is that only one system would need to be developed and maintained instead of two independent systems. Because many sportsmen and women participate in hunting, fishing, and boating activities, the duplicative records that would be maintained in a two-commission structure would not be necessary.

The Bureau of Education and Public Outreach would also be responsible for marketing projects. At present, PGC has a Media Specialist, Information Specialist, and a Video Production Specialist in their Audio-Visual Services Division. This staff would be retained in a merger as the need for videos and public relations and marketing materials would be significant as the new merged agency was defined and developed.

Deputy Executive Director for Field Operations

Bureau of Law Enforcement Administration.

Existing Structure:

PGC: The PGC's Bureau of Law Enforcement consists of the following six divisions: Special Operations; Enforcement; Technical Services; Administration; Support Services; and Communications. There are currently 19 employees assigned to the Bureau.

PFBC: The PFBC's Bureau of Law Enforcement consists of a Bureau Director and five other employees. There are no division breakouts.

Merged Agency Structure: In the new Bureau, the position title for law enforcement officers would change from Wildlife Conservation Officer and Waterways Conservation Officer to a new classification which we have titled "Fish and Wildlife

Officer” (FWO). The term “FWO” is used in this Section to refer to the new law enforcement officer classification.

This Bureau would be made up of the staff from both Bureaus of Law Enforcement presently housed in the Game Commission and the Fish and Boat Commission. The new Bureau of Law Enforcement Administration would consist of a Bureau Director and an Administrative Assistant along with four Divisions: Policy Division, Prosecutions Division, Special Investigations Division, and Program Support Division. A total of 20 positions would be assigned to this Bureau.

The Policy Division would be staffed with a Division Director, an FWO Training Coordinator, and Coordinator for Deputy FWOs. Each of these positions would be staffed with personnel that are FWOs because of the knowledge and experience that would be needed for such positions. Two Clerk Typists would be assigned to this Division to administer the Deputy FWO program and the FWO training records, among other functions.

The Prosecutions Division would be staffed with a Division Director and three Clerk Typists. The Division Director would be an FWO, as this person would need to have a full understanding of the Game and Wildlife and Fish and Boat Codes. The Clerk Typists would be assigned to this Division to administer the prosecution reporting system, the license revocation system, and all duties related to processing the violations of the Game and Wildlife Code and Fish and Boat Code.

The Special Investigations Section would be staffed with a Division Director and four law enforcement officers. Presently, the Game Commission has a Special Operations Division that administers the Special Investigations Program. The Special Investigations Program focuses on undercover work related to the commercialization of wildlife. Because the commercialization of wildlife is a prevalent and growing concern of wildlife agencies throughout the nation, this division would be retained in a merged agency.

The Program Support Division would be staffed with a Division Director, two Clerk Typists, and a Radio Specialist. The Division Director would be an FWO, given the knowledge and experience necessary for this position. The Radio Specialist would be responsible for the telecommunications system used by the FWOs, and the Clerk Typists would be assigned to this Division to administer the special permits program, taxidermy examinations, bear damage claims, deterrent fencing, the depredation program, fish and boat applications, FWO uniform and equipment inventory (including boats), and other miscellaneous tasks that would arise for this new Bureau.

Staffing Analysis: Each bureau currently has a Director and an Administrative Assistant for the Director. Under this new Bureau of Law Enforcement Administration, only one Director and one Administrative Assistant would be needed.

As a result, one Director and one Administrative Assistant position could be eliminated, resulting in estimated cost savings of \$161,435. (See Position Analysis Codes 23 and 24 on Table 20 beginning on page 96.)

In addition to the Bureau Director's Office, the Game Commission presently has six WCOs in the Bureau of Law Enforcement in Division Director and/or supervisory roles, whereas the Fish and Boat Commission has three. In the new Bureau of Law Enforcement Administration, only six such positions would be needed for FWOs (Policy Division Director, FWO Training Coordinator, Coordinator for Deputy FWOs, Prosecutions Division Director, Special Investigations Division Director, and Program Support Division Director). As a result, two positions could be eliminated in current WCO staff at the Division Director or supervisory levels in a merged agency, with associated reductions in salary and benefit costs of \$166,514. (See Position Analysis Codes 25 and 26 on Table 20 beginning on page 96.) The remaining position would be transferred to the newly created Bureau of Training and Employee Development to administer the FWO training program.

Presently, the two Bureaus employ seven Clerk Typists. In the new Bureau of Law Enforcement Administration, it appears likely that all seven positions would be needed. Once the Bureau begins to operate staff may need to be moved among the Divisions as the workload dictates, but it appears duties and responsibilities would justify the retention of the seven Clerk Typists. Also, the PGC presently employs a Radio Specialist, and in a merged agency, that position would be needed to address compatibility issues between the two radio systems.

Regional Office Operations.

Existing Structure:

PGC: The PGC has six regional offices, each staffed with a Regional Manager, clerical staff, Dispatchers, a Maintenance Repairman, an Information and Education Supervisor, a Wildlife Education Specialist, a Federal Aid Supervisor, a Land Management Supervisor, land management staff, a WCO Supervisor, and WCOs. However, the Land Management Supervisor and the ensuing land management staff are not physically located in the regional office. Additionally, the WCOs work out of their homes.

PFBC: The PFBC has six regional offices, each staffed with a WCO Supervisor, one or two WCO Assistant Supervisors, WCOs, and clerical staff. The WCO Supervisor serves as the Regional Manager. The WCOs work out of their homes, so typically the only personnel physically located in a PFBC regional office are the WCO Supervisor and Assistant Supervisor(s) and the clerical staff. Clerical staff varies in number from one to three permanent clerks with assistance from seasonal wage clerks.

Merged Agency Structure: Under a merged agency, the regional office structure would be changed. The state would continue to be broken out into six regions,² with one office needed for each region. Discussion of building consolidation/elimination is found in Section VI of this report, but most likely the regional offices of the present Game Commission would be used since they are generally larger and in better condition and are therefore better suited to house the staff that will be placed in the new regional offices. The Fish and Boat Commission regional office buildings could be used for storage, wildlife research centers, or other needs, as appropriate. Staff assigned to the new regional offices would be as follows: Regional Director, Dispatchers, Maintenance Repairmen, Wildlife Biologist, FWO Supervisor, FWO Assistant Supervisor, FWOs, Land Management Staff, Wildlife Education Specialist, and clerical staff. These roles and responsibilities are discussed further in the analysis section. Exhibit 21 illustrates a sample regional office in the merged agency.

The FWOs would report to an FWO Assistant Supervisor. The FWO Assistant Supervisors would report to the FWO Supervisor, who then would report to the Director of the Bureau of Law Enforcement Administration. The Director reports in turn to the Deputy Executive Director for Field Operations. The Management Assistance Team of the U.S. Fish and Wildlife Service recommended this reporting structure in its 1999 report.³

Staffing Analysis: Staffing at the new regional offices is discussed below:

Regional Director. A Regional Director would supervise each of the six regional offices. The Regional Director would have administrative responsibility for all personnel and operations within their respective area, such as Land Management, Office Administration, Biology, Education, and Law Enforcement. Between the two existing Commissions, there are 12 Regional Managers. In the merged agency, only six Regional Directors would be needed, thus, allowing for the elimination of six positions and a reduction in salary and benefit costs of \$542,435. (See Position Analysis Codes 27-32 on Table 20 beginning on page 96.)

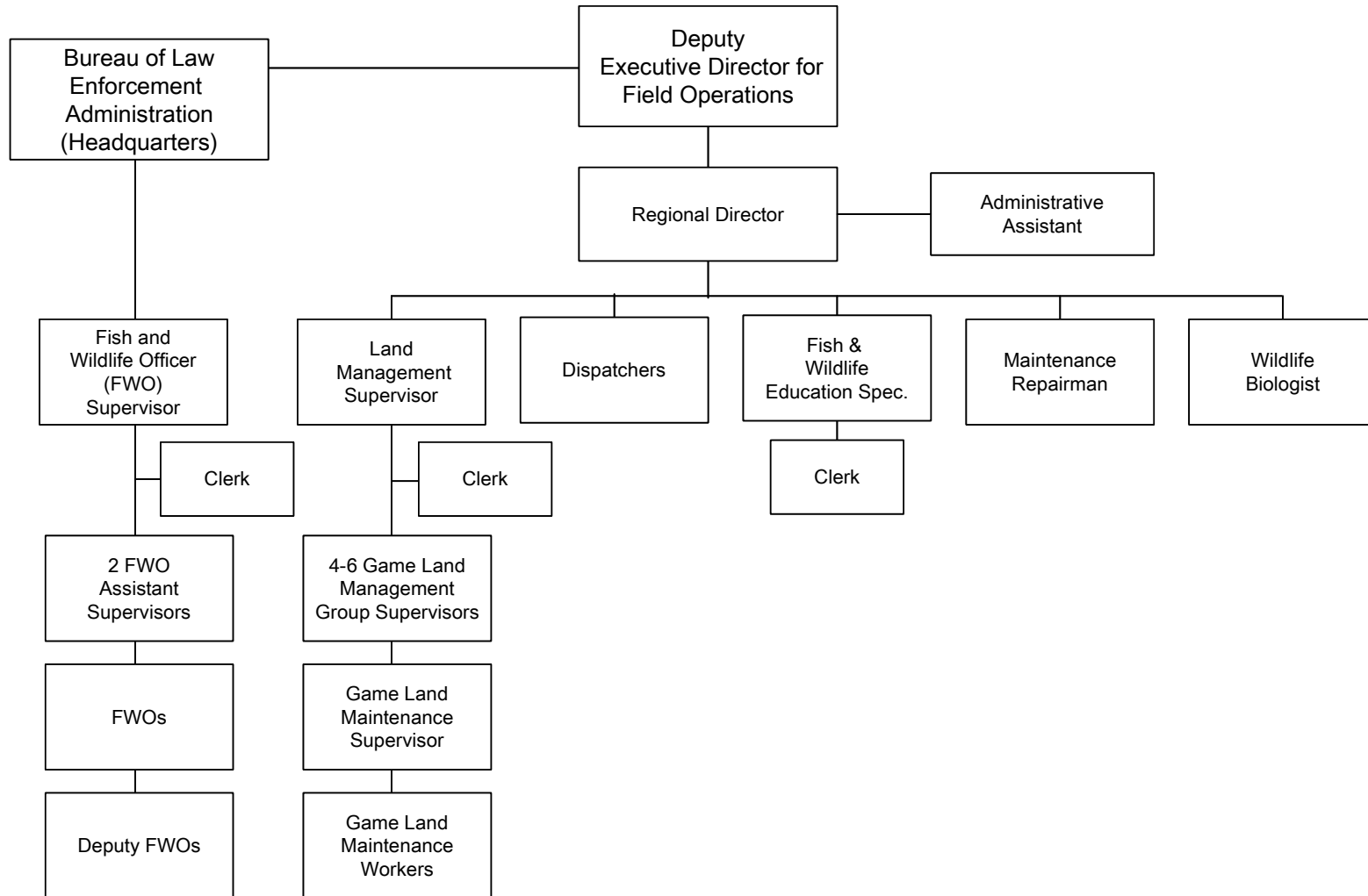
Because the Regional Director has only administrative responsibility for the law enforcement staff (programmatic responsibility resides with the Bureau of Law Enforcement Administration), the Regional Director would not need to possess a law enforcement background.

Clerical. Each of the regional offices of the Game Commission and the Fish and Boat Commission has one to three clerical employees. This staffing level

²The existing regional structures of the two Commissions are very similar. In a merged agency, program managers would need to decide upon the exact configurations of counties that would comprise the six regional offices.

³"Pennsylvania Game Commission Review-Final Report," as prepared by the Management Assistance Team, Division of Federal Aid, U.S. Fish and Wildlife Service, July 1999.

PA Fish and Wildlife Commission – Regional Offices (Sample Region)



converts to approximately 30 Clerk Typists presently employed at the regional level. In a merged agency, we believe it reasonable to assume that an average of three Clerk Typists (some regional offices may need fewer, some may need more) and one Administrative Assistant will be needed per region; thus, eliminating the need for six Clerk Typists in the regional offices, with associated salary and benefit savings of \$258,626. (See Position Analysis Codes 33-38 on Table 20 beginning on page 96.)

Dispatchers. A significant number of telephone calls come into each regional office each day and a staff of 25 Dispatchers is used at the PGC regional offices to process these calls (four dispatchers at five of the regions and five in the sixth region). Many telephone calls result in the Dispatcher contacting a WCO for an assignment. The PFBC does not utilize dedicated personnel for dispatching. Rather, the existing office staff contact WCOs as necessary. In a merged agency, calls would continue to come into the respective regional offices; thus, the need for Dispatchers will remain. As such, we anticipate no reductions in Dispatcher staff.

Maintenance Repairmen. The PGC employs a Maintenance Repairman at each regional office. This person is responsible for building maintenance, warehousing, routine vehicle maintenance, and other such functions. The PFBC does not have dedicated personnel for this function. The need for this position will continue in the proposed regional offices.

Wildlife Biologist. The PGC is currently bringing Wildlife Biologists into their regional offices. Over the years, they have found that Land Managers do not have all the necessary biology skills and knowledge to effectively manage wildlife habitat. Under a merged agency, the land management function will not change, and the need for a Wildlife Biologist in each regional office will remain.

Fish and Wildlife Officer Supervisor. The PGC has a WCO Supervisor on staff at each of their regional offices. The PFBC does not have such a position since their Regional Managers serve in this capacity. Therefore, there are currently only six WCO Supervisor positions between the two agencies. In a merged agency it would be necessary for these positions to be reclassified as FWO Supervisors. Thus, there is no elimination of WCO Supervisor positions in the merged agency.

Fish and Wildlife Officer - Assistant Supervisor. The PFBC currently employs nine Assistant WCO Supervisors. While the PGC does not have a specific Assistant WCO Supervisor at each regional office, the PGC has several staff assigned to the regional office that are classified as WCO Supervisors and perform similar functions. These positions include Land Management Supervisor, Information and Education Supervisor, Wildlife Education Specialist, and Federal Aid Supervisor. In a merged agency, an average of two FWO Assistant Supervisors would be needed in each regional office. These individuals would work in the field and provide

backup to FWOs as needed. Because 12 FWO Assistant Supervisors would be needed, and only nine are presently on staff, three new positions would need to be added to the complement of a merged agency; however, these can be filled with a transfer of positions as discussed later under “Federal Aid Supervisor.”

Fish and Wildlife Officer (FWO). The area of field law enforcement personnel is a significant change to the new agency. The following section discusses LB&FC staff review of the existing and the proposed law enforcement structure. (See also the discussion “The Law Enforcement Function in a Merged Agency” later in this Section.)

Existing Structure.

PGC: The Pennsylvania Game Commission currently has 135 Wildlife Conservation Officers on their complement. This number varies given retirements, resignations, and new assignments; however, the complement level always approximates this number, and at the time of our analysis, the exact number of filled WCO positions was 135.

PFBC: The Pennsylvania Fish and Boat Commission has 80 Waterways Conservation Officers on their complement. This number also varies with retirements, resignations, and new assignments, but at the time of our analysis the exact number of filled WCO positions was 80.

Merged Agency: We estimate that a new merged agency would require a filled complement level of 179 Fish and Wildlife Officers (FWOs). These FWOs would be a dedicated law enforcement staff, which means that they would focus virtually all of their efforts on fishing, boating, hunting, and wildlife enforcement activities. They would also need to spend time on training, equipment maintenance, and other activities that are a direct result of law enforcement responsibilities. Because they would be full-time law enforcement officers, this complement level of 179 provides for the same level of law enforcement field coverage currently being provided by the Wildlife and Waterways Conservation Officers. This staffing level of 179 Officers would allow for the elimination of 36 law enforcement positions, producing salary and benefit savings of \$2,027,799. (See Position Analysis Codes 48-83 on Table 20 beginning on page 96.) (Part C of this section provides a further analysis and discussion of the concept of a combined law enforcement function in a merged agency.)

Land Management Staff. The land management staff as presently exists within the regional offices of the PGC would need to be continued, as the land management responsibilities and functions would not change under a merged agency. Each regional office presently has a Land Management Supervisor who is assigned between four to six Land Management Groups. Each Land Management Group has

a supervisor and a staff of Game Lands Maintenance Workers assigned to it. These Maintenance Workers are traditionally referred to as “Food and Cover Corps” employees.

Approximately 29 Game Land Management Group Supervisors are employed in the six PGC regional offices. At present, graduation from the PGC’s Ross Leffler School of Conservation is required to hold this job position. There are an additional six Land Management Supervisors in the six PGC regional offices. These positions are also filled by WCO Supervisors.

Because land management personnel would not have law enforcement responsibilities, we propose that in a merged agency these job descriptions be changed so that these positions are not limited solely to graduates of the Ross Leffler School of Conservation.

Fish and Wildlife Education Specialist. Presently, each regional office of the Game Commission has a Wildlife Education Specialist position as well as an Information and Education Supervisor. Both of these positions are responsible for educating the public and schools on wildlife topics. Both positions are typically filled with persons that are classified at the WCO supervisory level.

At the Fish and Boat Commission, all information and education responsibilities are centrally supervised by the Bureau of Boating and Education but are physically located in the regions.

Two primary changes are planned under a merged agency. To eliminate duplication in job functions, both a Wildlife Education Specialist and an Information and Education Supervisor would not be necessary. Therefore, the total number of persons responsible for information and education at the regional office level would be reduced from 12 to 6 by eliminating the 6 Information and Education Supervisor positions. (See Position Analysis Codes 39-44 on Table 20 beginning on the next page.) The six remaining positions would be reclassified as “Fish and Wildlife Education Specialists.” The second change is that these positions would not need to be filled by WCO Supervisors.

In the merged agency, the Bureau of Education and Public Outreach would have primary responsibility for the public outreach function. Nine of the 35 persons assigned to this Bureau would be responsible for I&E functions in conjunction with the six Education Specialists at the regions. We believe that such an arrangement is feasible, given that, under a merged Commission, one individual could provide information on all four Commission functions: hunting, fishing, trapping, and boating.

Federal Aid Supervisor. Each regional office of the PGC has a Federal Aid Supervisor. This person is classified as a WCO Supervisor. This person does not work

Table 20

Estimate of Potential Cost Savings Resulting From Personnel Reductions in a Merged Agency

Position Analysis Code ^a	Positions Eliminated			Potential Savings			
	Position	Agency	Classification	Current Salary	Average Salary	Benefits	Total ^b
1	Executive Director.....	PFBC	Executive Director	\$107,211			
	Executive Director.....	PGC	Executive Director	<u>102,629</u>			
	Position Savings				\$104,920	\$ 33,260	\$ 138,180
2	Press Secretary	PFBC	Press Secretary I	\$ 49,569			
	Press Secretary	PGC	Press Secretary II	<u>63,200</u>			
	Position Savings				\$ 56,385	\$ 17,874	\$ 74,258
3	Policy Analyst	PFBC	Policy and Planning Manager	\$ 64,565			
	Policy Analyst	PGC	Executive Policy Specialist I	<u>59,124</u>			
	Position Savings				\$ 61,845	\$ 19,605	\$ 81,449
4	Special Assistant to ED	PFBC	N/A	\$ 0			
	Special Assistant to ED	PGC	Program Analyst III	<u>44,421</u>			
	Position Savings				\$ 44,421	\$ 14,081	\$ 58,502
5	Special Assistant to ED	PFBC	N/A	\$ 0			
	Special Assistant to ED	PGC	Program Analyst III	<u>44,421</u>			
	Position Savings				\$ 44,421	\$ 14,081	\$ 58,502
6	Administrative Asst-EO.....	PFBC	Admin Assist I	\$ 35,968			
	Administrative Asst-EO.....	PGC	Admin Assist I	<u>43,427</u>			
	Position Savings				\$ 39,698	\$ 12,584	\$ 52,282
7	Personnel Director.....	PFBC	Human Resources Director II	\$ 73,730			
	Personnel Director.....	PGC	Human Resources Director II	<u>73,730</u>			
	Position Savings				\$ 73,730	\$ 23,372	\$ 97,102
8	Human Resource Analyst II.....	PFBC	Human Resource Analyst II	\$ 56,589			
	Human Resource Analyst II.....	PGC	Human Resource Analyst II	<u>51,812</u>			
	Position Savings				\$ 54,201	\$ 17,182	\$ 71,382

Table 20 (Continued)

Position Analysis Code ^a	Positions Eliminated			Potential Savings			
	Position	Agency	Classification	Current Salary	Average Salary	Benefits	Total ^b
9	Director Bureau of Administration....	PFBC	Director Admin Services	\$ 84,143			
	Director Bureau of Administration....	PGC	Administrative Officer IV	<u>73,730</u>			
	Position Savings				\$ 78,937	\$ 25,023	\$ 103,959
10	Assistant in Bur. Of Admin.....	PFBC	Clerk Typist III	\$ 28,236			
	Assistant in Bur. Of Admin.....	PGC	Administrative Assistant I	<u>29,445</u>			
	Position Savings				\$ 28,841	\$ 9,142	\$ 37,983
11	Purchasing Agent I	PFBC	Purchasing Agent I	\$42,491			
	Purchasing Agent I	PGC	Purchasing Agent I	<u>38,025</u>			
	Position Savings				\$ 40,258	\$ 12,762	\$ 53,020
12	Purchasing Agent II	PFBC	Purchasing Agent II	\$46,430			
	Purchasing Agent II	PGC	Purchasing Agent II	<u>44,421</u>			
	Position Savings				\$ 45,426	\$ 14,400	\$ 59,826
13	Licensing Division Director	PFBC	Administrative Officer III	\$42,491			
	Licensing Division Director	PGC	Administrative Officer III	<u>56,591</u>			
	Position Savings				\$ 49,541	\$ 15,704	\$ 65,245
14	Admin Asst. Licensing	PFBC	Administrative Assistant I	\$31,941			
	Admin Asst. Licensing	PGC	Administrative Assistant I	<u>38,084</u>			
	Position Savings				\$ 35,013	\$ 11,099	\$ 46,112
15	Web Master	PFBC	Telecommunications Splist II	\$49,569			
	Web Master	PGC	Info Technology Generalist II	<u>42,491</u>			
	Position Savings				\$ 46,030	\$ 14,591	\$ 60,621
16	Director I&E	PFBC	Boating Educ. Director	\$84,143			
	Director I&E	PGC	Wildlife Info & Educ. Director	<u>73,730</u>			
	Position Savings				\$ 78,937	\$ 25,023	\$ 103,960

Table 20 (Continued)

Position Analysis Code ^a	Positions Eliminated			Potential Savings			
	Position	Agency	Classification	Current Salary	Average Salary	Benefits	Total ^b
17	Assistant Director I&E.....	PFBC	N/A	\$ 0			
	Assistant Director I&E.....	PGC	Wildlife Cons. & Education Mgr	<u>64,565</u>			
	Position Savings				\$ 64,565	\$ 20,467	\$ 85,032
18	Secretarial Supervisor I&E	PFBC	Secretarial Supervisor II	\$ 43,427			
	Secretarial Supervisor I&E	PGC	N/A	<u>0</u>			
	Position Savings				\$ 43,427	\$ 13,766	\$ 57,193
19	Secretarial Supervisor I&E	PFBC	Secretarial Supervisor II	\$ 43,427			
	Secretarial Supervisor I&E	PGC	N/A	<u>0</u>			
	Position Savings				\$ 43,427	\$ 13,766	\$ 57,193
20	Clerk Typist I&E	PFBC	N/A	\$ 0			
	Clerk Typist I&E	PGC	Clerk Typist III	<u>25,545</u>			
	Position Savings				\$ 25,545	\$ 8,098	\$ 33,643
21	Clerk Typist I&E	PFBC	Clerk II	\$ 22,659			
	Clerk Typist I&E	PGC	N/A	<u>0</u>			
	Position Savings				\$ 22,659	\$ 7,183	\$ 29,842
22	Managing Editor.....	PFBC	Editor III	\$ 63,200			
	Managing Editor.....	PGC	Editor III	<u>64,565</u>			
	Position Savings				\$ 63,883	\$ 20,251	\$ 84,134
23	Director Bureau of Law Enforc.	PFBC	Director Law Enforcement	\$ 93,912			
	Director Bureau of Law Enforc.	PGC	Wildlife Protection Supervisor	<u>77,025</u>			
	Position Savings				\$ 85,469	\$ 27,094	\$ 112,563
24	Admin Assistant - Law Enforc.....	PFBC	Administrative Asst II	\$ 32,624			
	Admin Assistant - Law Enforc.....	PGC	Administrative Asst I	<u>41,594</u>			
	Position Savings				\$ 37,109	\$ 11,764	\$ 48,873

Table 20 (Continued)

Position Analysis Code ^a	Positions Eliminated			Potential Savings			
	Position	Agency	Classification	Current Salary	Average Salary	Benefits	Total ^b
25	WCO Manager - BLE.....	PFBC	Waterway Cons. Offcr. Mgr.	\$ 62,067			
	WCO Manager - BLE.....	PGC	WCO Law Enf. Coordinator	<u>64,368</u>			
	Position Savings				\$ 63,218	\$ 20,040	\$ 83,258
26	WCO Manager - BLE.....	PFBC	Waterway Cons. Offcr. Mgr.	\$ 62,067			
	WCO Manager - BLE.....	PGC	WCO Law Enf. Coordinator	<u>64,368</u>			
	Position Savings				\$ 63,218	\$ 20,040	\$ 83,258
	HEADQUARTERS TOTAL						<u><u>\$1,837,365</u></u>
	REGIONS						
27	NW Regional Director.....	PFBC	WCO Manager	\$ 68,869			
	NW Regional Director.....	PGC	Wildlife Regional Director	<u>75,213</u>			
	Position Savings				\$ 72,041	\$ 22,837	\$ 94,878
28	SW Regional Director.....	PFBC	WCO Manager	\$ 65,915			
	SW Regional Director.....	PGC	Wildlife Regional Director	<u>78,645</u>			
	Position Savings				\$ 72,280	\$ 22,913	\$ 95,193
29	NC Regional Director.....	PFBC	WCO Manager	\$ 65,915			
	NC Regional Director.....	PGC	Wildlife Regional Director	<u>76,939</u>			
	Position Savings				\$ 71,427	\$ 22,642	\$ 94,069
30	SC Regional Director.....	PFBC	WCO Manager	\$ 50,627			
	SC Regional Director.....	PGC	Wildlife Regional Director	<u>78,645</u>			
	Position Savings				\$ 64,636	\$ 20,490	\$ 85,126
31	NE Regional Director.....	PFBC	WCO Manager	\$ 45,323			
	NE Regional Director.....	PGC	Wildlife Regional Director	<u>78,645</u>			
	Position Savings				\$ 61,984	\$ 19,649	\$ 81,633

Table 20 (Continued)

Position Analysis Code ^a	Positions Eliminated			Potential Savings			
	Position	Agency	Classification	Current Salary	Average Salary	Benefits	Total ^b
32	SE Regional Director	PFBC	WCO Manager	\$ 60,362			
	SE Regional Director	PGC	Wildlife Regional Director	<u>78,645</u>			
	Position Savings				\$ 69,504	\$ 22,033	\$ 91,537
33	NW Clerk Typist.....	PFBC	Clerk Typist III	\$ 38,084			
	NW Clerk Typist.....	PGC	Clerk Typist III	<u>32,011</u>			
	Position Savings				\$ 35,048	\$ 11,110	\$ 46,158
34	SW Clerk Typist.....	PFBC	Clerk Typist III	\$ 30,635			
	SW Clerk Typist.....	PGC	Clerk Typist III	<u>31,408</u>			
	Position Savings				\$ 31,022	\$ 9,834	\$ 40,855
35	NC Clerk Typist.....	PFBC	Clerk Typist III	\$ 28,821			
	NC Clerk Typist.....	PGC	Clerk Typist III	<u>28,662</u>			
	Position Savings				\$ 28,742	\$ 9,111	\$ 37,853
36	SC Clerk Typist.....	PFBC	Clerk Typist III	\$ 38,084			
	SC Clerk Typist.....	PGC	Clerk Typist III	<u>40,622</u>			
	Position Savings				\$ 39,353	\$ 12,475	\$ 51,828
37	NE Clerk Typist.....	PFBC	Clerk Typist III	\$ 28,236			
	NE Clerk Typist.....	PGC	Clerk Typist III	<u>29,255</u>			
	Position Savings				\$ 28,746	\$ 9,112	\$ 37,858
38	SE Clerk Typist.....	PFBC	Clerk Typist III	\$ 30,635			
	SE Clerk Typist.....	PGC	Clerk Typist III	<u>36,296</u>			
	Position Savings				\$ 33,466	\$ 10,609	\$ 44,075
39	I&E Supervisor.....	PFBC	N/A	\$ 0			
	I&E Supervisor.....	PGC	WCO Supervisor	<u>64,438</u>			
	Position Savings				\$ 64,438	\$ 20,427	\$ 84,865

Table 20 (Continued)

Position Analysis Code ^a	Positions Eliminated			Potential Savings			
	Position	Agency	Classification	Current Salary	Average Salary	Benefits	Total ^b
40	I&E Supervisor.....	PFBC	N/A	\$ 0			
	I&E Supervisor.....	PGC	WCO Supervisor	<u>64,438</u>			
	Position Savings				\$ 64,438	\$ 20,427	\$ 84,865
41	I&E Supervisor.....	PFBC	N/A	\$ 0			
	I&E Supervisor.....	PGC	WCO Supervisor	<u>64,438</u>			
	Position Savings				\$ 64,438	\$ 20,427	\$ 84,865
42	I&E Supervisor.....	PFBC	N/A	\$ 0			
	I&E Supervisor.....	PGC	WCO Supervisor	<u>64,438</u>			
	Position Savings				\$ 64,438	\$ 20,427	\$ 84,865
43	I&E Supervisor.....	PFBC	N/A	\$ 0			
	I&E Supervisor.....	PGC	WCO Supervisor	<u>64,438</u>			
	Position Savings				\$ 64,438	\$ 20,427	\$ 84,865
44	I&E Supervisor.....	PFBC	N/A	\$ 0			
	I&E Supervisor.....	PGC	WCO Supervisor	<u>55,266</u>			
	Position Savings				\$ 55,266	\$ 17,519	\$ 72,785
45	Federal Aid Supervisor.....	PFBC	N/A	\$ 0			
	Federal Aid Supervisor.....	PGC	WCO Supervisor	<u>64,438</u>			
	Position Savings				\$ 64,438	\$ 20,427	\$ 84,865
46	Federal Aid Supervisor.....	PFBC	N/A	\$ 0			
	Federal Aid Supervisor.....	PGC	WCO Supervisor	<u>64,438</u>			
	Position Savings				\$ 64,438	\$ 20,427	\$ 84,865
47	Federal Aid Supervisor.....	PFBC	N/A	\$ 0			
	Federal Aid Supervisor.....	PGC	WCO Supervisor	<u>64,438</u>			
	Position Savings				\$ 64,438	\$ 20,427	\$ 84,865

Table 20 (Continued)

Position Analysis Code^a	Positions Eliminated			Potential Savings			
	Position	Agency	Classification	Current Salary	Average Salary	Benefits	Total^b
48 to 59	Waterway Conservation Officer (12)	PFBC	Waterway Conservation Officer	<u>\$ 41,046</u>			
	Position Savings				\$ 492,548	\$156,138	\$ 648,686
60 to 83	Wildlife Conservation Officer (24)....	PGC	Wildlife Conservation Officer	<u>\$ 43,632</u>			
	Position Savings				\$1,047,162	\$331,951	\$1,379,113
	REGIONS TOTAL						<u>\$3,580,565</u>
	SAVINGS FROM POSITIONS ELIMINATED						<u>\$5,417,930</u>
Position Analysis Code	Positions Added			Potential Additional Costs			
84 to 95^c	Wildlife Research Technicians (12).		Wildlife Technician	<u>\$ 28,910</u>			
	Position Costs				\$ 346,920	\$109,974	\$ 456,894
	Total Net Savings						<u>\$4,961,036</u>

^aThe "Position Analysis Code" numbers shown in this column correspond to the references included in the analysis sections of the text dealing with the organizational framework of a combined "Pennsylvania Fish and Wildlife Commission."

^bIn some cases, may not add due to rounding.

^cThese postings are added to provide for the loss of WCO time in the area of wildlife research surveys and to enable the Commonwealth resources to be maintained at present levels.

Source: Developed by LB&FC staff.

in the area of federal grants--that is a Headquarters function. Rather, this position is a “catch all” administrative officer for the Regional Manager.

Thus, the PGC presently has six law enforcement officers acting as administrative assistants at the regional offices. As the proposed structure already provides for two Assistant Supervisors in each regional office, these positions could be eliminated under the merged agency. Because these individuals are already classified as law enforcement supervisors, three positions can be retained as the necessary FWO Assistant Supervisors. This allows for the elimination of three Federal Aid Supervisor positions. (See Position Analysis Codes 45-47 on Table 20 beginning on page 96.)

Commission and Advisory Bodies

Commission Structure and Composition

Should a merger of the two Commissions occur, we assume the Commission would continue to be governed by an appointed, independent commission. The enabling legislation creating the new agency would need to address commission size, structure, composition, member qualifications, terms of office and compensation, basis of representation (i.e., specific geographic regions or from the state-at-large), advisory board involvement, and other related matters.

Currently, the Game Commission is to be comprised of eight competent citizens informed in wildlife conservation and restoration. Each member is appointed by the Governor by and with the advice and consent of two-thirds of the Senate. The Commission members represent various geographic districts of the Commonwealth. All members serve eight-year terms. The Fish and Boat Commission is to be comprised of ten competent citizens appointed by the Governor by and with the advice and consent of two-thirds of the Senate. Two members must be experienced in boating and water safety education and be registered boat owners. The remaining eight members must be persons well informed about conservation, restoration, fish and fishing, and boats and boating and represent various geographic districts. All members serve eight-year terms. Of the eight geographic districts from which Fish and Boat and the Game commissioners are currently appointed, five are the same between the two commissions and three are different.

Both Commissions are currently listed as independent agencies under both the Administrative Code and under the Commonwealth Attorneys Act. As an administrative independent commission, the merged commission would not be subject to control by the head of any Executive Branch department. However, independent agencies are nonetheless subject to general oversight by the Governor’s Office of Administration and the Office of the Budget. Although nominally independent, the Commission would be required to submit a report to the Governor by October 1 of

each even-numbered year, 71 P.S. §184, and submit a budget request to the Secretary of the Budget, 71 P.S. §230. Independent agencies are also required to have any change in their pay plan or complement level approved by the Office of Administration. As an independent agency under the Commonwealth Attorneys Act, the agency is not subject to the appointment of a chief counsel by the Governor's Office of General Counsel and therefore has authority to appoint its own independent attorneys.

The model contained in this report envisions a Commission composed of individuals appointed based on their overall commitment and expertise with regard to the full range of Commission functions. For purposes of comparison, Exhibit 22 provides summary information on the size, structure, and composition of fish and wildlife commissions in a sample of other states with stand-alone fish and wildlife commissions or departments. Commission size in these states range from 5 in Arizona and California to 19 in North Carolina.

Advisory Bodies

Current law also provides for the existence of the Boating Advisory Board. This Board consists of eight members, including the Secretary of Environmental Resources, or his designee, the PFBC's Executive Director, and the Assistant Executive Director in charge of watercraft safety, all of whom serve as ex-officio members. The Governor appoints the five remaining volunteer members who serve five-year terms. These volunteer members are required to be experienced boaters and be members of boating organizations. One volunteer member is selected to serve as Chairperson, and the Assistant Executive Director serves as the Secretary. The Board advises the Commission on boating issues and makes recommendations regarding any proposed rules or regulations affecting a boat's equipment or its operation.

In drafting any merger legislation, the General Assembly would need to determine the role that the Boating Advisory Board and/or other advisory groups would play in providing input and assistance to the Commission of a new merged agency. While responsible primarily for advising the Governor, the Governor's Advisory Council for Hunting, Fishing, and Conservation would also be available to provide input to the new Commission.

B. The Law Enforcement Function in a Merged Agency

Waterways Conservation Officers and Wildlife Conservation Officers

Both the PGC and the PFBC maintain a separate law enforcement operation. In the PFBC, a total of 80 Waterways Conservation Officers (WCOs) were on the complement (filled positions) as of March 28, 2003. In the PGC, 135 Wildlife

Exhibit 22

Size, Structure, and Composition of Fish and Wildlife Commissions in a Sample of Other States

	Name	Size	Structure	Composition	Governor's Role	Legislative Members
Arkansas	Game and Fish Commission	7 ^a	Constitutionally established independent commission	Commissioners must have knowledge of and interest in wildlife conservation. Each congressional district must be represented.	Appoints commission members.	No
Arizona	Game and Fish Commission	5	Commission oversees and sets policy for all Game and Fish Department activities and appoints Director of Department. Director serves as Secretary to the Commission.	Commissioners must be well informed about conservation. No more than one commissioner may be from any one county; no more than three from the same political party.	Appoints commission members.	No
California	Fish and Game Commission	5	Constitutionally established independent commission oversees and sets policy and regulations under which the Department of Fish and Game operates.	Commissioners must have expertise in wildlife-related fields. The Legislature may divide the state into fish and game districts.	Appoints commission members confirmed by the Senate. Also appoints Director of Department.	No
Florida	Fish and Wildlife Conservation Commission	7	Constitutionally established Independent Commission; equal to departments. Commission appoints its own Executive Director, and must be confirmed by the Senate.	Requirements not specified in law.	Appoints commission members, confirmed by the Senate.	Not specified.
North Carolina	Wildlife Resources Commission	19	Separate state agency; commission appoints its own Executive Director.	Commissioners must be an experienced hunter, fisher, farmer, or biologist, knowledgeable in wildlife restoration and conservation. There are nine districts, one member from each district, and two at-large members.	Appoints 11 Commissioners.	General Assembly appoints 8 of the Commissioners.

Exhibit 22 (Continued)

State	Name	Size	Structure	Composition	Governor's Role	Legislative Members
Oregon	Fish and Wildlife Commission	7	Commission oversees and sets general programs and policies for the Department of Fish and Wildlife, which is part of the Executive Branch. Commission appoints Director of the Department.	Commissioners must have general knowledge of fish and wildlife issues. One member from each congressional district.	Appoints commission members, confirmed by the Senate.	No
Virginia	Board of Game and Inland Fisheries	11	Board oversees and sets general policies for the Department of Game and Inland Fisheries. Board appoints Director of Department.	One member from each congressional district.	Appoints members, confirmed by General Assembly.	No

^aAn 8th nonvoting member sits as Chair of the University of Arkansas at Fayetteville's Department of Biology.

Source: Developed by LB&FC&FC staff from a review of selected states' statutes.

Conservation Officers were on staff as of the same date. These numbers vary at any given time based on retirements, resignations, and new assignments.

Both Fish and Boat Commission WCOs and Game Commission WCOs have wide ranging duties and responsibilities. In both agencies, WCOs are assigned to both the headquarters office and each of the regional offices.

The Fish and Boat Commission's WCOs are generally given the authority to administer and enforce the laws of the Commonwealth relating to: (1) the encouragement, promotion, and development of the fishery interests; (2) the protection, propagation, and distribution of fish; (3) the management of boating and the operation of boats; and (4) the encouragement, promotion, and development of recreational boating. The Commission is granted the authority to appoint WCOs as well as Deputy WCOs. Their powers and duties are subject to limitations as the Executive Director prescribes. The PFBC has authorized Deputy WCOs to exercise the same duties and powers as WCOs except they cannot be given the WCOs Title 18 power (regarding enforcement of the Crimes Code).

The Game Commission's WCOs are generally empowered "to protect, propagate, manage, and preserve the game or wildlife of the Commonwealth and to enforce, by proper actions and proceedings, the laws of the Commonwealth relating thereto." The PGC is granted a broad ability to take all actions necessary to enforce the game laws and can appoint enforcement officers and deputies to do so. Deputies possess (except as provided) the same rights and powers given to Game Commission officers.

As part of this merger study, we examined WCO "time and activity reports" to determine (1) how both sets of law enforcement officers spend their time and (2) the percentage of time spent on law enforcement and non-law enforcement activities.

Time and Activity Analysis. Time and activity reports are used in both agencies as a means of collecting data on law enforcement activities. WCOs complete these reports every two weeks beginning with the first pay period of each fiscal year.

We analyzed these time and activity reports for three years for both the Wildlife Conservation Officers and the Waterways Conservation Officers. For the PFBC's WCOs, time and activity reports were available for FY 2000-01, FY 2001-02, and FY 2002-03. For PGC WCOs, time and activity reports were not available for FY 2002-03, so we analyzed information for FY 1999-00, FY 2000-01, and FY 2001-02.

For purposes of this analysis we classified the officers' time and activities into six categories: Law Enforcement, Information and Education, Functional Support, Leave, Assisting Sister Agency, and Other. Each of these categories is described below.

- *Law Enforcement.* This includes fish, boat, game, and wildlife law enforcement, which is all general and specific patrols via vehicle, boat, aircraft, or foot to detect and/or enforce all laws and regulations relating to fish, fishing, boats, boating, game, wildlife, and hunting. It also includes investigating accidents and/or search and rescue operations, as well as posting of water areas. For the PGC, this also includes responding to animal damage complaints, crop damage wildlife removal, accidentally killed wildlife disposal, and special permits management. For the PFBC, this category also includes the investigation of all types of water pollution and waterways disturbances, as well as the time spent negotiating settlements. Office work related to law enforcement activities is also included in this activity category. Office work includes, but is not limited to, telephone calls, processing reports, such as field acknowledgements, citations, settlement agreements, criminal complaints, and warrant transmittals. Court time is also captured in this category. This includes all time spent in federal, state, county, or local courts as a prosecutor, witness, or other role. It also includes time spent on the delivery and pickup of citations, complaints, and warrants.
- *Information and Education.* Includes all public relations and educational programs, such as government meetings, fairs, sport shows, schools, media appearances, and speaking engagements. For the PGC, this also includes attendance at Youth Field Days, Becoming an Outdoors Woman (BOW) Programs, and Hunter-Trapper Education courses. For the PGC, this also includes times spent on writing Field Notes for the *PA Game News* monthly publication.
- *Functional Support.* In the PFBC, these activities include fisheries surveys, cooperative nurseries, stocking and fish salvage operations, landowner contacts, and monitoring of stream and road conditions. It also includes field investigations of various applications, such as stream encroachments, mine drainage, and activities related to stream improvement. At the PGC, these activities include primarily wildlife research statistical survey support, but also include Game Farm Operations, such as pheasant stocking and propagation activities.
- *Leave.* This includes all days off, including holidays, annual leave, sick leave, compensatory leave, administrative leave, civil leave, military leave, and work-related disability leave.

- *Assist Sister Agency.* For the PFBC this includes all time spent assisting the PA Game Commission, and for the PGC, this includes all time spent assisting the PA Fish and Boat Commission.
- *Other.* Time spent on equipment maintenance is recorded in this category. It includes all time spent on care and maintenance of equipment, including vehicles, boats, and radios. Assistance to agencies outside of the PA Game Commission and the PA Fish and Boat Commission is also recorded here. These agencies include the Department of Environmental Protection, the Department of Conservation and Natural Resources, state or local police, and/or other federal, state, or local agencies. Time spent on training is recorded in “Other.” This includes attending in-service and out-service training, as well as time spent training Deputy officers. For the PGC, this category also includes land management activities, primarily contact with participants in public access programs, but also includes game lands construction and maintenance and shooting range construction and maintenance.

LB&FC staff analyzed the hours of both Waterways Conservation Officers and Wildlife Conservation Officers recorded in these six categories for the specific three-year time period. We then combined the three years worth of data to arrive at an annualized figure for each respective category for both agencies. We found no major inconsistencies across either the activity categories or the three fiscal years, suggesting that the data is a valid portrayal of agency operations during these years.

Table 21 shows the level of work performed by WCOs at both the PGC and the PFBC by pay period for each of the six activity categories. This data is presented as a percentage of total time worked by the collective WCO workforce over the annualized three-year period. Analysis of this data for the dedicated law enforcement activity category shows that each agency experiences a “down time.” For the PGC, this down time occurs from July through October, and then again from February through April. For the PFBC, down time occurs from October through March. During these down times the officers are typically either on leave or are assigned to other non-law enforcement activities.

Fish and Wildlife Officers in a Merged Agency

As discussed earlier in this Section, the combined agency model provides for a change in the name of the law enforcement officer position from Waterways Conservation Officers and Wildlife Conservation Officers to Fish and Wildlife Officers (FWOs). Along with the name change would come a change in the nature and focus of the position. In a merged agency, FWOs would serve as full-time law enforcement officers. This means that their primary focus would be law enforcement activities, including the court time and administrative paperwork associated with

Table 21

**An Analysis of Time Spent by PFBC Waterways and PGC Wildlife
Conservation Officers on Law Enforcement and Non-Law Enforcement Activities
(By Pay Period)**

Time Period	Pay Period	Law Enforcement ^{a/}				Information and Education				Functional Support ^{c/}		Sister Agency Assistance ^d	
		PGC		PFBC		PGC		PFBC		PGC	PFBC	PGC	PFBC
		PGC	PFBC	PGC	PFBC	PGC	PFBC	PGC	PFBC	PGC	PFBC	PGC	PFBC
July 4th	1	48.1%	82.4%	25.4%	5.1%	10.0%	9.8%	7.5%	1.6%	8.6%	0.9%	0.4%	0.1%
	2	46.4%	77.0%	17.2%	9.0%	13.4%	9.6%	13.4%	3.3%	9.4%	1.0%	0.2%	0.1%
	3	47.4%	76.0%	18.5%	8.5%	13.0%	10.5%	12.1%	3.2%	8.9%	1.3%	0.2%	0.5%
Labor Day	4	42.3%	71.4%	18.6%	12.4%	15.1%	11.5%	15.6%	3.2%	8.2%	1.4%	0.2%	0.1%
	5	47.7%	75.2%	13.2%	10.0%	15.7%	10.2%	14.7%	2.7%	8.6%	1.6%	0.1%	0.3%
	6	46.4%	70.7%	18.0%	8.9%	15.9%	16.2%	13.3%	2.8%	6.3%	1.1%	0.1%	0.3%
	7	49.0%	60.1%	6.3%	12.4%	21.6%	17.3%	16.4%	8.1%	6.7%	1.5%	0.1%	0.7%
	8	65.3%	64.4%	11.1%	14.4%	7.5%	8.7%	8.6%	4.7%	7.4%	6.0%	0.1%	1.8%
	9	72.8%	61.9%	3.6%	14.6%	6.9%	15.4%	6.5%	3.5%	10.1%	1.9%	0.1%	2.7%
	10	72.3%	65.0%	7.8%	17.2%	5.0%	9.5%	3.2%	2.3%	11.7%	1.8%	0.0%	4.3%
	11	73.1%	48.8%	12.3%	26.0%	4.9%	16.7%	2.5%	2.8%	7.2%	1.4%	0.0%	4.4%
	12	91.6%	56.6%	1.7%	22.0%	2.9%	7.4%	0.9%	1.3%	2.9%	1.1%	0.0%	11.7%
Antlered Deer Season	13	73.1%	66.4%	15.8%	13.9%	3.0%	8.1%	2.1%	3.8%	5.9%	2.1%	0.1%	5.7%
	14	51.5%	41.5%	41.9%	47.1%	2.0%	8.9%	1.1%	0.9%	3.4%	0.6%	0.0%	1.0%
	15	66.6%	74.6%	10.6%	8.2%	7.4%	8.3%	9.0%	6.4%	6.2%	1.2%	0.1%	1.3%
	16	60.7%	65.8%	7.5%	11.5%	10.1%	12.0%	10.0%	8.3%	11.5%	2.0%	0.2%	0.3%
	17	50.4%	68.7%	4.8%	4.9%	21.2%	12.3%	14.6%	11.8%	8.9%	2.1%	0.1%	0.2%
	18	45.9%	55.8%	14.0%	11.4%	14.3%	15.8%	17.4%	13.1%	8.2%	3.6%	0.2%	0.3%
	19	49.5%	65.9%	5.7%	2.8%	14.5%	7.5%	18.5%	9.3%	11.1%	14.5%	0.7%	0.2%
	20	47.3%	66.7%	6.4%	2.6%	18.9%	8.8%	17.4%	6.5%	9.5%	15.3%	0.5%	0.2%
	21	45.6%	70.6%	5.5%	1.9%	15.6%	6.0%	18.8%	4.7%	13.3%	16.0%	1.0%	0.8%
Trout Season	22	47.1%	77.4%	8.2%	1.2%	14.6%	3.1%	16.9%	2.7%	10.8%	15.5%	2.4%	0.1%
	23	61.6%	64.6%	3.5%	3.2%	7.7%	8.9%	18.9%	5.7%	7.8%	16.6%	0.4%	1.0%
	24	62.2%	69.5%	5.4%	4.6%	7.0%	9.1%	14.4%	4.4%	10.7%	12.2%	0.4%	0.2%
Memorial Day	25	44.8%	84.4%	18.0%	2.9%	14.0%	6.3%	11.8%	3.1%	11.0%	2.4%	0.3%	0.9%
	26	44.8%	76.2%	13.6%	7.5%	15.0%	10.9%	14.7%	3.9%	11.7%	1.3%	0.4%	0.2%
Overall		56.4%	68.0%	12.0%	10.7%	11.3%	10.3%	11.4%	4.7%	8.7%	4.9%	0.3%	1.5%

^{a/}PFBC data is based on FY 00-01, FY 01-02, and FY 02-03. PGC data is based on FY 99-00, 00-01, and FY 01-02. The PGC did not have FY 02-03 data compiled at report time. Shaded areas represent times that exceeded the overall average for respective category. Such periods would be considered "busy times" for the respective agency. ^{a/}PGC law enforcement includes game law enforcement, court time, and office work. PFBC law enforcement includes fish law enforcement, boat law enforcement, pollution investigation, court time and office work. ^{b/}PGC "Other" includes training, equipment maintenance, assisting other agencies (non PFBC) and land management activities. PFBC "Other" includes training, equipment maintenance, and assistance to other agencies (non PGC). ^{c/}This category covers time spent in direct support of respective agency programs. For PGC this includes game farm operations, and wildlife research and management. For PFBC this includes trout stocking, warm water stocking, anadromous stocking and fisheries environmental services. ^{d/}This category represents time spent assisting each other's activities.

citations and arrests. They would no longer be expected to routinely perform information and education tasks or wildlife or fisheries activities.

In July 1999, the PGC commissioned a study of its agency operations. The resulting report, commonly referred to as the MAT report (Management Assistance Team), referenced a problem with WCO workload. Specifically, the team found that the PGC WCOs are commonly asked to be more “generalists” to the agency rather than dedicated law enforcement officers. This also occurs with PFBC WCOs, but to a lesser extent.

In meeting with both PGC and PFBC Regional Directors, we learned that these directors believe that tasks, such as information and education, fish stocking, and wildlife research surveys, prevent the Waterways and Wildlife Conservation Officers from focusing on their primary duty of law enforcement. They would like the WCOs to be able to spend more of their time on law enforcement duties.

We also note that WCO (both PGC and PFBC) salaries and benefits range between \$46,000 and \$73,000 (average \$56,200) a year, and as such, WCOs should not perform work that could be done at a lower rate by another staff person.

As of March 28, 2003, the PFBC and PGC had a total combined complement of 215 WCOs. We calculate that, in a merged agency, the size of the law enforcement force could be reduced by 36 positions (to 179) while still maintaining the current levels of law enforcement coverage. This assessment is based on the six time and activity classifications and associated data shown earlier on Table 21.

Three of these categories, “law enforcement,” “leave,” and “other” can be classified as “dedicated law enforcement activities.” Leave is included because it impacts the availability of officers for law enforcement duties. Similarly “other” is included because it includes law enforcement training and equipment maintenance.

As shown on Table 22, when these three categories are combined, we found that PGC WCOs spent 79.6 percent of their time on dedicated law enforcement activities, while the PFBC’s WCOs spent 89.0 percent of their time on dedicated law enforcement.

Table 22

**Summary Breakdown of Time Spent by WCOs
on Law Enforcement and Non-Law Enforcement Activities**

Activity Type	% of WCOs Total Work Time	
	PGC	PFBC
Dedicated Law Enforcement:		
Law Enforcement	56.4%	68.0%
Leave.....	12.0	10.7
Other	<u>11.3</u>	<u>10.3</u>
Subtotal	79.6%	89.0%
Non Law Enforcement:		
Information & Education.....	11.4%	4.7%
Functional Support.....	8.7	4.9
Assist Sister Agency	<u>0.3</u>	<u>1.5</u>
Subtotal	20.4%	11.1%
Total	100% ^a	100% ^a

^aDoes not add due to rounding.

Source: Developed by LB&FC staff.

Because FWOs would be assigned exclusively to law enforcement activities, it is expected that 100 percent of their time would be recorded in the three law enforcement categories cited above (i.e., law enforcement, leave, and other). We then made a full-time equivalent (FTE) calculation to arrive at the number of officers needed. Table 23 shows the FTE calculations used to arrive at the 179 FWO complement level.

Table 23

Calculation of Law Enforcement Force Size in a Merged Agency

	Current Number of Officers		Time Spent on Dedicated Law Enforcement	=	Number of Employees Needed If 100% of Time on Dedicated Law Enforcement
PGC.....	135	X	79.6%	=	107.46
PFBC.....	80	X	89.0%	=	<u>71.20</u>
Merged Agency					178.66

Merged Agency Staffing Level = 179 Fish & Wildlife Officers

Source: Developed by LB&FC staff.

At the time of the study, there were 215 filled field officer positions between the PGC Wildlife Conservation Officers and the PFBC Waterways Conservation

Officers. Therefore, 36 positions could be eliminated to arrive at the staffing level of 179 filled positions. Because there are more WCOs on the PGC complement than on the PFBC complement, we calculated a proportional reduction between the two agencies. On this basis, the PFBC would lose 12 WCOs (see Position Analysis Codes 48-59 on Table 20 beginning on page 96), while the PGC would see a reduction of 24 WCOs (see Position Analysis Codes 60-83 on Table 20 beginning on page 96). It is important to note that we are suggesting a filled complement level of 179 FWOs. At any given time there is a vacancy rate of approximately 10 percent due to retirements and resignations, thus an authorized complement level of 197 should be considered.

With the change in the nature of the work of the FWO and the elimination of 36 positions, the FWO staff would no longer be routinely available to perform tasks outside of law enforcement. This would impact public outreach, wildlife research surveys, and pheasant and fish stocking activities. Actions to compensate for the loss of FWO assistance in these areas, including hiring an additional 12 Wildlife Research Technicians, are discussed earlier in this Section.

Pertinent Law Enforcement Personnel Issues

Should a merger occur, several personnel issues relating to the law enforcement staff would need to be addressed. These issues include labor agreements, salary payment scales, retirement schedules, and the role of deputies. Items that also relate to law enforcement staff, such as cross-training and equipment and firearms are discussed elsewhere in this report.

Labor Agreements. A significant difference between the Wildlife Conservation Officers and the Waterways Conservation Officers is the bargaining provisions granted to them through their AFSCME labor agreements. Personnel from both Commissions have emphasized this difference, stating that it would need to be addressed in the event of a merger.

Although both sets of law enforcement officers have labor agreements through AFSCME, the PGC officers are covered under Act 111 (the Policemen and Firemen Collective Bargaining Act) bargaining provisions, while the PFBC officers are covered under Act 195 (the Public Employees Relation Act) bargaining provisions. Act 111 provides for binding arbitration proceedings if a contract cannot be negotiated, and a labor strike is not an option. Act 195 does not provide for binding arbitration and allows labor strikes.

The PGC petitioned for Act 111 coverage for the Wildlife Conservation Officers for several years in the mid-1990s. As a result of a labor relations legal decision, the PGC officers received coverage under Act 111 bargaining provisions with

the contract that went into effect on July 1, 1996. Waterways Conservation Officers are not eligible for Act 111 status per pertinent sections of the Fish and Boat Code.

Act 111 coverage has two primary differences from Act 195 coverage. The first is that officers covered under Act 111 do not have the right to strike. The second, and more significant from the employer's perspective, is that officers covered under Act 111 have the right to have any impasse in contract negotiations settled by mandatory arbitration, while Act 195 employees do not.

Currently, the Fish and Boat Code, at 30 Pa C.S.A. §304(b), expressly provides that waterways patrolmen are not policemen for Act 111 purposes, thus excluding WCOs from the collective bargaining rights afforded under Act 111. Conversely, in 1996, Wildlife Conservation Officers employed by the PGC obtained Act 111 coverage.

Merging the two agencies would require a review of the powers and duties of the merged law enforcement officers and their potential coverage under Act 111. According to the Bureau of Labor Relations (BLR) within the Governor's Office of Administration, it could be possible to preserve the distinction between waterways officers and game officers for the purpose of union representation and Act 111 coverage. In the event of a merger, to the extent the merged agency's Fish and Wildlife Officers would be one unit of employees with the same powers and duties for waterways and game situations, it would be more problematic to maintain separate coverage and would essentially necessitate them to be covered under the same bargaining provisions. It would be necessary to resolve the status of the law enforcement officers as either Act 195 or Act 111 employees. The BLR stated this would best be clarified in the merger legislation, as it had been in the Fish and Boat Code. If not, once the merger were to occur, the new agency and the union would need to petition the Pennsylvania Labor Relations Board for clarification of the bargaining unit status of the merged agency's law enforcement officers.

Addressing labor issues relating to other personnel is more routine and would primarily involve working out an agreement with the union to determine the composition of the new seniority units in the merged agency. It is possible that with the redefinition of job duties within the new agency, new job classifications would be required but that would be worked out by the agency, the union, and the Bureau of Labor Relations after the merger. To the extent positions would be eliminated, the BLR indicated it would be more difficult to eliminate the positions after the merger was affected because that would require the parties to first renegotiate the seniority units before eliminating positions. It would be simpler to execute any reduction in forces immediately prior to the merger.

Salary Schedules. The Game Commission and the Fish and Boat Commission law enforcement officers, although similar, follow different pay schedules as a

result of being under different labor agreements. Both pay scales are established and administered by the Governor's Office of Administration.

PFBC officers follow "Standard Pay Schedule—Schedule S" of the Commonwealth payroll system, which is what the majority of state employees follow. The PGC officers are classified under "Conservation Officer Pay Schedule—Schedule Y." For the year starting July 1, 2002, the minimum annual salary for both officer classifications for an 80-hour pay period was \$34,905. However, the maximum salary step for a Waterways Conservation Officer for an 80-hour pay period was \$53,036, compared to a maximum \$55,436 for a Wildlife Conservation Officer.

Compensation to the officers also differs in the area of overtime due to differences in labor agreements. For example, Waterways Conservation Officers may be assigned up to ten hours of work per day before overtime is paid, whereas Wildlife Conservation Officers are paid overtime compensation for any time worked over eight hours in one day.

Retirement Schedules. Differences also exist between the Wildlife Conservation Officers and the Waterways Conservation Officers in the area of retirement benefits. The Waterways Conservation Officers follow the standard law enforcement retirement schedule used by most law enforcement agencies in the state. PFBC Officers are able to retire at age 50 regardless of the length of service without the imposition of any penalty provisions.

Wildlife Conservation Officers are currently the only law enforcement officers in the state that are not eligible for the standard law enforcement retirement benefits. The PGC Officers fall under the standard state employee retirement schedule of 35 years of service or 60 years of age. If these officers were to retire at age 50, they would have early retirement penalties imposed upon their benefits.

The Deputy Law Enforcement Program

Both the PGC and the PFBC utilize deputy law enforcement officers. Deputy force involvement in fish, boat, and game law enforcement has been recognized as an important element of the law enforcement program of the two Commissions.

At the time of this study, the PFBC had 225 Deputy Waterways Conservation Officers, and the PGC had 540 Deputy Wildlife Conservation Officers. These deputies, who receive only minimal compensation, play a significant role in supporting the efforts of PGC Wildlife and PFBC Waterways Conservation Officers in carrying out the agencies' respective law enforcement programs.

Current Deputy Training Program.

PA Fish and Boat Commission. To become a Deputy Waterways Conservation Officer, applicants must be at least 21 years of age, have a valid driver license, be a resident of Pennsylvania with no criminal history reflecting charges of a serious nature, and must successfully pass a written entrance screening examination. Those persons who pass the screening exam must then undergo a background investigation.

Once the background investigation is successfully completed, applicants are required to complete a 44-hour, Act 235 Lethal Weapons Course and provide documentation of such to the Fish and Boat Commission. The applicant can then be accepted into the Deputy Waterways Conservation Officer Basic Training School.

The training program for Deputy Waterways Conservation Officers consists of 174 hours of formal school curriculum presented in four phases over the course of approximately three months at the H. R. Stackhouse School of Fisheries Conservation and Watercraft Safety. A copy of the training curriculum for Deputy Waterways Conservation Officers is included in a separate document containing supplemental information related to the merger issue.

Additionally, trainees must complete home study assignments between these training phases. Students who successfully complete the formal school course must then successfully complete a minimum of 150 hours of on-the-job law enforcement training under the direct supervision of an experienced Waterways Conservation Officer. Upon successful conclusion of the on-the-job portion of the training, the Trainee advances to the position of Deputy Waterways Conservation Officer.

Deputy Waterways Conservation Officers are required to undergo annual re-certification training involving CPR, First-Aid, and Firearms Qualifications. They must also undergo re-certification training in Skills Evaluation twice annually and Haz-Mat First Responder Training three times a year. Additionally, they are required to attend Regional Deputy Training and Quarterly District Training sessions as well as all other mandatory training established by the Bureau of Law Enforcement.

PA Game Commission. To become a Deputy Wildlife Conservation Officer, applicants must be at least 21 years of age and be a resident of Pennsylvania for at least one year before application. According to the PGC, they must undergo a comprehensive character investigation and must demonstrate physical and mental capabilities for fulfilling the demands, duties, and requirements of the position. Additionally, applicants must have a valid drivers license and access to a vehicle. All applicants must be a graduate of an accredited high school or possess an education equal to a four year high school program as approved by the Pennsylvania Department of Education.

Applicants for the Deputy Wildlife Conservation Officer position must complete five ride-along orientation sessions totaling at least 20 hours with an experienced Wildlife Conservation Officer. In these sessions, the applicant accompanies the WCO to learn the nature of the job and to gauge his/her interest and commitment in becoming a deputy. If they are still interested in becoming a Deputy, the applicant must next pass a background investigation, medical and vision exams, physical conditioning testing, and a written entrance exam.

After successful completion of these exams, the applicant attends 16-hours of Game and Wildlife Code training and pre-firearms training at a PGC regional office. The applicants must then attend an in-residence training program at the Ross Lefler School of Conservation. This curriculum is comprised of four sessions totaling 126 hours. At the end of this training, the applicants must pass a 286 question certification exam with a minimum of 80 percent correct.

After earning their commission, deputies must complete a one year on-the-job training program, which must involve a minimum of 100 hours under the direct supervision of an experienced law enforcement officer. A structured training checklist must be completed during this year, which also serves as the deputy's probationary year.

Deputies are required to attend 24 hours of annual in-service training in mandatory police officer skills consisting of firearms training, defensive tactics training, verbal communication skills training, and legal updates. The deputies must also attend a minimum of four district training meetings where structured training in a variety of topics is provided.

Duties and Workload of Deputy Officers. Deputy law enforcement officers have essentially the same powers and duties as Wildlife and Waterways Conservation Officers. The deputies have authority to enforce the Game and Wildlife Code, the Fish and Boat Code, and State Park and Forestry Laws throughout the Commonwealth pursuant to administrative regulations. Deputies do not, however, have authority to issue citations under the Pennsylvania Crimes Code.

A major difference between the deputies in the two Commissions is that Deputy Waterways Conservation Officers are empowered to issue citations for summary violations in accordance with the Pennsylvania Rules of Criminal Procedure. Deputy Wildlife Conservation Officers do not have the authority to issue citations.

In addition to law enforcement duties, deputies carry out public relations and other functions. These include, but are not limited to, collecting and preserving evidence, testifying in court, stocking fish and game, dead animal removal, landowner contacts, public speaking engagements, and safety programs.

Table 24 provides information on the number of hours served by the deputies in each Commission. Both Commissions record the amount of work performed by deputies on an hourly basis, but the deputy time and activity hours reporting system is not automated. Deputy workloads can vary from just a few hours on any given shift to up to 16 hours a day during Saturdays and opening season days for hunting and fishing.

Table 24

Hours of Service Performed by Deputy WCOs
(CY 2002)

	<u>Game Commission</u>	<u>Fish & Boat Commission</u>
Total Hours	140,000	63,358
Number of Deputies.....	540	225
Average Annual Hours Worked Per Deputy	259	282

Source: Developed by LB&FC staff.

Costs of Deputy Officers. While the deputies are considered a voluntary position, they do receive a stipend for their services in an effort to help them offset expenses. Neither Commission furnishes any equipment other than stationery, instruction booklets, certain uniform items, and credentials to deputies. Deputies must purchase their own firearm, leather gear, speed loaders, radio, and other equipment as specified.

Currently, both Commissions pay a stipend of \$65 a day. However, because of budgetary constraints, the Fish and Boat Commission reports that in FY 2001-02, the deputies were not compensated for 40 percent of their time on fish law enforcement and 20 percent of their time on boat law enforcement (assuming an 8-hour day). The Game Commission stated that for FY 2001-02 over 50 percent of the work of the deputies went uncompensated.

Table 25 shows the expenses incurred for the deputy program by each Commission in FY 2001-02. Assuming a PGC deputy force of 540, the per deputy cost for the PGC was approximately \$2,400 in FY 2001-02. For the PFBC, the average per deputy cost for 225 deputies was approximately \$1,800.

Table 25

Expenditures for Deputy Officers
(FY 2001-02)

<u>Item</u>	<u>Game Commission</u>	<u>Fish & Boat Commission</u>
Wages/Stipend	\$1,153,472	\$378,820
Other Costs.....	<u>154,538</u>	<u>28,050</u>
Total Costs.....	\$1,308,010	\$406,870
Number of Deputies.....	540	225
Average Cost Per Deputy..	\$ 2,422	\$ 1,808

Source: Developed by LB&FC staff.

The Deputy Force Under a Merged Agency. There are indications that at least some Deputy Wildlife and Waterways Conservation Officers may not serve in a merged agency. Although, officials at neither the Game Commission nor the Fish and Boat Commission were able to estimate the potential loss of deputies in the event of a merger, they did agree that some deputies would inevitably leave the program. They believe that the additional training and workload demands would be the primary reason for not serving.

Law enforcement personnel at the two Commissions stated that deputies make a major sacrifice with time away from their personal lives and families. They believe that increasing the job responsibilities and patrol requirements of the deputies will add additional stress that many deputies, their families, and their full-time employers will be unwilling to accept. These comments mirror those made by deputies when they were surveyed as part of our previous merger study. Others, however, told us that many deputies feel a sense of loyalty to the law enforcement officer they are assigned to and believe that if the full-time law enforcement officer were to remain with the agency under a merger, most likely the deputy would also remain.

As was discussed in the staffing section of this report, under the proposed merger, 36 law enforcement positions would be eliminated to arrive at a staffing level of 179 Fish and Wildlife Officers. This decrease (from 215 to 179 officers) computes to a law enforcement staff reduction of 16.7 percent.

Using this staff reduction of 16.7 percent, we estimated that approximately 90 Deputy Wildlife Conservation Officers and 38 Deputy Waterways Conservation Officers might resign in the event of a merger. This would take the deputy force down from 765 (540 at PGC and 225 at PFBC) to 637. However, law enforcement officials of both agencies believe this is a conservative figure and would not be surprised if the resignations surpassed this amount.

Regardless of the exact number of deputy resignations that would occur under a merger, all parties agree that the exodus of deputies would affect the law enforcement function. The presence of deputy officers essentially expands field coverage capabilities of the full-time law enforcement officers, and the agencies believe that a loss in deputy numbers will create a void in their public service capability and effectiveness. To some extent, however, the possible reduction in the deputy complement would be offset by the expanded role given to those deputies who remain (i.e., to enforce game, fish, and boat laws and regulations). Nevertheless, in the event of a merger, Commission officials should undertake a retention effort to minimize losses in the deputy force.

For those deputies that remain with the merged agency, cross-training will need to take place. A review of the training curriculum shows that a person who is a Deputy Wildlife Conservation Officer would need 56 hours cross-training in the following areas:

- Fish and Boat Code (24 hours);
- Basic Boating Course (8 hours);
- Watercraft Operation Skills and Maintenance (10 hours);
- Basic Water Rescue (8 hours);
- Boat Trailering (2 hours);
- Fish Identification (3 hours); and
- Pollution and Disturbance of Waterways Investigations (3 hours).

Deputy Waterways Conservation Officers would need 31 hours cross-training in the following areas:

- Game and Wildlife Code (16 hours);
- Field Checks and Public Interaction (4 hours);
- Mechanics of Vehicle Stop Procedures (4 hours);
- Mechanics of Vehicle Searches (4 hours); and
- Incident Investigation and Reporting (3 hours).

Another consideration for those persons who remain deputy officers in the merged agency will be that of issuing citations. Presently, the Fish and Boat Commission deputies issue citations for summary violations in accordance with the Rules of Criminal Procedure. The Game Commission deputies do not have the authority to issue such citations. Statutory changes may therefore be necessary so that all deputies will have the same powers.

C. Funding and Funds Structure in a Merged Agency

If the two Commissions were to merge, a determination would need to be made concerning the special fund structure for the new agency.

Current Special Fund Structure of the Two Commissions

Both the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission use special revenue funds of the Pennsylvania State Treasury to account for their revenues and expenditures. The PGC accounts for all its fiscal transactions in the Game Fund, while the PFBC accounts for its fiscal transactions in two funds: the Fish Fund and the Boat Fund. The current statutory provisions relating to each of these funds are discussed in Section IV.

Options for Special Funds Structure in a Merged Agency

If the General Assembly were to create a merged agency, it would have several special fund structure options available. The following are three approaches to consider:

Single Fund. The General Assembly could choose to create a single special fund into which all game, fish, and boating revenues would be deposited. This would mean that all monies currently deposited into the Game, Fish, and Boat Funds would be deposited into one, and all operations of the new merged agency would be financed from this single fund.

Single Fund With Restricted Accounts. Another option would be for the General Assembly to create one special fund for the merged agency that would contain restricted accounts. A separate restricted account could be established for game, fish, and boating. Revenues generated from hunting, fishing, and boating would be deposited into these individual accounts, thus maintaining segregation of these revenues. Expenditures for fish, game, and boating programs could then be charged against these individual restricted accounts.

Maintain the Three Separate Existing Funds. The General Assembly could opt to continue the separate Game, Fish, and Boat Funds as they presently exist. Monies generated from fish, game, and boat sources would continue to be segregated with operational and administrative costs of the merged agency charged against the respective funds.

The primary legal concern with any of the fund structures is that the legislature must preserve a structure that will not jeopardize the continued receipt of federal funds under the Pittman-Robertson Act and the Dingell-Johnson Act. Federal law requires that the enabling legislation for the merged agency “must include a prohibition against the diversion of license fees paid by hunters and sport fishermen, respectively, to purposes other than administration of the fish and wildlife agency.”¹

¹The legislation that creates the merged agency would be subject to review by the Secretary of the U.S. Department of the Interior. The Federal Aid Chief for the Northeast Regional Office of the U.S. Fish and Wildlife Service indicated to us that a merger of the two agencies does not, by itself, jeopardize federal funding as long as the statutory requirements of the federal aid continue to be met.

Federal regulations state that a “diversion” of license fee revenues occurs when any portion of license revenues is used for any purpose other than the administration of the state fish and wildlife agency. Administration of the agency includes only those functions required to manage the fish- and wildlife-oriented resources of the state for which the agency has authority under state law. Representatives of both the Game and the Fish and Boat Commission indicated that a diversion of license fees would occur in a situation where the General Assembly would decide to tap into and use fish, boat, or game license fees for some other state purpose, unrelated to the administration of the fish and wildlife agency. They did not see a “diversion” problem with the possible commingling of funds under a single special fund structure. In that situation, they would simply have to track the flow of revenues and expenditures through accounting mechanisms for reporting to the federal government.

While the current structure segregates funds in part for federal purposes, the current separate funds also gives an accounting to the differing game, fish, and boat constituencies that would not be readily apparent with the placement of all funds in a single special fund. To address this, the Legislature could consider placing certain accounting and reporting requirements in the enabling legislation to ensure that full information is available to the constituencies regarding the sources and disposition of a merged commission’s funds.

Funding Structures Used in a Sample of Other State Fish and Wildlife Agencies

We contacted fiscal personnel in the combined fish and wildlife agencies in a sampling of other states to obtain information on the funding structures used in those agencies. Those state agencies responsible only for the fish, game, and boating functions were contacted because they are similar in structure to that which would be established in Pennsylvania if a merger were to be implemented.

States contacted included Arizona, Arkansas, California, Florida, North Carolina, North Dakota, Oregon, Tennessee, Virginia, and Wyoming. None of these states maintain separate special funds. Rather, fish and game monies are placed in a single “wildlife” fund, and monies derived from hunting and fishing licenses are not restricted nor earmarked to specific programs and activities that relate to the source of the revenues. Several states reported that the boat titling and registration function is performed by another state agency, and as such, those revenues are accounted for in a separate fund administered by that other state agency.

Difficulties in Administering More Than One Fund

Separate Fish and Boat Funds have existed in the Commonwealth's accounting structure since 1963. Prior to that time, all monies from fishing license sales as well as all boat registration fees were deposited into the Fish Fund. A concern over whether boating-related activities were receiving an appropriate level of funding under this arrangement apparently led to the creation of a separate Boat Fund.

During the 1998 audit of the Fish and Boat Commission, LB&FC staff discussed the maintenance of the Fish and Boat Funds with Commission staff. We learned that while the separation of revenues into the two funds gives the appearance of a clear segregation of "fish monies" and "boat monies," it is administratively burdensome and costly for the PFBC. We reexamined this issue during this study and found that the burden has increased for the Commission with the implementation of the Commonwealth-wide Imagine PA SAP accounting enterprise system.

Every organization within the PFBC, with the exception of the Bureau of Fisheries and the Boating Advisory Board, has activities and expenditures which relate to both fishing and boating. In order to know how much of each activity should be charged to the Fish Fund and how much should be charged to the Boat Fund, the Commission has established percentage (pro rata) rates for each activity. These rates were derived from a Commission survey of all personnel which requested an estimate of each employee's time spent on fishing activities and time spent on boating activities.

Because most PFBC activities involve expenditures which are split between the Fish Fund and the Boat Fund, each activity has two accounting codes associated with it. All personnel services costs, operating costs, and fixed asset costs must be split between the two funds. Furthermore, all contracts, expenditure documents, advancement account transactions, and invoices must be coded with two accounting codes in order to correctly charge the Fish Fund and the Boat Fund.

The need to separately account for Fish Fund and Boat Fund revenues, expenditures, and activities presents a number of problems and inefficiencies for the PFBC and creates added costs for both anglers and boaters.

- The use of two funds and the ensuing double-coding accounting system results in extensive additional work and man-hours for the Commission as well as for the Comptroller and other Commonwealth agencies. For example:
 - Commission employees are required to expend additional time when filling out their "time and activity" reports since their hours must be reported separately for both Fish Fund and Boat Fund activities.

- Commission employees who prepare and review invoices, contracts, and other documents that need two accounting codes use more of their time with these documents than they would if only one fund were in use.
 - The Comptroller’s Office staff requires additional time to process Commission payments as two funding codes need to be reviewed rather than one. This additional review time can delay the payment of invoices.
- For each financial transaction, including payroll transactions, the PFBC is charged a transaction processing fee by the Governor’s Office of Administration. Because the PFBC must record each transaction with two codes, it is charged double for each transaction.
 - The PFBC Budget Analyst must regularly prepare three sets of accounting reports instead of one, a set of Fish Fund reports, a set of Boat Fund reports, and a set of agency-wide reports. The reports affected include all internal reports, financial reports, and budget and rebudget documents to the Governor’s Office of the Budget.
 - Each bureau must submit its budget request in three sections: one for expenditures from the Fish Fund, another for the Boat Fund, and a third for the organizational total.
 - The existence of two funds has apparently discouraged the PFBC from a cost accounting system based on report group or program costs because of the additional cost codes that would be needed.
 - The existence of two funds has made the process of purchasing direct goods from the Department of General Services burdensome given the purchase order paperwork that must be followed. Only one special fund can be listed on each purchase order, thus a separate one needs to be filled out when goods are paid from both the Fish Fund and Boat Fund. In the case of goods like reams of paper, the Commission fills out a purchase order for six reams of paper to be paid for from the Fish Fund and another purchase order for four reams of paper to be purchased from the Boat Fund. However, some goods cannot be broken out into such quantities, and in those cases, the Commission alternates which special fund is charged for the purchase or tries to average the cost between the two funds.

Suggested Fund Structure in a Merged Agency

The problems cited above would be eliminated with the creation of a single special fund with no restricted accounts (Option 1). The second option—a single fund with restricted accounts—does not cause quite as much paperwork as the use of multiple special funds, but would still create the administrative burden of

multiple codes. We, therefore, believe that in a merged agency, the benefits of creating one special fund to account for hunting, fishing, and boating revenues argue in favor of Option 1.

A benefit to the merged agency of using only one special fund is that the cash flow into the fund would be continuous throughout the fiscal year. Presently, the Game Fund receives the majority of its revenues in the fall when it receives hunting license fees. The PGC must then use these revenues to pay expenses for the rest of the fiscal year. Conversely, the PFBC receives the bulk of its revenues in the spring, when fishing licenses and boat registrations are purchased. Therefore, it must have a significant balance in the Fish and Boat Funds at the beginning of the fiscal year to carry these funds for several months until boat registration and fishing license revenues are received. Officials from both the PGC and the PFBC have stated that the revenue cash flow has become a critical issue for them given the depletion of the balances in the Game and Fish Funds. With one fund, all revenues would be deposited into this fund as they are received, and the cash flow problem could be reduced.

We contacted the Comptroller's Office and the Office of the Budget to discuss funding structure options in the event of a merger. Personnel from the Bureau of Budget Analysis within the Governor's Office of the Budget believe that managing the finances of the merged agency in a single special fund would be the most effective accounting process. This would eliminate the need for split coding, which is a burdensome process, and which would be necessary with the three special funds or with restricted accounts within one fund. Such a structure would allow expenditures to be recorded by program area so that the constituents could see the use of the monies in annual fiscal reports. Moreover, all revenues deposited into the single special fund would be assigned a revenue code, and this would allow constituency groups (hunters, trappers, anglers, and boaters) to track the amount of income they contribute to the agency.

Personnel from the Comptroller for Public Protection and Recreation Office stated that accounting for the finances of the merged agency would be easiest with one special fund with no restricted accounts. The use of restricted accounts creates as much work for all parties as the use of separate special funds. A representative of the Comptroller's Office stated if an accounting mechanism needs to be used to segregate funds, they would rather see separate special funds used than restricted accounts. However, they believe that one special fund would best serve a merged agency. They also stated that expenditures could be recorded by program area, and that these program costs could be presented in an annual report each year so that constituency groups could see the use of the monies, as they believe that will be an issue if only one fund is used.

D. The Status of State Game Lands in a Merged Agency

Over the years, the PGC has acquired 1,412,227 acres of State Game Lands (SGLs) through direct purchases, donations, exchanges, and transfers. (See Table 26 for a breakdown of SGLs by county.) In acquiring State Game Lands, the PGC has used only Game Fund monies, much of which is derived from license fees. Sportsmen often note that hunting license revenues have purchased the State Game Lands, and consequently, the hunters and trappers of Pennsylvania feel a strong sense of ownership of these lands.

Reflecting this sense of ownership, concerns about the status and disposition of SGLs in a merger were frequently expressed at the public hearings related to House Resolution 15. A specific concern is that the Game Lands will be sold or otherwise “commercialized” as a way to generate revenues needed to address the significant and costly infrastructure problems which exist at the fish hatcheries. Another concern is that a merger would eventually lead to a further expansion of non-hunting uses of the SGLs.

The merger framework presented in this report does not envision or suggest any plans to sell or otherwise commercialize the State Game Lands system. As outlined in our model structure for the merged agency, the State Game Lands would remain with the new agency and be managed as is currently done by the PGC. As such, in the section of this report dealing with staffing in a merged agency, there were no reductions proposed in the size of the land management staff.

Such concerns should be minimized by the fact that both the Game and Wildlife Code and the Fish and Boat Code, as they currently exist, expressly restrict the purposes for which each respective commission’s lands may be used. For example, as long as they are owned by the Game Commission, game lands may be used “only to create and maintain public hunting and furtaking, game or wildlife propagation areas, farms or facilities for the propagation of game or wildlife, special preserves as provided for in [the Game Code] or other uses incidental to hunting, furtaking and game or wildlife resource management.”

More importantly, the Game and Wildlife Code places specific restrictions on the ability and manner in which game lands may be sold or disposed. The Game Commission does not now have the power simply to sell state game lands for commercial purposes. The Game Commission can only (1) exchange lands, waters, or buildings in return for lands, waters, or buildings having an equal or greater value when the exchange is in the best interests of the Commission; (2) exchange timber, minerals, oil, or gas which the Commission owns for suitable lands having an equal or greater value; or (3) sell lands to DCNR for state forests or to the federal government for National Forests or National Wildlife Refuges when in the best interests of game or wildlife. While the Fish and Boat Code does not have the

Table 26

PA Game Commission State Game Lands Acres

<u>County</u>	<u>Acres Owned</u>	<u>Acres Leased^a</u>	<u>County</u>	<u>Acres Owned</u>	<u>Acres Leased^a</u>
Adams	1,942.30	0.00	Lancaster	8,684.85	0.00
Allegheny	1,245.94	0.00	Lawrence	2,764.90	0.00
Armstrong.....	6,295.38	0.00	Lebanon.....	26,776.51	0.00
Beaver	4,198.88	0.00	Lehigh.....	6,446.34	0.00
Bedford.....	53,945.31	0.00	Luzerne.....	48,829.15	0.00
Berks	18,730.54	2,732.00	Lycoming	43,949.37	0.00
Blair	53,471.88	0.00	McKean.....	24,801.56	0.00
Bradford	53,422.34	0.00	Mercer.....	7,149.10	3,140.00
Bucks	4,442.60	0.00	Mifflin	3,265.34	0.00
Butler.....	10,261.69	0.00	Monroe.....	38,962.88	0.00
Cambria.....	43,965.43	0.00	Montgomery.....	486.12	0.00
Cameron	12,963.00	0.00	Montour.....	227.50	0.00
Carbon	27,296.21	469.00	Northampton.....	4,997.85	0.00
Centre	65,333.09	1,014.00	Northumberland....	11,901.78	0.00
Chester.....	2,099.51	0.00	Perry	17,155.10	0.00
Clarion.....	18,994.55	0.00	Philadelphia	0.00	0.00
Clearfield.....	28,326.26	1,476.00	Pike.....	24,467.37	0.00
Clinton	25,922.34	0.00	Potter	18,696.45	0.00
Columbia	20,453.84	0.00	Schuylkill.....	31,900.94	0.00
Crawford.....	25,592.55	582.00	Snyder	2,873.99	0.00
Cumberland.....	4,485.10	0.00	Somerset	31,565.32	0.00
Dauphin.....	46,528.56	0.00	Sullivan	60,338.41	0.00
Delaware	0.00	0.00	Susquehanna	14,358.40	0.00
Elk	72,061.12	0.00	Tioga.....	25,394.59	0.00
Erie.....	16,135.56	0.00	Union	2,546.30	0.00
Fayette	21,573.22	0.00	Venango	23,060.83	0.00
Forest.....	7,146.70	0.00	Warren.....	37,423.22	0.00
Franklin	15,178.02	0.00	Washington.....	10,269.38	0.00
Fulton	18,607.76	0.00	Wayne.....	20,637.36	0.00
Greene	13,168.82	0.00	Westmoreland	14,666.76	5,571.50 ^b
Huntingdon.....	37,461.43	3,018.00	Wyoming.....	36,342.17	0.00
Indiana	18,793.04	4,696.50 ^b	York	<u>4,013.19</u>	<u>1,539.00</u>
Jefferson	35,303.56	0.00			
Juniata.....	9,343.28	0.00			
Lackawanna	12,584.07	0.00	Statewide.....	1,412,226.91	24,238.00

^aCorps of Engineers reservoir lands licensed to the Game Commission for wildlife management.

^bConemaugh Reservoir is comprised of 6,913 acres situated in both Indiana and Westmoreland Counties. Each county has been attributed with half of that acreage for purposes of this table.

Source: PA Game Commission, Bureau of Land Management, 2002 Tabulations Report, June 28, 2002.

same restrictions, language similar to the Game and Wildlife Code provisions could be included in merger legislation to ensure similar restrictions against a merged agency's ability to use and dispose of its lands.

Additionally, representatives of the Game Commission and the Fish and Boat Commission told us that lands specifically purchased with federal funds have additional restrictions on the use of the property. As such, if the property were to be used for purposes other than what the federal agreement paying for them says, this would raise the issue of a "diversion" of federal funds under federal law and would require (1) either renegotiating with the federal government as to the use of the property; or (2) paying back the federal government the value of the property based on a federal appraisal. Therefore, the involvement of federal monies in the purchase of State Game Lands adds another layer of restrictions on the potential use of the lands.

On this topic, it is also significant to note that the PGC's *Strategic Plan for 2003-2008* includes the following statement regarding the SGLs and the assertion that they "are not just public hunting grounds":

Habitat. More than any other factor, habitat determines both the future of wildlife and the future of recreation we derive from wildlife. The demands for space and resources created by our ever-expanding human population dictate that outdoor recreationists will be enjoying their activities on a decreasing land base. As development swallows up open spaces, more people will be competing for what's left. The Game Commission land holdings now total nearly 1.4 million acres. The Commission manages these lands for wildlife and people, and it is a task that requires considerable planning and resources. Our land management programs are designed to improve habitat not only on game lands, but on other public lands as well as private lands. Game lands are not just public hunting grounds; they are used extensively by many others who enjoy the outdoors for wildlife dependent activities.

This goal statement asserts that the State Game Lands are not just for hunting, but rather, are to be available for use by others who enjoy outdoor recreational activities. At the public hearings for House Resolution 15, a number of groups stated that they would be willing to pay a user fee, for example, in the form of a conservation stamp, for the use of State Game Lands. While the possible use of a user fee would be an important matter to be considered by a merged agency, the issue would be similar regardless of any merger and is, therefore, not discussed at length in this report.

E. Potential Costs and Savings

E1. Personnel Costs

The organizational framework for a combined fish and wildlife commission for Pennsylvania as described in part A of this section would result in a net reduction of 71 staff positions. Such a reduction would equate to a corresponding reduction in personnel costs (annual salaries and benefits) of \$5.0 million. In developing a framework for a merged agency, LB&FC staff analyzed each job position on the complement at both the PGC and the PFBC. Consideration was given to all job duties, responsibilities, and functions. In areas where duplication was found, the possibility of job eliminations was noted.

In calculating the savings in salary and benefit costs for these positions that can be consolidated, we used FY 2002-03 salary and benefit costs. An average salary was calculated for each position based on the current salary rates for that job classification at both Commissions. Benefits were calculated at a rate of 31.7 percent, which was the average for the Commonwealth per the Governor's Office of Administration. By using average salary and benefit rates, we did not select the agency from which the job should be eliminated, rather we identified where duplicate positions would be in a merged agency.

E2. Physical Facilities

Both the Game Commission and the Fish and Boat Commission own a Harrisburg headquarters office, regional offices, warehouses, and wildlife propagation facilities, among others. These facilities are described below, along with an analysis and discussion of their use in a merged agency.

Headquarters Buildings. The Game Commission and the Fish and Boat Commission both own separate headquarters office buildings on Elmerton Avenue (within one mile of each other) in Harrisburg. This status is different than the circumstances during our prior merger study. At that time, the PGC owned their present building, but the PFBC was leasing office facilities. Thus, our prior report discussed the possibility of cost savings if the PFBC moved from their leased facilities to PGC's owned facility. Such cost savings are not possible at this time since PFBC office facilities are no longer leased.

Analysis of the square footage of both headquarters buildings shows that neither building is large enough to accommodate on its own the staff that would be assigned to the headquarters in a merged agency. Because both buildings are in excellent condition and were designed for similar purposes, it appears that the new agency could effectively use both buildings in a merger situation.

It would then become a matter of determining how to best use the two buildings. The Game Commission headquarters building is the slightly larger of the two at 71,500 square feet, compared to 68,848 square feet for the Fish and Boat Commission headquarters building. (See Table 27.) Within the PGC headquarters, 23,675 square feet are used for office space, compared to 20,409 square feet being used for offices in the PFBC building.

Based on the staffing analysis for a new merged agency discussed earlier, approximately 190 persons would need to be housed in headquarters facilities. This staffing level breaks out to approximately 100 people in administrative functions and about 90 people in program operation functions. Administrative functions include the Executive Office staff, the Bureau of Personnel, the Bureau of Administrative Services, the Bureau of Training and Employee Development, and the Bureau of Information Technology. Program operations functions include the Bureau of Wildlife, the Bureau of Land and Facilities Management, the Bureau of Law Enforcement Administration, and the Bureau of Boating and Public Outreach. The Bureau of Fisheries and the Bureau of Nongame Species would be housed in Centre County.

For purposes of this study, we assumed the administrative operations would be housed in PGC headquarters, with program operations being housed at PFBC headquarters. This configuration was selected to optimize the staffing capacity of the buildings. However, because the two buildings are similar in design and capacity, these assignments could be reversed depending on the desires of the new agency.

Our prior merger study found that the Department of General Services rated the office space portion of the PGC headquarters building at 108 persons. At the time of the 1989 study, occupancy of that building totaled 122. As of July 2003, 133 persons were housed in the PGC headquarters building. Housing the administrative functions of the merged agency, at a complement level of approximately 100, would appear feasible and actually represents a return to the original capacity of the building.

The PFBC headquarters building presently houses 79 employees on a permanent basis as well as 8 to 12 seasonal workers at any given time throughout the year, for a total occupancy rate of approximately 90 persons. As stated earlier, the staffing level for the program operations functions for the merged agency would total approximately 90 persons at the headquarters level. This number is therefore in line with the accommodations and design of the PFBC building.

With both headquarters buildings still being needed, there would be no cost savings realized. A merger would also result in some relocation costs as some employees would need to move from one building to the other. However, these costs

Table 27

**Square Footage and Functional Usage of the
PFBC and PGC Headquarters Buildings**

PFBC Headquarters Building

<u>Function</u>	<u>Square Footage</u>
Office	20,409
Warehouse	17,942
Expansion (under roof, but no interior walls) ...	6,922
Multi-Purpose/Public Meeting Rooms	3,678
Mechanical Room.....	3,399
Graphics Print Shop	2,710
Lobby.....	2,438
Lavatory.....	2,079
Lunch Room/Kitchen	1,206
Conference Room	1,174
Exercise Room	885
Computer Room	498
Other ^a	<u>5,508</u>
Total	68,848

PGC Headquarters Building

<u>Function</u>	<u>Square Footage</u>
Office.....	23,675
Warehouse.....	14,874
Storage.....	4,383
Dormitory Rooms	4,367
Mechanical Rooms	2,736
Gymnasium.....	2,730
Lunch Rooms/Kitchen.....	2,267
Lavatory	2,178
Auditorium	1,680
Graphics/Drafting Room	1,489
Lobby	1,344
Audio/Visual Room	690
Computer Room.....	672
Mail Room	632
Conference Rooms	534
Exercise Room.....	355
Other ^a	<u>6,894</u>
Total	71,500

^aIncludes corridor, electric, telecommunication, elevator, mechanical chase, stairwells, etc.

should be minimal, as few office reconfigurations need to occur, and little new furniture or office equipment need be purchased.

Warehouses. The Game Commission and the Fish and Boat Commission each have a warehouse in the lower level of their headquarters building. The PGC warehouse includes 14,874 square feet, and the PFBC warehouse is 17,942 square feet. A tour of these facilities shows each of these warehouses to be at or near capacity. Even with a consolidation of some supplies and equipment, consolidation to a single central warehouse does not seem possible. Both the Director of PGC's Bureau of Administrative Services and the Director of PFBC's Bureau of Administration have stated that neither warehouse would be large enough to house all the necessary items for a merged agency.

However, because several of the items are seasonal or need to be accessed only infrequently, one of the warehouses could be used primarily as a storage facility and be locked and unstaffed. As the warehouses are less than one mile apart, items in the locked warehouse could be retrieved as necessary from the staff at the warehouse that remains open on a daily basis. Further, the Commissions are reportedly also seeking to reduce inventory levels, which would facilitate merging the warehouses. Merging the two warehouse operations should generate at least some savings, but we did not attempt to quantify the amount.

Training Schools. Both the Game Commission and the Fish and Boat Commission administer a training school for law enforcement personnel. These training facilities are also used for training deputy officers as well as other commission staff. The PGC's training school is housed in their headquarters building in Harrisburg (Ross Leffler School of Conservation), and the PFBC's training school is located on the site of the Bellefonte Fish Culture Station in Centre County (the H.R. Stackhouse School of Fish Conservation and Watercraft Safety).

As discussed elsewhere in this report, cross training of all staff will be essential if the two commissions are to merge. Law enforcement staff will need the most immediate cross training, and to expedite this cross training, the use of both training facilities would be necessary. Once law enforcement staff is trained, deputy law enforcement officers would need cross trained, and again, the use of both facilities would be needed.

Upon completion of all cross training, management will need to review the need for two training schools. Such analysis may reveal that the size of the new law enforcement officer classes warrants the use of both facilities. It could also be possible that one training school would be used exclusively for law enforcement officers while the other facility would be used for other staff development.

If only one training school is needed, it would appear that maintaining the training school in the PGC's headquarters building would make the most sense given the concept of housing administrative staff, including the Bureau of Training and Employee Development in this building. Management would then need to determine the disposition of the training school in Centre County.

Regional Offices. Both the Game Commission and the Fish and Boat Commission have six regional offices, and both Commissions divide the state into essentially the same geographic regions. Thus, a PGC regional office and a PFBC regional office exists in each of the six geographic regions. (See maps on Exhibits 7 and 9 in Section II.)

The location of each of these regional offices is shown on Exhibit 23.

Exhibit 23

Location of PGC and PFBC Regional Offices

<u>Region</u>	<u>PGC</u>	<u>PFBC</u>
Northwest	Franklin	Meadville
Southwest.....	Ligonier	Somerset
Northcentral.....	Jersey Shore	Pleasant Gap
Southcentral	Huntingdon	Newville
Northeast.....	Dallas	Sweet Valley
Southeast	Reading	Elm

Source: Developed by LB&FC staff.

Based on our interviews and visits to six of the regional offices, the PGC facilities are generally more spacious and modern than those of the PFBC. Given the staff size suggested for the regional offices earlier in this section, the larger of the two buildings in each region would be needed. Therefore, the PGC regional office buildings would need to be used for the new regional offices.

However, in using these buildings, space that is presently used for storage may need to be sacrificed. In such cases, the current PFBC regional offices could conceivably be converted to storage buildings. Because these facilities are located in the same general geographic areas as the current PGC buildings, these storage facilities will be close enough to the new regional offices to be viable and useful.

We do not anticipate any demolition or sale of regional office buildings under a merger situation, and we project no cost savings of this type, especially since neither agency has leased properties. On the other hand, there should not be any significant construction costs involved in using the present PGC regional offices. There may, however, be costs incurred in relocating staff to the new regional offices and in converting some storage space into office areas.

Fish Propagation Facilities. The Fish and Boat Commission raises trout and fingerlings at six fish culture stations and produces warmwater/coolwater species of fish at seven hatcheries throughout the state. Trout are raised at Reynoldsdale, Bellefonte, Benner Springs, Pleasant Gap, Tylersville, and Huntsdale. Warmwater/coolwater species of fish are produced at Linesville, Corry, Fairview, Union City, Tionesta, Oswaya, and Pleasant Mount.

The hatchery sites contain both hatch houses and storage facilities. Several hatcheries have a residence on site for use by the Fish Culture Station Manager, and five hatcheries have a visitor's center. In a merged agency, there are no changes planned for the fish propagation program or the hatcheries and their related facilities. As discussed in Section IV, serious infrastructure needs exist at these hatcheries, but these needs would exist regardless of the merger, and therefore cannot be considered as a merger cost.

Game Farms. The Game Commission raises pheasants at four Game Farms. The Southwest Game Farm is located in Armstrong County, the Western Game Farm is located in Crawford County, and both the Loyalsock Game Farm and the Northcentral Game Farm are located in Lycoming County. Each of these locations include brooder houses, storage facilities, and residences for the Game Farm Superintendents.

The merged agency structure outlined in this report contains no changes for the pheasant propagation program and, as such, the Game Farms and their related facilities would continue unchanged.

E3. Vehicle Fleet

The Department of General Services (DGS) is responsible for the purchase, operation, and maintenance of all vehicles used by Commonwealth agencies, including the Game Commission and the Fish and Boat Commission. The Secretary of General Services makes permanent vehicle assignments to each state agency based on the functional needs of the agency. Both the PGC and the PFBC have an Automotive Officer on staff to administer the vehicles assigned to them.

As do other Commonwealth agencies, the PGC and the PFBC follow Management Directive 615.9, *Permanent Assignment of Commonwealth Automotive Fleet Vehicles*, in assigning vehicles to staff. While both Commissions follow this directive, they differ in the extent to which vehicles are assigned.

At the time of this study, the Game Commission had 283 vehicles permanently assigned, and the Fish and Boat Commission had 101 permanently assigned vehicles. These vehicles, which include sedans, minivans, sport utility vehicles, and pick-up trucks, were assigned to a variety of personnel.

Permanently Assigned Vehicles Under a Merger. Based on the model presented earlier in this report, 83 positions could be eliminated under a merger. Of these 83 positions, 59 had permanently assigned vehicles as of mid-2003. Table 28 shows the assignment of vehicles in both Commissions and the excess vehicles that would be available for elimination in a merged agency.

Table 28

Personnel Permanently Assigned a Vehicle	Number Assigned As of June 1, 2003		Excess Vehicles Available for Elimination in a Merged Agency
	PGC	PFBC	
	Executive Director.....	1	
Deputy Executive Directors.....	2	0	0
Special Assistant to Exec. Dir.	2	0	2
Legislative Liaison.....	1	1	0
Bureau Directors.....	5	1	3
Land Management Staff.....	79	0	0
Wildlife Management Staff.....	24	0	0
Regional Directors.....	6	6	6
Regional Info. & Educ. Spvsr.....	6	0	6
Pymatuning Visitors Center.....	1	0	0
WCO Supervisor.....	5	11	2
WCO.....	142	81	36
Regional Federal Aid Spvsr.....	4	0	3
Regional Wildlife Educ. Spec.....	<u>5</u>	<u>0</u>	<u>0</u>
Total.....	283	101	59

Source: Developed by LB&FC staff.

As discussed in the staffing section of this report, we estimate that 12 new Wildlife Technicians would be needed in the new merged agency. The Wildlife Technicians that are presently on staff at the Game Commission have vehicles permanently assigned to them due to the nature of their work. As such, 12 additional vehicles would be needed for these individuals. This leaves a net vehicle surplus of 47 in a merged agency.

The 47 vehicles that could be eliminated include sedans, minivans, sport utility vehicles, and pick-up trucks. They also vary in age, mileage, and usage. Therefore, in computing a cost savings from the sale of these vehicles for the merged agency, an average selling price was obtained from Department of General Services records.

At an auction in July 2003, the Department of General Services recorded income of \$443,700 for the sale of 136 vehicles. This converts to an average selling

price per vehicle of \$3,263. At this auction, vehicles generally ranged from model year 1995 to 2001, with a few vehicles 10 or more years old and some as new as 2002 and 2003. The sale prices ranged from a low of \$100 to a high of \$14,100.

Using the average DGS selling price of \$3,263, the merged fish and wildlife agency could realize a cost savings of \$153,361 in eliminating 47 vehicles from its fleet. Further savings could be realized for the merged agency with the elimination of these 47 vehicles in terms of maintenance costs and replacement costs.

Using FY 2001-02 Game Commission and Fish and Boat Commission data, an average vehicle maintenance cost of \$1,811 was determined, which converts to an annual savings in maintenance costs for these 47 surplus vehicles of \$85,117.

Both agencies also provided the average purchase price of vehicles for FY 2001-02. Using this data, an average purchase price of \$19,559 was calculated. With the elimination of 47 vehicles, this converts to \$919,273 in replacement costs that can be saved in a merged agency. Assuming a useful life of six years, this converts to annualized savings of \$153,212.

Table 29 shows the potential fiscal impact of vehicle fleet reductions in a merged agency. As shown on this table, we estimate annual vehicle cost savings of approximately \$400,000 in a merged agency.

Table 29

Potential Fiscal Impact of Vehicle Fleet Reductions in a Merged Agency		
<u>Savings/Cost</u>	<u>Amount</u>	<u>Action</u>
Savings	\$153,361	Sale of 47 surplus vehicles.
Savings	85,117	Annual maintenance costs for 47 vehicles is no longer necessary
Savings	<u>153,212</u>	Replacement costs (annualized) for 47 vehicles can be avoided.
Savings	\$391,690	Estimated annual savings in a merger.

Source: Developed by LB&FC staff.

It is possible that additional savings could be achieved with regard to vehicles in a merged agency. Presently, the Fish and Boat Commission assigns vehicles only to the Executive Director and to the law enforcement staff. The Game Commission is more liberal in its assignments. At the PGC, five persons in the Executive Office, in addition to the Executive Director, are assigned vehicles, as is each Bureau Director. Law enforcement, wildlife management, and land management staff are also assigned vehicles. Under a merged agency, assignments for permanent vehicles should be reviewed, and where it is found that an assignment is not necessary, that vehicle could be sold as surplus, generating additional savings.

E4. Purchasing

The Department of General Services (DGS) is responsible for establishing policies governing the procurement, management, control, and disposal of supplies, services, and construction for executive and independent agencies. DGS also has the power and duty to procure or supervise the procurement of all supplies, services, and construction needed by executive and independent agencies.

Even though the PGC and the PFBC are characterized as independent agencies, all procurement and purchasing policies and practices must follow those established by DGS. Both agencies have Purchasing Agents on staff within their administrative bureaus that are responsible for the procurement function and coordination of efforts with the Department of General Services' Bureau of Purchases staff.

Commonwealth Procurement Policies and Procedures Applicable to the PFBC and the PGC. Act 1998-57 modernized and streamlined the Commonwealth's purchasing practices and established the "Commonwealth Procurement Code." The Department of General Services' *Field Procurement Handbook* provides a standard approach and establishes policy, procedures, and guidelines for the procurement of supplies, services, and construction under the authority of Act 1998-57. It is designed to achieve maximum practicable uniformity for procurements by executive and independent agencies. The PGC and the PFBC must follow the purchasing procedures as described in this handbook.

For this reason, it is important to note the definition of supplies. Per the *Field Procurement Handbook*, supplies are defined as "any property including but not limited to, equipment, materials, printing, insurance, and leases of and installment of purchases of tangible or intangible personal property." Using this definition, this Handbook pertains to all items purchased by the Game Commission and the Fish and Boat Commission.

As detailed in the *Field Procurement Handbook*, the Department of General Services enters into contracts with vendors and service providers throughout the state at the best price available for supplies, services, and construction. Through these contracts, state agencies are then able to order the items they need directly from the contractors. The PGC and the PFBC both currently are able to take full advantage of the Commonwealth's collective purchasing power.

The handbook outlines the forms and procedures to be used when purchasing items from vendors with DGS contracts. The handbook also details procedures to take if a state agency needs an item or service not available through these DGS contracts.

Procurement and Purchasing in a Merged Agency. A merged agency would also be required to follow the mandates of Act 1998-57 and the policies and procedures outlined in the *Field Procurement Handbook*. As such, there would be no significant change in the present procurement and purchasing practices. Both Commissions presently benefit from bulk purchasing arrangements through DGS, and the “best prices” available to them will continue to be available to a new merged agency. Thus, we anticipate no meaningful cost savings would be available through combined purchasing in a merged agency.

E5. Training

In the event of a merger, cross-training of all staff would be necessary. The cross-training required would vary in content and length according to the job classification.

Cross Training for Non-Law Enforcement Staff. With a merger, it will be important to cross-train non-law enforcement staff on the functions of the sister agency. At a minimum, these employees should be trained on the mission, activities, and programs of the other agency. Such training would allow these employees to understand their duties and responsibilities more fully, which would promote more efficient operations in the merged agency.

This cross-training could be conducted at the Ross Leffler School of Conservation and/or the H. R. Stackhouse School of Fish Conservation and Watercraft Safety. Current training personnel could conduct these classes, which would be similar in nature to new employee orientation classes. Because these employees are not new, this training should only take one or two days, not the typical five days as is the case for new employee orientation. In the event an employee would have to learn new responsibilities as a result of the merger, on-the-job training could occur after the initial cross-training.

No significant additional costs are anticipated with this cross training, as it will be conducted in-house with existing staff. Because employees can be cross-trained on a staggered basis, agency programs should not be impacted as management can schedule cross-training to assure that some staff remain on task while others attend training.

Cross Training for Law Enforcement Staff.

Existing Training. Cross training among law enforcement staff would be necessary in a merged agency, as current conservation officers would need to become fully familiar with applicable laws from both the Fish and Boat Code and the Game and Wildlife Code in order to adequately enforce the respective laws. Presently, each Commission administers its own training program for law enforcement

staff. While there are some differences between the training programs, including differences in firearms training classes, both groups of law enforcement officers are trained in many similar topics, including self-defense, laws and regulations, and law enforcement techniques and procedures. Furthermore, the Wildlife Conservation Officers receive training on the Fish and Boat Code, and the Waterways Conservation Officers receive training on the Game and Wildlife Code. Each agency's current law enforcement training is discussed below.

Fish and Boat Commission. The Waterways Conservation Officers undergo a 52-week training program. This training program consists of three distinct portions as detailed in the "Report Supplement."

The first segment of the training program is a 20-week session conducted at the Pennsylvania State Police Municipal Police Officer Training School. This session meets the standards of Act 120, the Municipal Police Education and Training Law, and covers the following topics:

- Introduction to the Law,
- Physical and Emotional Readiness,
- Law and Procedures,
- Defensive Tactics,
- Motor Vehicle Law Enforcement and Accident Investigations,
- Motor Vehicle Collision Investigation,
- Patrol Procedures and Operations,
- Principles of Criminal Investigations,
- Human Relations,
- Crisis Management,
- Families in Crisis,
- Basic Firearms,
- Operation of a Patrol Vehicle,
- Report Writing,
- Case Presentation,
- First Aid and CPR, and
- Handling Arrested Persons.

The second portion of the Waterways Conservation Officer training program is conducted at the Fish and Boat Commission's H. R. Stackhouse School of Fish Conservation and Watercraft Safety in Centre County. This is also a 20-week session, and the following courses are taught:

- Boat Operation and Boat Law Enforcement,
- Environmental Law Enforcement,
- Communications Skills,
- Officer Safety Skills,

- Conservation Officer Skills, and
- Conservation Law Enforcement.

The final phase of Waterways Conservation Officer training is a 12-week supervised field training session. For approximately half of this session each trainee is assigned to an experienced officer and works closely with this officer on law enforcement duties and responsibilities. For the second half of this field training, the trainee takes the lead with law enforcement assignments while supervised by the experienced officer. This provides trainees with on-the-job training and experience.

Game Commission. Wildlife Conservation Officer trainees undergo a 50-week training program. This program consists of two sessions which are detailed in the “Report Supplement.”

The first segment of this training program is a 40-week session conducted at the Game Commission’s Ross Leffler School of Conservation in Harrisburg. Training is provided along the lines of bureau operations and includes the following topics:

- Executive Office;
- Training Division;
- Automated Technology Services;
- Information and Education;
- Land Management;
- Wildlife Management;
- Law Enforcement Administration;
- Laws, Regulations, and Procedures;
- Law Enforcement Techniques;
- Officer Safety;
- Wildlife Damage Complaints and Control;
- Hunting and Trapping Methods; and
- Related Enforcement Agencies and their Laws.

The last portion of the Wildlife Conservation Officer training program is a 10-week supervised field training session. During this session, the trainee works under the close supervision of at least four experienced officers. Each day the trainee performs law enforcement field work in a closely supervised environment to receive on-the-job training and experience.

Cross Training. As discussed in Part A of this section of this report, the law enforcement functions of the Wildlife and Waterways Conservation Officers would be combined in a merged agency. These officers would become Fish and Wildlife Officers (FWOs) and would focus primarily on law enforcement responsibilities. They would no longer perform other ancillary duties, such as information and education,

fish and pheasant stocking, and wildlife research surveys. Given this change in the law enforcement job function, a staffing level of 179 FWOs was calculated for the merged agency.

These changes in the law enforcement job duties and responsibilities would need to be taken into consideration when considering cross-training of the merged law enforcement staff.

Suggested Procedure for Cross-Training Law Enforcement Officers. It would not be practical to cross-train all law enforcement officers at one time. To do so would reduce the coverage of staff in the field and overburden training facilities and staff. We therefore assumed that during the transition period, officers would be trained on a rotating basis.

As discussed earlier in this section of the report relating to facilities, we envision that both the Ross Leffler School of Conservation in Harrisburg and the H. R. Stackhouse School would be used for law enforcement cross-training to expedite the training process. Given that both the Game Commission and the Fish and Boat Commission already have law enforcement training instructors on staff, existing training staff can be used for this cross-training.

No significant additional costs are anticipated with the cross-training of law enforcement staff as it will be conducted in-house with existing staff. And because employees can be cross-trained on a staggered basis, field coverage can be maintained as management can schedule cross-training to assure that the optimal staffing level remains consistent while others attend training.

Content of Cross-Training Program for Law Enforcement Officers. Because in a merged agency the Fish and Wildlife Officers will be dedicated to law enforcement duties, the officers will not need to be cross-trained in every aspect of the sister agency's present training program. Only those topics specifically related to dedicated law enforcement activities would need to be covered in the initial cross-training sessions.

As defined earlier in this report, dedicated law enforcement duties will include enforcement of the Game and Wildlife Code, the Fish and Boat Code, and environmental and pollution laws, as well as activities related to wildlife damage complaints, wildlife permits, and land management programs as they pertain to hunting opportunities. It is in these areas that it will be necessary to cross-train the Fish and Wildlife Officers.

A review of the training curriculum shows that to become a Fish and Wildlife Officer, the WCOs from the Game Commission would need cross-training in the areas outlined in Table 30.

Table 30

Cross-Training Needed by Current Wildlife Conservation Officers

<u>Area of Study</u>	<u>Hours</u>
<u>High Priority:</u>	
Boat Operation and Boat Law Enforcement ...	127.5
Environmental Law Enforcement	58.0
Fish and Boat Code	<u>36.5</u>
Subtotal	222.0
<u>Other Areas:</u>	
Amphibians and Reptiles	20.0
Fish Management	19.0
Aquatic Ecology	18.0
Fishing Skills and Education	<u>17.0</u>
Subtotal	<u>74.0</u>
Total Hours.....	296.0

Source: Developed by LB&FC staff.

In the areas of Boat Operation and Boat Law Enforcement, a Waterways Conservation Officer attends 147.5 hours of instruction. However, only 127.5 hours of cross-training in this area should be needed because the Wildlife Conservation Officer already receives 20 hours of this training while attending the Ross Leffler School of Conservation.

As for Environmental Law Enforcement training, a Waterways Conservation Officer receives a total of 75 hours of training in this area. However, only 58 hours of cross-training in this area should be needed because the Wildlife Conservation Officer already receives 17 hours of this training in becoming a WCO.

Finally, in the topic area of the “Fish and Boat Code,” a Waterways Conservation Officer receives a total of 48.5 hours of training in this area. However, only 36.5 hours of cross-training in this area will be needed because Wildlife Conservation Officer training already includes 12 hours of training on the Fish and Boat Code.

The total hours of cross-training that a Wildlife Conservation Officer would need to become a Fish and Wildlife Officer dedicated solely to law enforcement is 296. However, of this amount, 222 hours can be considered high priority areas that should be addressed immediately. This would include training for boat operation and boat law enforcement, environmental law enforcement, and the Fish and Boat Code. The other areas of needed cross-training could be addressed as time allows. Using the standard 40-hour work week for law enforcement officers, 296 hours of cross-training converts to 7.4 weeks of training for these officers, and 222 hours converts to 5.6 weeks of training.

As for the WCOs of the Fish and Boat Commission, a review of the training curriculum shows that to become a Fish and Wildlife Officer, these officers would need cross-training in the areas outlined in Table 31.

Table 31

Cross-Training Needed by Current Waterways Conservation Officers

<u>Area of Study</u>	<u>Hours</u>
<u>High Priority:</u>	
ATV Training	8
Land Management Programs	34
Game and Wildlife Code	12
Wildlife Permits	24
Wildlife Damage Complaints and Control.....	<u>33</u>
Subtotal.....	111
<u>Other Areas:</u>	
Hunting and Trapping Methods	24
Principles of Wildlife Management.....	44
Mammal Ecology and Identification.....	24
Bird Ecology and Identification	30
Wildlife Diseases.....	<u>8</u>
Subtotal.....	130
Total Hours	241

Source: Developed by LB&FC staff.

With regard to training in the area of the Game and Wildlife Code, a Wildlife Conservation Officer attends 30 hours of such training. However, only 12 hours of cross-training in this area should be needed because the Waterways Conservation Officer already receives 18 hours of such training while attending the H. R. Stackhouse School.

The total hours of cross-training that a present Waterways Conservation Officer would need to become a Fish and Wildlife Officer dedicated solely to law enforcement is 241. However, of this amount, 111 hours can be considered high priority areas that should be addressed immediately. This would include training for ATV operations, land management programs, Game and Wildlife Code, wildlife permits, and wildlife damage complaints and control. The other areas of needed cross-training could be addressed as time allows. Using the standard 40-hour work week for law enforcement officers, 241 hours of cross-training converts to 6.025 weeks of additional training for these officers, while 111 hours converts to 2.8 weeks of training.

Firearms Cross-Training. Presently, the Waterways Conservation Officers and the Wildlife Conservation Officers receive different firearms training. They also use different firearm models in the performance of their job duties.

In a merger, immediate cross-training in the area of firearms would not be necessary. Each officer could retain the firearm presently owned. As firearms need to be replaced, the same model could be purchased so that eventually all Fish and Wildlife Officers would use the same firearm.

Training of Future Fish and Wildlife Officer Classes. As new classes of Fish and Wildlife Officers are needed, a new training curricula will need to be developed. Although many components of the current curricula would continue to be relevant, the new curriculum would need to be modified to focus on the mission of the merged agency and to take into consideration that FWOs would be dedicated law enforcement officers. This means that several aspects of the present training curricula could be reduced or eliminated, most notably in the areas of wildlife research surveys and information and education functions.

E6. Information Technology Services

Information technology (IT) plays a critical role within both agencies to provide data in support of each respective agency's mission. Both the Game Commission and the Fish and Boat Commission maintain relatively sophisticated IT networks that allow their employees to connect and share data. Information technology and how it is managed has changed considerably since our last report on the merger issue, and should a merger occur, the consolidation of IT resources would need to be addressed.

Existing Structure.

PGC. The PGC maintains a network within its Harrisburg office which is connected to the Commonwealth's Metropolitan Area Network (MAN). A wide area network is also used to link each PGC regional office to the Harrisburg office. WCOs and other employees who work from their home have access to the network via dial-up access.

The PGC is a participating agency in the Office of Administration's Data PowerHouse mainframe consolidation project. The PGC has migrated its mainframe to this project, thus allowing the PGC to reduce maintenance and operating costs. The PGC has a number of mainframe-based applications, including its Hunting License System, Activity Reporting Management System, Game News Subscription System, and Prosecution and Revocation System.

The PGC also utilizes a number of microcomputer-based applications to support such programs as Over the Counter Sales from the Harrisburg Office, Mineral Management, Elk Drawing, and the Deer Management Assistance Program.

PFBC. The PFBC maintains two distinct computer centers, one located at the Commission's Harrisburg headquarters and the other at its Pleasant Gap facility near State College. Both of these facilities are connected to the Commonwealth's Metropolitan Area Network (MAN), and each has distinct duties to serve various Commission staff. The two centers are networked together, along with the regional law enforcement offices, the area fisheries management offices, and several fish culture stations, for data communication.

The Harrisburg computer center facility handles administrative and accounting functions, such as the Fish Licensing System and the Boat Registration and Titling System. The Pleasant Gap facility primarily handles biological and engineering functions, such as the Fish Management database, the Trout Stocking database, and the Engineering Design database.

Waterways Conservation Officers, who work from their homes, do not currently have dial-in access to either of these sites, but reportedly the PFBC is developing plans to allow such access. The PFBC uses a number of mainframe applications, but is primarily microcomputer-based. The PFBC is not a participant in the Office of Administration's Data PowerHouse mainframe consolidation project.

Information Technology in a Merged Agency. Information technology has changed substantially since our last study on merging the two Commissions. In 1989, we found that both Commissions were relying largely on mainframe applications connected to "dumb" terminals. Few PCs were used, and data communication was cumbersome at best. For example, in 1989 we found that within the PGC there were only 18 PCs, none of which were networked in any manner. Within the PFBC headquarters, there were only eight PCs. Under such a structure, it would have been difficult and costly to merge the two Commission's IT functions.

Since that time, considerable changes in information technology resources, as well as how those resources are managed and organized, have occurred within each agency and within Pennsylvania state government. Commonwealth-wide IT initiatives, such as "Commonwealth Connect," have brought common IT concepts and technologies to the PGC and PFBC, thereby reducing many of the prior obstacles to a merger. Although merging the IT resources of the PFBC and the PGC would not be nearly as cumbersome today as it would have been in 1989, some costs can be expected. Some of these costs and benefits are discussed below. Due to the specialized expertise required, we did not attempt to place specific dollar values on either the costs or benefits of merging the IT functions.

Consultant Costs. To merge IT resources, we anticipate a consultant would be needed to further study both agency's technical architectures and to develop a transition plan to best maximize the existing resources and eliminate redundant or out-of-date resources. Expected costs for this consulting assistance are not easily identifiable without a formal Request for Proposal (RFP).

Hardware/Software Costs. Once an IT transition plan is developed, the agency can begin to identify what upgrades in hardware and software could be required to meet the needs of the new agency. Again, without a formal review of each agency's present IT infrastructure it is impossible to determine what these expected costs may be. It should be noted, however, that whatever these costs may be, they need to be offset by what each agency is already spending, or plans to spend, independently toward information technology.

For example, both Commissions have expressed interest in a "point of sale" system that could capture information on a license holder, such as name, age, and address. Such data would allow the Commissions to better target marketing efforts toward their license holders, thereby improving services to their customers. It would be inefficient to have two independent systems developed, one for hunters and one for anglers, when all of the data could be captured by one common system administered by the merged agency's IT Bureau. Similarly, licensing functions, although slightly different between the agencies, do share common business practices. Therefore, efficiencies could be realized by either creating a new system or, to the extent possible, modifying an existing licensing system that would serve both hunting and fishing license needs. This change would result in initial additional costs, but would benefit the agency in the long run by eliminating duplication.

Leveraging Existing Agency Applications. Where one agency has an existing application that exceeds the sister agency's comparable application, to the extent possible, the enhanced application could be used in the merged agency. For example, the PGC maintains a mainframe-based application for its *Pennsylvania Game News* publication. The PFBC uses a sophisticated commercial application to manage its *Pennsylvania Angler and Boating* magazine. The PFBC's system is the more sophisticated of the two, and presumably would be used if a combined publication were issued in a merged agency.

E-commerce. In a merged agency, only one web site on the Internet would be required. A single web site for a merged agency would allow for one-stop access to information on all hunting, fishing, and boating activities. Although the PGC and PFBC have worked together to develop the "Outdoor Shop" through which users can purchase licenses and merchandise online, the sites are still largely separate and distinct business functions. For example, while a link is provided to reach the PFBC Outdoor Shop from the PGC Outdoor Shop and vice-versa, the systems do not

allow for one common area where all licenses could be purchased online, whether hunting or fishing.

Similarly, with regard to purchasing merchandise from the Outdoor Shop, there is no capability to combine sales of merchandise from each agency. For example, if a user wanted to purchase a wall chart from the PFBC and a wildlife print from the PGC, these must be treated as two separate transactions instead of one combined transaction. Subsequently, users may pay more for shipping and handling than if purchased as one transaction. Such on-line sales offer significant advantages not only to users, but also to the agency as it significantly reduces processing costs. Also, by issuing licenses online, the agency is able to capture the issuing fees.

E7. Publications

Both the Game Commission and the Fish and Boat Commission publish an outdoor magazine. The *Pennsylvania Game News* and the *Pennsylvania Angler and Boater* both inform and educate readers on respective Commission programs and operations as well as entertain them with recreation-related features. Table 32 provides detailed information on each magazine.

Magazine in a Merged Agency. In a merged agency, it may not be necessary or economical to produce two separate magazines. If the decision was made to produce only one magazine, we presume it would be a monthly publication that would incorporate the most popular features of both the *Game News* and *Pennsylvania Angler and Boater*. It would cover topics related to all aspects of the new merged agency, including fishing, boating, hunting, wildlife, trapping, water resources, and land management.

Management in the new agency would also need to determine the policy to be followed for distributing free copies of the magazine, as the policy for free distribution currently differs dramatically between the two Commissions. Obviously, the more free copies that are distributed, the greater the loss in magazine revenue. As shown on Table 32, the *Game News* had a \$195,000 operating deficit in FY 2002-03, while the deficit for the *Pennsylvania Angler and Boater* was about \$91,000. However, PGC officials have stated in the past that they believe the policy of distributing over 35,000 complimentary copies of the *Game News* creates substantial public relations value for the Commission.

We were not able to determine a net savings, if any, to the merged agency in publishing one monthly magazine, as too many variables are unknown, most notably the size and style of the magazine, the subscription base, and the free distribution policy. The size and style of the magazine will affect the production costs, and the subscription base and free copies will affect the revenues generated from sale of the new magazine.

Staff of both the Game Commission and the Fish and Boat Commission expressed concern that the public would not favor publication of one combined magazine. As such, they believe there would be a decline in subscription rates from present levels, particularly as many sportsmen subscribe to both publications.

While production costs may be lower in producing only one magazine, no real savings would be realized if paid subscription rates decline significantly.

Table 32

Information on the Magazines Published by the PGC and the PFBC

Item	Game Commission	Fish and Boat Commission
Magazine Name	<i>Pennsylvania Game News</i>	<i>Pennsylvania Angler & Boater</i>
Topics	Wildlife, Hunting, Trapping, Land Management	Fishing, Boating, Water Resources
Style	64 pages, no advertisements	64 pages, no advertisements
Frequency	Monthly	Bi-monthly
Subscription Rate	\$12/year \$34.50/three years \$13/year, Canada/foreign \$37.50/three year, Canada/foreign	\$9/year \$25/three years
Number of Subscribers	80,000/year	20,000/year
Purchase Price at Newsstand	\$2.99/issue	\$3.00/issue
Number of Issues Sold at Newsstands	3,000/year	1,500/year
Number of Free Issues Distributed	35,000 per issue	2,500 to 5,000 per issue
Recipients of Free Issues	Private landowners who allow public hunting on their property Public and school libraries Hunter education instructors Current and retired Deputies and Commission employees Deer processors District Justices Legislators and staff members State and national conservation organizations Outdoor writers Newspapers Radio and television stations State sister agencies Commission locations	State libraries WCOs Deputy WCOs Commission locations Educational institutions Members of the PA Legislature
FY 2002-03 Revenue	\$595,115	\$172,159
FY 2002-03 Expenses	\$790,000	\$263,178
Net Profit/(Deficit)	(\$194,885)	(\$91,019)

Source: Developed by LB&FC staff.

E8. Commission Identity, Equipment, and Communications

Logos. In a merged agency, the new Commission would have to establish a visual public identity for itself. This identity would manifest itself most visibly in the form of a new logo for the agency. A logo change would result in the need for new patches, signs, stationery, and other supplies bearing the agency name and logo. Additionally, a merged agency would need a consistent “look” among the law enforcement staff, including similar uniforms.

However, such equipment and supplies can be acquired over time as there is no urgent need to acquire all new items at the onset of the merger. By acquiring new items on a phased schedule, which would be geared toward normal replacement schedules to the greatest extent possible, costs could be minimized. For example, a new logo patch could be worn on existing uniforms until new uniforms are needed.

A phased transition to new equipment and supplies would not be a unique situation. Recently the Department of Conservation and Natural Resources created a new DCNR combined Ranger job classification which, in effect, eliminated the Forest Ranger and State Park Ranger classifications. However, the new DCNR Rangers still drive vehicles with a Forest Ranger logo on them. DCNR is gradually updating their equipment to reflect the name change.

E9. Radio System

In the event of a merger, the issue of radio systems will also need to be addressed. Currently, both the PGC and the PFBC have their own radio systems. While these systems are independent of each other, law enforcement personnel of both agencies have the ability to communicate and share channels between the systems.

The Governor’s Office of Administration has been working to develop a new state-wide public safety radio system. When completed, this system will provide a framework for shared communications among emergency and law enforcement agencies across the state. However, this system is still several years from providing full coverage of the state. Whether or not the Commissions are merged, it is likely that both the PGC and the PFBC will eventually need to migrate to this project, so a merger would not result in any additional costs or savings.

E10. Transition Planning, Consulting Assistance, and Relocation

A merger of the PGC and the PFBC would involve various transition, planning, and implementation actions that would likely result in costs for the new agency. While it is not possible to identify all matters that may arise in a merger, we did attempt to identify several potential costs.

Consultants. A merger of the Game Commission and the Fish and Boat Commission would need to be guided by a formal transition plan. This plan, which should define the organizational and staffing structure of the merged agency as well as key milestone dates, would most likely need to be developed with the assistance of a consultant, such as was done recently in Florida.

The Florida Fish and Wildlife Conservation Commission was created as the result of a merger between the state agency responsible for the freshwater fish and wildlife functions and the state agency responsible for the marine fisheries functions. (See Section V for further information.)

In discussing the creation of this new agency in Florida, a Commission employee told us they used a consultant, at a cost of \$150,000, to guide them through the merger transition phase. He recommended that if a merger were to occur in Pennsylvania, a consultant should be hired as soon as possible to develop a transition plan for the merger and to be available to offer guidance and assistance during the transition to the new agency. As noted previously, we also anticipate a technical consultant would be needed to guide the transition to, and integration of, a merged information technology system.

Strategic Plan Development. Both the Game Commission and the Fish and Boat Commission have developed strategic plans to guide the operations of their agencies.

Should a merger occur, the new agency would need to develop a comprehensive strategic plan outlining the mission and goals for the new agency. Using the suggested staffing structure presented earlier in this report, a Policy and Planning Specialist would be available in the Executive Office to lead the strategic plan development efforts, presumably with the assistance of an in-house committee. An alternative would be to contract with an outside consultant, perhaps either the Wildlife Management Institute or the MAT Team, to provide technical assistance in developing a new plan.

Relocation Activities. A merger would require some relocation of staff and equipment. As outlined elsewhere in this report, both the PGC and the PFBC headquarters buildings would continue to be used, as would the present PGC regional offices. Some staff may need to move from one headquarters building to the other given the new uses for the buildings. There may also be some need to move equipment from one building to the other, especially if the fish licensing and boat registration functions move from the PFBC headquarters building to the PGC building. Additionally, those employees presently housed in the PFBC regional offices would need to relocate to the PGC regional office buildings. We were not able to estimate with any degree of precision the likely costs for such relocations.

F. Statutory and Regulatory Matters

Merger Legislation

The potential merger of the Fish and Boat Commission with the Game Commission would require the General Assembly to consider how the merger legislation should be structured. The merger of the two commissions could be achieved through either one of two methods of enabling legislation: (1) creating an entire new code under which the new merged Commission is created and its merged powers and duties are set forth; or (2) amending the state administrative code to establish a new Fish and Wildlife Commission and set forth its powers and duties there while leaving the existing Fish and Boat and Game and Wildlife Codes essentially in tact, with only technical amendments to reflect the new commission.

The General Assembly could enact a new code that would be a consolidated statute containing all provisions relating to fish, boat, and game law. This would allow the Legislature to place in one statutory location a comprehensive assembly of all laws creating the new Commission, its powers and duties, as well as the laws and rules relating to fishing, boating, hunting, trapping, and other fish and wildlife provisions. A representative from the Legislative Reference Bureau indicated that the downside of this approach is that it is more difficult from a drafting and implementation perspective. The Fish and Boat Code and the Game and Wildlife Code currently exist in two separate locations in Pennsylvania's consolidated statutes. To establish a new code would require the repeal of both existing codes, along with decisions as to where to place the new code.

A second option would be to amend the Administrative Code (Title 71) to add a section creating a new Fish and Wildlife Commission and provide for its powers and duties. The Game and Wildlife Code in 34 Pa.C.S.A. and the Fish and Boat Code in 30 Pa C.S.A. would remain in tact but would need to be amended to eliminate reference to the old commissions and reference the new commission. Technical changes would then have to be undertaken to ensure references to the new commission are correct and Commission structure would need to be decided. The Legislature would also need to consider how to address the transfer of commission members and their tenures during the transition period, with the possible continuation of commission members until successors could be appointed under the new commission structure.

Fish, Boat and Game Regulations

Merging the Fish and Boat Commission with the Game Commission would impact the regulations currently promulgated under each independent agency. The extent of that impact would depend on the nature of the legislation merging the two agencies and creating the new agency. Currently, both Fish and Boat and Game

regulations are in Title 58 of the Pennsylvania Code. The statutory authority for the two commissions' regulations is found in the Fish and Boat Code and the Game Code, respectively. To the extent those enabling statutes are eliminated upon a merger of the agencies, the underlying authority for the regulations would be removed and they would be of no effect. It is possible for the merger legislation, however, to continue and transfer the existing regulations under the authority of the new, merged agency. As such, the existing regulations would continue in effect.

For instance, when the Department of Conservation and Natural Resources was created out of the old Department of Environmental Resources, the new DCNR was given authority to promulgate rules and regulations but the enabling legislation also provided that "any such existing rules and regulations promulgated prior to the effective date of this act shall be the rules and regulations of [DCNR] until such time as they are modified or repealed by the department." Also, when the former Department of Commerce was changed into the existing Department of Community and Economic Development and the former Department of Community Affairs was eliminated and its powers transferred to the new DCED, Act 1996-58 provided that "the regulations of the Department of Community Affairs for the administration of the functions transferred under this chapter shall remain in effect until such time as new regulations are promulgated"

At a minimum, the regulations would need to be reviewed for redundancy and inconsistency. For example, both agencies presently have regulations addressing preliminary administrative matters, agency property and buildings, hearing and review procedures, as well as the administration of limited police powers by wildlife and waterways conservation officers. Any substantive changes in the nature of the new enabling law or in the powers and duties of the new agency would require amendments to the regulations. The Senior Attorney for the Legislative Reference Bureau confirmed that the extent to which existing agency regulations would need to be repromulgated would depend on the nature of the merger legislation. If the legislation simply establishes a new commission but the substantive provisions of the Game and Fish and Boat Code remain unchanged, it is possible to simply transfer the authority of the existing regulations and include language in the merger legislation that continues the existing regulations in effect as regulations of the new agency, until new regulations are promulgated as necessary. The Legislative Reference Bureau has standard statutory language to be used in such a situation.

VII. Appendices

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 15

Session of 2003

INTRODUCED BY B. SMITH, STABACK, FORCIER, HALUSKA, PHILLIPS, J. EVANS, FEESE, READSHAW, FAIRCHILD, SATHER, GABIG, SHANER, PISTELLA, WALKO, TIGUE, FLEAGLE, CREIGHTON, WASHINGTON, LEWIS, HENNESSEY, HARRIS, HERSHEY, HORSEY, MACKERETH, MARSICO, ROHRER, SAYLOR, STERN, E. Z. TAYLOR, WATSON, YOUNGBLOOD, GEIST, TRUE, DALLY, BUNT, SCRIMENTI, REICHLEY, SOLOBAY, S. MILLER AND HARPER, JANUARY 30, 2003

AS AMENDED, HOUSE OF REPRESENTATIVES, FEBRUARY 11, 2003

A RESOLUTION

1 Directing the Game and Fisheries Committee of the House of
2 Representatives to ~~investigate the combining of the~~ <—
3 ~~Pennsylvania Game Commission and the Pennsylvania Fish and~~
4 ~~Boat Commission to create a new independent agency~~
5 ~~responsible for managing the fish, boating and wildlife~~
6 EXPLORE A BROAD RANGE OF OPTIONS WITH REGARD TO HOW TO <—
7 STRUCTURE OUR WILDLIFE AGENCIES TO BEST MANAGE THE WILDLIFE
8 resources of this Commonwealth AND TO INVESTIGATE FUNDING <—
9 OPTIONS; AND DIRECTING THE LEGISLATIVE BUDGET AND FINANCE
10 COMMITTEE TO UPDATE ITS REPORT TO THE GENERAL ASSEMBLY WHICH
11 WAS FILED PURSUANT TO HOUSE RESOLUTION 291 OF 1988.

12 WHEREAS, The Commonwealth is the only State in the nation to
13 have separate, independently funded Game and Fish and Boat
14 Commissions; and

15 WHEREAS, Both the Pennsylvania Game Commission and the
16 Pennsylvania Fish and Boat Commission have begun to experience a
17 shortage of operating and reserve funds; and

18 WHEREAS, The public demands on the fish, boating and wildlife
19 resources of this Commonwealth are increasing; and

20 WHEREAS, The Game Commission and the Fish and Boat Commission

1 need to increase revenues or severely curtail programs; and

2 WHEREAS, The sportsmen and sportswomen of this Commonwealth
3 deserve to receive the greatest benefit in programs for every
4 ~~dollar expended; therefore be it~~ DOLLAR EXPENDED; AND ←

5 WHEREAS, THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE, IN
6 ACCORDANCE WITH HOUSE RESOLUTION 291 OF 1988, INVESTIGATED THE
7 FINANCIAL FEASIBILITY, IMPACTS, COSTS AND SAVINGS, DUE TO
8 ELIMINATION OF DUPLICATION OF PERSONNEL AND SERVICES, OF
9 COMBINING THE PENNSYLVANIA GAME COMMISSION AND THE PENNSYLVANIA
10 FISH COMMISSION, AND FILED A REPORT OF ITS FINDINGS WITH THE
11 GENERAL ASSEMBLY; AND

12 WHEREAS, IT WOULD BE INVALUABLE IF THE LEGISLATIVE BUDGET AND
13 FINANCE COMMITTEE REPORT OF 1988 WERE UPDATED AND THE UPDATED
14 INFORMATION WERE PROVIDED TO THE GAME AND FISHERIES COMMITTEE OF
15 THE HOUSE OF REPRESENTATIVES AS IT UNDERTAKES THE STUDY MANDATED
16 UNDER THIS RESOLUTION; THEREFORE BE IT

17 RESOLVED, That the Game and Fisheries Committee of the House
18 of Representatives examine the financial feasibility, impact,
19 costs and savings, by eliminating duplications of personnel and
20 services, of combining the Pennsylvania Game Commission and the
21 Pennsylvania Fish and Boat Commission; and be it further

22 RESOLVED, THAT THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE ←
23 UPDATE ITS REPORT TO THE GENERAL ASSEMBLY WHICH WAS FILED
24 PURSUANT TO HOUSE RESOLUTION 291 OF 1988; AND BE IT FURTHER

25 RESOLVED, THAT THE COMMITTEE EXPLORE A BROAD RANGE OF OPTIONS
26 WITH REGARD TO HOW TO STRUCTURE OUR WILDLIFE AGENCIES TO BEST
27 MANAGE THE WILDLIFE RESOURCES OF THIS COMMONWEALTH; AND BE IT
28 FURTHER

29 RESOLVED, THAT THE COMMITTEE STUDY CURRENT AND FUTURE FUNDING
30 TRENDS AND INVESTIGATE VARIOUS OPTIONS OF FUNDING, INCLUDING

1 PUBLIC FUNDING, TO DETERMINE WHICH WOULD PROVIDE THE WILDLIFE
2 AGENCIES OF THIS COMMONWEALTH WITH ADEQUATE FUNDING; AND BE IT
3 FURTHER

4 RESOLVED, That the committee have the power to hold public
5 hearings as it deems necessary; and be it further

6 RESOLVED, That the committee report to the House of
7 Representatives on its findings and recommendations no later
8 than November 30, 2003.

APPENDIX B

Game Commission and Fish and Boat Commission Positions on Merger

Game Commission

At a meeting held on October 7, 2003, the Pennsylvania Board of Game Commissioners voted unanimously to oppose any proposal to merge the agency, either in whole or in part, with the Fish and Boat Commission or the state Department of Conservation and Natural Resources. At that meeting, the Board President stated that the Board initially chose to remain neutral while the House Game and Fisheries Committee and the LB&FC conducted their work. After reviewing the matter in June 2003 and after having heard from its constituencies, the Board members decided to make their views official.

The major points made in the Commission's official statement are as follows:

- any merger of the two independent agencies would result in two small, underfunded agencies becoming one large, underfunded agency;
- at a time when there are significant cuts in the DCNR budget, it is feared that the budgets of wildlife management and habitat protection and improvement might suffer under a merger [with DCNR];
- the House Game and Fisheries Committee hearings were an appropriate forum for discussions on alternative funding for maintaining the two separate agencies; and
- the Board is committed to making improvements in the efficiency and effectiveness of the PGC; however, “we need to answer the question of whether a merger of the agency, or any part of the agency, will be in the best interests of the wildlife resource, their habitats or the hunters and trappers of Pennsylvania.”

The Commission's statement also dealt extensively with the concept of merging PGC and PFBC law enforcement functions in DCNR or another state agency as outlined in HR 222.¹ The Board position is that a merger of the law enforcement bureaus into one under DCNR (as provided for in House Resolution 222) would erode the PGC's ability to conserve and protect wildlife and wildlife habitats and, is contrary to the concept of the Wildlife Conservation Officer position.

In a subsequent amendment to this statement, also unanimously approved, the Board of Commissioners reiterated its commitment to protecting and preserving State Game Lands for today's and future hunters.

Appendix B (Continued)

Fish and Boat Commission

At its April 2003 meeting, the Commission members drafted a motion reaffirming and expanding upon the points the Commission made in 1988 in opposition to a merger. The expanded statement was unanimously adopted and distributed to all agency personnel.

The resolution directed the PFBC Executive Director and staff to continue to cooperate fully with the House Game and Fisheries Committee and the LB&FC in the HR 15 process. The resolution also urged both Committees to carefully consider “the many intangible and unquantifiable benefits of having separate independent Fish and Boat and Game Commissions.” The resolution stated that separate Commissions can better respond to the interests and desires of the boaters and anglers and better protect and manage the Commonwealth’s fish and wildlife resources. The resolution also made the following points:

- a bigger bureaucracy is not necessarily a better bureaucracy;
- personnel and services provided by the Fish and Boat Commission do not duplicate those provided by the Game Commission because our personnel and services are dedicated to meeting the special needs of Pennsylvania boaters and anglers and the resources they treasure;
- merging the Fish and Boat and Game Commissions into an executive agency such as DCNR would further dilute the focus on Pennsylvania’s aquatic and wildlife resources;
- combining the Fish and Boat and Game Commissions and changing their status may impact on resources and programs that are, in many respects, the envy of the nation; and
- the Commission is long on record as supporting separate independent Fish and Boat and Game Commissions because we believe this structure provides the greatest benefits to the anglers and boaters of Pennsylvania and the resources under our jurisdiction.

In the resolution, the Commission also urges the House Game and Fisheries Committee and the LB&FC to pay particular attention to issues related to providing adequate future funding for the Fish and Boat Commission and Game Commission. The resolution states that the House Game and Fisheries Committee’s study of future funding trends and investigation of various funding options to provide Pennsylvania’s wildlife agencies with adequate funding is an extremely important component of the process described in House Resolution 15.

¹Pursuant to HR 222, the LB&FC staff is also conducting a study of the feasibility of transferring both the PGC and PFBC law enforcement functions to the Department of Conservation and Natural Resources or another state agency. HR 222 requires that this study be completed by March 31, 2004.

APPENDIX C

Summary Information on Hearings Held by the House Game and Fisheries Committee on House Resolution 15

Pursuant to House Resolution 15 of 2003, the House Game and Fisheries Committee conducted a series of five public hearings on the merger question. As shown below, these hearings were held on March 25, 2003, in Harrisburg; on May 1, 2003, in York; on June 12, 2003, in Philadelphia; on July 29, 2003, in Towanda; and on September 25, 2003, in Bradford. A total of 31 persons provided testimony before the House Game and Fisheries Committee at the five hearings. The testifiers included individual sportsmen and sportswomen as well as individuals representing various stakeholder groups.

Individuals and Organizations Providing Testimony at HR 15 Hearings	
Harrisburg, March 25, 2003.....	Susquehanna Small Mouth Alliance
York, May 1, 2003	Freelance Outdoor Writer York County Federation of Sportsmen Unified Sportsmen of Pennsylvania Audubon Society Izaak Walton League – Pinchot Chapter
Philadelphia, June 12, 2003	Natural Resource Consultants, Inc. PA Boating Association – Southeast Membership Delaware River Yachtsmen’s League Boater Voter Coalition Pennsylvania Environmental Council Small Business Owner Friends of the Wissahickon Pinchot Institute for Conservation Individual Sportsman Forester, Collins Pine Company PA State Fish and Game Protective Association
Towanda, July 29, 2003	Forester, Deer Park Lumber Susquehanna County Federation of Sportsmen Individual Sportsman Unified Sportsmen of Pennsylvania ^a Individual Sportsman Individual Sportsman
Bradford, September 25, 2003	Allegheny County Sportsmen’s League United Bow Hunters of PA PA Federation of Sportsmen’s Clubs Butler City Hunting and Fishing Club, PA Rifle and Pistol Association, and Western PA .30 Caliber League Individual Sportsman
<hr style="width: 20%; margin-left: 0;"/> ^a A representative of Unified Sportsmen of Pennsylvania made a brief statement at this hearing. He was not able to provide full testimony because another representative of the organization had testified previously at the hearing held in York on May 1, 2003.	

Appendix C (Continued)

At each hearing, representatives of the PFBC and PGC also provided testimony and supporting materials in relation to specific hearing topics identified by the House Game and Fisheries Committee Chairman. These topics and the hearings at which they were covered are as follows:

PGC/PFBC Hearing Topics	
March 25, 2003	Personnel/Payroll Costs and Vehicle Assignments
May 1, 2003	License Sales/Revenue Trends and Projections
June 12, 2003	Marketing Practices and Licensee Recruitment and Retention
July 29, 2003.....	Inter-Agency Cooperation and Coordination
September 25, 2003	Alternative Funding Mechanisms

Two members of the LB&FC staff attended each of these hearings. We considered the testimony provided to the House Game and Fisheries Committee and incorporated into our study a number of the issues and questions raised at the hearings.

Based on our attendance at the hearings and subsequent review of the verbatim hearing transcripts, it is clear that the majority of testifiers spoke in opposition to a merger. While a few spoke in favor of merger, others were non-committal in their comments or advocated a consolidation of the PGC and PFBC within the Department of Conservation and Natural Resources.

From this testimony, certain themes emerged.¹ Among those opposing a merger, numerous persons cited the likelihood of a loss of specialization or specific focus on either hunting or fishing in a merged agency. Testifiers also frequently expressed concerns about the impact of a merger on “the resource,” the possible “commercialization” of the State Game Lands, and the diversion of Game Fund or Boat Fund revenues to fund fish hatchery infrastructure repairs. Others stated that the two Commissions have served the Commonwealth’s sportsmen very well and that in some respects, Pennsylvania’s separate commissions make the state the envy of the nation.

The testifiers supporting a merger cited the possibility of eliminating duplicative functions with associated cost-savings and an improved law enforcement function. The testifiers who favor consolidation with DCNR commented on the declining numbers of hunters and anglers and contended that Pennsylvania’s organizational structures for managing fish and wildlife resources are no longer adequate. Also, they generally cited the need for a more scientific, statewide approach to ecosystem management and habitat protection.

Appendix C (Continued)

In addition to the individuals and organizations appearing at the HR 15 hearings, 14 other persons submitted written position statements to the Chairman of the House Game and Fisheries Committee on behalf of the following organizations. Again, the majority expressed opposition to the merger; two supported a merger, and four did not take a position for or against a merger.

Stakeholder Organizations That Provided Written Statements on HR 15	
- Whitetails Unlimited	- Pennsylvania B.A.S.S. Federation
- Buffalo Valley Sportsmen's Association	- Craley Fish and Game Association
- Pennsylvania Council of Trout Unlimited	- Pennsylvania Rifle and Pistol Association
- Pennsylvania Marine Trades Association	- Butler City Hunting & Fishing Club
- Lancaster County Conservancy	- Beaver County Sportsman's Cons. League
- PA Assn. of Conservation Districts, Inc.	- Pennsylvania Deer Association
- Harrisburg Hunters' and Anglers' Assn.	- Harveys Lake Rod & Gun Club, Inc.

¹The discussion of the HR testimony contained in this appendix represents an overview and characterization of common or frequently expressed themes or points made by individual testifiers. It is not intended as a comprehensive record of all individual and organizational perspectives presented at the hearings.

Source: Developed by LB&FC staff based on a review of verbatim hearing transcripts and written position statements submitted to the House Game and Fisheries Committee.

APPENDIX D

Pennsylvania Game Commission's Response to This Report



www.pgc.state.pa.us

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Game Commission

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November 17, 2003

Philip R. Durgin
Executive Director
Legislative Budget and Finance Committee
Room 400, Finance Building
Harrisburg, PA 17105-8737

Dear Mr. Durgin,

In the past the products of the Legislative Budget and Finance Committee have been thoroughly professional and very informative. The previous reports have provided superb ideas and unique insight. During this study we welcomed the opportunity to address many issues of interest and we fully cooperated with the team, providing information and data in a timely manner. However, we are extremely disappointed with the study as it lacked thoroughness and depth in its evaluation of the proposed organization and more importantly the effects the reorganization would have on the resource and services to the public. There are many major errors within the report that inflate savings and fail to identify costs. This initial response will only address five areas of systemic failures that are of major concern.

No Costs Identified to Merge the Agencies

The first major issue is that there is no analysis of the cost to merge the agencies. In some areas there is a mention that there will be costs such as in automation, uniforms, etc. but those costs or even a model to determine those costs are not provided. In some cases it assumes away the cost such as in construction of facilities for a combined agency, some remodeling is mentioned, but does not address major changes such as HVAC when remodeling is done. The question is how can the agencies be merged when there is no identification of costs? It would be like buying a car and not knowing the price until you start making payments. There can be no rational debate for merger without knowing the total costs involved.

No Organizational Structure Analysis

During the initial discussions for this study, the Pennsylvania Game Commission asked the Committee that when the two agencies are theoretically put together that a model of a similar sized organization be used to build the correct organizational structure. This report provides no detailed organizational structure analysis. All that was portrayed was the combining of two elements and assuming there would be savings because one part of

the element would be gone. There was no consideration given to the structure or grading of positions to determine what the real savings might be.

For example, the Human Resource Director of DCNR is a pay grade 11 and has 22 people in the Human Resources Bureau supporting a permanent employee base of 1300. The created merged organization has a Human Resource Director who is now a Division Director at grade 9 and 17 people after the cuts supporting approximately 1100 employees. The model the LBFC used was an average of the Fish and Game Commissions' current coverage with vacancies. They should have used a standard model across State Government. At least they should have used a ratio of a similar sized organization such as DCNR that has 22 human resource personnel supporting 1300 employees. That ratio is 1 human resource person per 59 employees. Using that ratio the newly merged organization would have 19 human resource people instead of 17. Therefore positions would increase. The combining of the Human Resource divisions could in reality cost more as now there would be positions at a higher pay scale and a structural level that is not currently in the organization.

Another area is the Press Secretary position. By combining the agencies it was determined that the merged organization will only need one press secretary and compared it to DCNR that has only one press secretary. However, the study failed to mention that DCNR has a deputy press secretary and an assistant press secretary to handle the workload of an organization that large.

Salaries at the Bureau and Division level would increase consistent with the Commonwealth's pay scales for larger agencies. No analysis was done of the organizational structure and the related increased costs.

No Workload Analysis

Another major shortcoming with the study is that there is no workload analysis. This is true throughout the study. It is portrayed that by combining bureaus and regions that you save people. However, there was no workload analysis to see if the job structure is similar or the magnitude of the work retains the previous manning levels. An example of this is maintaining the number of dispatchers at the same level. The workload will increase considerably as all calls are coming to the same location and need to be fielded not only in a wider variety of subjects but also at an increased magnitude. There would be a need to increase the number of dispatchers as well as the number of phone lines to handle the increased workload.

A major flaw in the analysis is the complete elimination of the Information and Education Program from the regions. The I/E program is a core functional area that was completely disregarded. The I/E program is critical in that it includes recruitment and retention programs, hunter/trapper education programs, youth hunts and field days, exhibits, presentations at sports clubs, and the school programs. This is a critical area that has been eliminated as a function of the agency. According to LBFC figures on the WCO model the Wildlife Conservation Officer and the Waterways Conservation Officer spent 11.4%

and 4.7% of their time conducting I/E programs. This equates to 20 person years of work using their model. No one picks up that work in the LBFC proposed agency. To achieve 20 work years of work you will need approximately 23 people to accomplish it based on available hours. This work is completely disregarded and needs to be added back into the agency. Additionally, all the Information and Education Supervisors were removed from the regional office to manage this core program. Adding this core program back at the appropriate manning levels into the agency reduces that savings by approximately \$1,194,380. Stated savings are further reduced by the fact that these individuals will need vehicles to perform their duties. This would require an additional 29 vehicles, and thereby reduces vehicle savings by \$241,681.

As John Rowe stated in the 1989 testimony before this committee, "There's also potential in other position classifications but the unknown there is what form, what organizational structure, the merged agency would take. And a lot of the actual determination of the number of positions that could be eliminated would involve actual examination of the positions and almost a work study type analysis." In order to determine actual structure and manning requirements a work study analysis needs to be done. We completely agree with Mr. Rowe. It held true in 1989 and holds true today.

WCO Work Model

The WCO work model is severely flawed. First, leave time is nonproductive time and should not be included in actual work time. The "other" time was included in law enforcement time, but some of those activities support all the activities of the WCO and should be prorated across all the activities. The model's definition of those activities that constitute law enforcement is misleading.

The study includes in the law enforcement activities such duties as animal damage complaints, road kill deer pick-up, crop damage wildlife removal, special permits and it appears to also include wildlife nuisance calls. What laws are being enforced with these activities? The "other" category includes land management activities such as public access programs, game lands construction and maintenance, and shooting range construction and maintenance. How are these law enforcement activities?

The model is obviously skewed which increases the percentage of time that WCOs spend on law enforcement in order to achieve a high enough percentage to not cut the work force too much. We do not agree with the study's definition of law enforcement activities. However, if a model of law enforcement activities was used that included the LBFC's model's generous definition of law enforcement plus 50% of the other time, and even recalculating the leave time across all categories, the result would be only 67.1% of Wildlife Conservation Officer's and 78.4% of Waterways Conservation Officer's time is law enforcement. Using the same model the merged agency would only need 153 FWOs in the merged organization; thereby reducing the law enforcement component by 62 WCOs or 29% of the workforce. This would be very difficult to accept from a labor representation point of view. Consequently, the model appears inflated to get to an acceptable level. Another area of the model's failure is what happens to the programs the

WCOs used to perform? For example, the Information and Education Program, using the LBFC's model those activities account for 11.4% of the Wildlife Conservation Officer's and 4.7% of Waterways Conservation Officer's time that equates to 23 person years of work. This also holds true for the functional support role. Who in the merged organization is going to pick up that workload?

Salary Scale Skewed

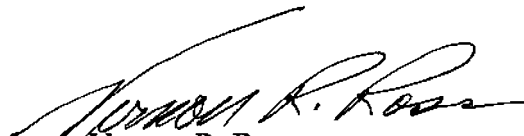
Using an average salary inflates the financial savings. Personnel procedures generally follow the last in, first out rule. You will lose the lowest salaried personnel, not the senior. Therefore an average salary between the two, skews the savings to be greater than they really are. For example the most recent graduating WCOs earn approximately \$34,905 a year. This is basically \$8,727 less than the average salary presented. This adjusted times 24 WCOs decrease the savings by \$163,968 in the Game Commission part alone if the same difference can be inferred for the Fish Commission, the savings are inflated by \$310,752. Another example is salary costs in the areas of regional directors and law enforcement supervisors. Those individuals will not leave but have return rights to a lower position. They will retain their salaries and bump the lower salaried person out. For regional directors alone the reduced savings is approximately \$183,600. The salary savings discrepancy is true for all the positions that are identified to be eliminated.

Conclusion

This response to the study identifies systemic flaws in the areas of no costs were identified to merge the agencies; no organizational structure analysis was completed to determine manning levels or grade structure; no workload analysis was done to determine actual manning levels and completely removes the Information and Education Program from the regions; the WCO law enforcement model is totally flawed in its description of law enforcement duties; and the salary structure is skewed to portray greater savings than are there. There are many other individual items that are in error, but are too numerous to address in this response.

The bottom line of this report is that due to its many failures and shortcomings there is nothing in the report that should lead anyone to the conclusion that there are significant cost savings in combining the two agencies and even more disturbing is the failure to identify the many costs of combining the agencies.

Sincerely,



Vernon R. Ross
Executive Director

APPENDIX E

Pennsylvania Fish and Boat Commission's Response to This Report



Pennsylvania Fish & Boat Commission

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November 17, 2003

The Honorable Philip R. Durgin
Executive Director
Legislative Budget and Finance Committee
Room 400, Finance Building
Harrisburg, PA 17105-8737

Dear Mr. Durgin:

Thank you for the opportunity to review the preliminary draft of a report prepared by the staff of the Legislative Budget and Finance Committee entitled, "An Update on the Feasibility of a Combined Fish and Wildlife Commission for Pennsylvania." The report was prepared pursuant to House Resolution 15 of 2003.

It's clear that a study of the feasibility of merging the Fish and Boat and Game Commissions needs to consider a great many complex issues. We do not fault the LBFC staff for their efforts. In fact, the new report demonstrates once again that significant cost savings require major cuts in services for anglers and boaters, hunters and trappers with resultant impacts on protection and management of fish and wildlife resources.

The Fish and Boat Commission and our staff have made a point of being fully cooperative with the efforts of your staff in updating the 1989 Report, which was prepared pursuant to House Resolution 291 of 1988. The new report pulls together a good deal of information, much of which was provided through the cooperative efforts of our staffs. Insofar as the report updates information gathered in 1988 and 1989 and provides current (or prior) fiscal year financial, human resource (personnel), equipment and similar data, it may be a valuable compendium.

House Resolution 15 called for an exploration of a "broad range of options with regard to how to structure our wildlife agencies to best manage the wildlife resources of this Commonwealth." The draft report focuses on a single model for restructuring our fish, wildlife and boating agencies and devotes nearly all its attention to how this model might save money without regard for providing the best management for our fish and wildlife resources. The report fails to show how best to structure our agencies for the benefit of the resource and for service to our customers, the anglers and boaters of Pennsylvania.

The Fish and Boat Commission's fundamental concern with the report relates to the fact that it is willing to trade protection and management of the resource and customer service for some estimated cost

Our Mission:

www.fish.state.pa.us

To provide fishing and boating opportunities through the protection and management of aquatic resources.

savings, which may well be illusory. The report underemphasizes the costs that would be involved in a merger. The single fish and wildlife agency described in the report will provide less – not best – management of Pennsylvania’s precious fish and wildlife resources. It will provide less – not best – service to the anglers and boaters of Pennsylvania.

I have attached a document in which our staff comments on particular elements of the draft report. This document should not be read as an exhaustive catalog of the Fish and Boat Commission’s concerns or of the errors or omissions in the report. In this letter, I will address a few overarching issues about the report:

- Lack of adequate analysis of state-by-state comparisons
- Willingness to sacrifice resource management and protection and customer service
- Over estimation of potential savings
- Failure to adequately address tangible and intangible costs
- Lack of focus on boats and boating programs

State-by-State Comparisons

The report gathers valuable information about how other states organize their fish, wildlife and boating functions. It shows that there is a wide variety of ways that states regulate hunting, fishing and boating, protect and manage fish and wildlife resources, deal with non-game species, including reptiles and amphibians, manage game lands, game farms, fish hatcheries, launch ramps and other facilities, provide education programs and issue licenses, registrations and titles.

Pennsylvania remains – as it was in 1989 – the only state with separate independent Fish and Boat and Game Commissions. But there is only one other state (Wyoming) that combines all the functions that the report proposes to place under a single fish, wildlife and boating agency in Pennsylvania. Each state is unique, and this variety has led the report to mischaracterize the status of some agencies within their state government structure. In addition, the report fails to describe the history and background of the organizational structures in other states. This may be important in understanding the costs and potential issues that would surround the proposed merger. Most states have never had separate independent fish and boating and wildlife agencies. The agencies with jurisdictions over these areas have been unitary since their inception. The report should show how many states have gone through a merger of the functions proposed for combination in Pennsylvania and describe the results.

It’s clear that there is no magic in the ways states organize their fish, wildlife and boating functions. There is no one organizational structure that will provide for the best protection and management of the resource, oversight of recreational boating, service to the anglers and boaters and fiscal improvements. The fiscal storm that has confronted fish, wildlife and boating agencies over the past few years has not struck just in Pennsylvania. Indeed, based on reports from other states, it appears that we here in Pennsylvania, both Fish and Boat and Game, have had more success than others in weathering recent fiscal challenges. The report shows that funding is much more important than organizational structure in assessing the success of state fish, wildlife and boating agencies.

It’s not enough to observe, as the report does, that merged agencies are feasible because other states have them. No one disputes that a single fish, wildlife and boating agency is a feasible organizational arrangement. The issue is how such an arrangement will provide for best management of the resource and service to the customers. In Pennsylvania, the specific charge of the report was to show organizational structures to “best manage the wildlife resources of this Commonwealth.” It’s not enough to show that a merged agency could work. Someone has to show that a merged agency would work better for

anglers, boaters, hunters and trappers and work better for the resource. The state-by-state comparisons in the report fail to show that any particular organizational structure, let alone the one advocated in the report will accomplish this goal.

Willingness to sacrifice customer service and resource protection and management.

The LBFC staff's update to the 1989 report focuses almost exclusively on purported cost savings to the exclusion of how the model structure will best serve the anglers, boaters, hunters and trappers and the resources the agencies are sworn to protect and manage. The report documents no overstaffing in the current agencies, but it posits that, in a new single fish and wildlife and boating agency, 71 positions can be eliminated. The report reaches this conclusion with no workload assessment, no workflow analysis and no recognition that, at least in the Fish and Boat Commission, many employees wear two or more different hats and perform many different functions. The cost savings described in the report depend almost entirely on these cuts, with no assessment of the impacts on customer service. The work performed by most of these positions is not going to go away in a merged agency. We believe the proposed organization structure sacrifices customer service and resource management and protection.

The proposed organizational structure of the new fish, wildlife and boating agency contains 36 fewer conservation officers and at least ten fewer regional law enforcement staff than the existing agencies. It proposes to decimate the conservation officer force by eliminating nearly 17% of conservation officer positions. These cuts in law enforcement are based on the proposition that the duties of conservation officers should be limited to police-type work and that conservation officers should not be involved in attending sportsmen's meetings, stocking fish, conducting education programs, manning displays at sports shows and the like. With these kinds of limitations on conservation officer duties, the whole district conservation officer concept is called into question. The PFBC believes that having well-trained district conservation officers, familiar with all aspects of hunting, fishing and boating in their districts, is the key to success of effective enforcement.

Conservation officers are a different breed of enforcement officer. Although they are well trained and highly professional in police work, their duties include investigating pollutions, providing boating education, addressing homeland security concerns around our waterways, coordinating fish stocking activities, visiting schools, manning displays at sports shows and attending sportsmen's and other meetings. The district officer concept lets a conservation officer become an expert in his or her area. Although our officers are well-trained and fully capable of citing someone for a violation, they can also give advice on where the fish are biting or where to boat. In 2002, our waterways conservation officers attended 368 sportsmen's meetings and spoke to over 17,000 sportsmen. This was time well spent. Just two weeks ago, I attended a sportsmen forum sponsored by Representative Kerry Benninghoff. There were many interesting presentations by staff of the Fish and Boat and Game Commission, but the best presentations were provided by the local conservation officers who provided detailed local knowledge of where to fish and hunt and what was happening in the local area.

Providing the best protection and management of Pennsylvania fish and wildlife resources and providing best service to our customers depends in no small measure on the success of the district conservation officer concept. The Fish and Boat Commission has made the policy decision at the highest level (our Commissioners) that conservation officers should devote a reasonable portion of their time to non-enforcement duties. It's very important for there to be an interaction between conservation officers and sportsmen in contexts other than police-type encounters. And we believe these public contacts actually enhance the success of our officers in enforcing the laws and regulations and protecting the resource. When anglers and boaters know their district officers and interact with them regularly, it makes for more

effective enforcement since anglers and boaters can – and often do – become the eyes and ears that help conservation officers and their deputies enforce the law. When our conservation officers talk to hundreds of members of the public at sports shows or similar events, they are helping to convey the conservation message.

When we meet with sportsmen around the state, a constant theme is a request for more conservation officer coverage, not just to expand patrols, but also to attend sportsmen's meetings and perform other non-enforcement type duties. At a recent strategic planning session with our Commissioners, it was apparent that, from a policy perspective, our decision-makers expect conservation officers to be involved in education, outreach and marketing/promotion efforts.

The report posits that conservation officers should not be involved in stocking fish in their districts. The importance of conservation officer coordination of fish stocking should not be underestimated. Staffing resources proposed under the merged agency structure (including new seasonal help) will not be able to review and negotiate access needs, coordinate stocking runs and volunteer assistance, and provide the outreach benefits derived from having the WCO coordinate these activities. Stocking fish is far more than carrying buckets. The Commission stocks over 2 million adult trout in the six-week pre-season period each spring. On any one day, scores of stockings are being accomplished simultaneously or almost simultaneously. Twelve wildlife technicians employed in the proposed Bureau of Wildlife Management (not the Bureau of Fisheries) will not be able to fulfill the tasks currently performed by our conservation officers. We believe conservation officers are best positioned to deal with access problems in stocked or previously stocked streams, to talk to landowners, to provide assurances with respect to enforcement, to provide traffic control and coordination, and to answer general liability and other questions.

The report assumes that merger will have negative impacts on the deputy conservation officer force in both agencies. Although the report involved no survey of deputies, it assumes that about 17% of deputies might resign in the event of a merger. It admits that this may be a conservative figure. The deputy conservation officer program supports effective district officer operations. The loss of a substantial part of the deputy conservation officer force with no offsetting gains is another example of how the proposed single fish, wildlife and boating agency will provide for less resource protection and less customer service. The proposed cuts in conservation officer coverage and duties are the most striking elements of the proposed structure of a single fish, wildlife and boating agency. But the other cuts also evidence a willingness to sacrifice services in return for what may be illusory cost savings. Because the report is premised on making these extensive cuts, the validity of its estimates of costs savings depends on an assessment of the likelihood of policy-makers ever accepting the proposed approach.

Overestimation of Potential Cost Savings

As already stated, the LBFC staff report sets up a model organizational structure for a merged agency and then compares the costs of the model structure with the existing ones. The principal flaw with this approach is that it depends entirely on the elimination of 71 staff positions, the majority of which are engaged in law enforcement or related activities. Without any assessment of current workflow or work output requirements, the report assumes that far fewer employees would be needed to accomplish the mission of a single fish, wildlife and boating agency. What's more, a majority of the cuts and the savings depend on restricting conservation officers from attending sportsmen's meetings, attending sports shows, helping with fish stocking, or providing education programs. This approach won't help the resource, and it will reduce customer service.

No one disputes that there could be some staff reductions in the executive and administrative functions of a single fish, wildlife and boating agency. However, we believe that even these potential cost

savings are overstated. In some cases, increased compensation for managers of larger organizations will reduce the savings and, in others, there may be a need for support or mid-level management positions. In addition, the report does not describe off-setting costs involved in any complement reduction: leave pay-outs, impacts of "bumping," unemployment compensation and similar costs. The report does not describe how long it would take to realize any of the posited savings. We recognize that the dollar figures for possible savings in the report are just estimates subject to wide variation, but the methodology of using average salaries may result in a consistent overestimate of potential cost savings.

Failure to adequately address tangible and intangible costs.

The report focuses almost exclusively on the cost savings that might be realized in a single fish, wildlife and boating agency. It overlooks or understates the tangible costs that would be involved in any merger situation. One glaring example of this relates to the recommended use of a consultant to guide the transition. To do a merger in the right way will take a good deal of time and will cost a lot of money. The report recognizes that merging the two Commissions would be a complex matter even under the best of circumstances. It describes the costs of a consultant hired to help with the merger of Florida's freshwater and marine fisheries agencies. The complexity and timeline for any potential merger in Pennsylvania means that the \$150,000 paid for a transition consultant in Florida's much less complex situation is a weak proxy for the actual costs. Similarly, the report recognizes – but fails to estimate – the costs of merging IT systems, buying new equipment and the like.

Given that the savings are overstated and dependent on cutting core programs and services, and the costs are understated, one could easily draw the conclusion that the proposed merger will cost more than it saves for at least a few years. Past studies have shown that the net savings do not, in themselves, justify merger decisions.

If the report has overlooked or understated the tangible costs of merger, it has completely ignored the many intangibles associated with such a proposal. One of the great things about Pennsylvania's structure is that it allows agencies to focus on the resource and programs under their jurisdiction. The Fish and Boat Commission does a better job in serving its customers, providing fishing and boating opportunities, and protecting and managing aquatic resources because of this focus, and we're sure the Game Commission does the same. Remember that the purpose of the study was to describe options for the structure of these agencies to provide for the best management of wildlife resources. This necessarily involves an assessment of the intangibles that will, in the long run, be at least as important as cost savings.

One of the most important intangible elements that needs to be considered in any merger scenario is the input from our customers, the sportsmen, anglers, boaters, hunters and trappers of Pennsylvania. The 1989 report included a survey and summaries of interviews with anglers, boaters and hunters. This customer-focus is notably absent from this report. The input of anglers, boaters, hunters and trappers as provided at the five hearings of the House Game and Fisheries Committee is underemphasized in the report. There appears to be very little support for merging Pennsylvania's hunting, fishing and boating agencies from those who are the most avid users of the services provided by the current organizational structure. What's more the input provided at the public hearings was received before the proposal to make major cuts in the conservation officer force and activities was stated.

Lack of focus on boats and boating programs

Although the report indicates that the new structure would retain a Boating Advisory Board and makes some mention of boating programs, its overall tone and content clearly fail to focus on boats and

boating. Boating programs are important to Pennsylvania. Our boating efforts include enforcement, education, property and facility management, regulatory issues, administration and public information.

More people boat in Pennsylvania each year than hunt and fish. Although a great deal of fishing is done from boats and a great deal of boating is associated with some fishing, in fact, boating is a much broader recreational activity. The issues related to boats and boating are many, and they can be quite complex. Our boating education program has just won national recognition when its manager was selected as Boating Safety Educator of the Year for 2003 for the entire nation. Boat registration and titling often involve issues that go beyond administration. Boating access for rivers and lakes is an activity that demands focused efforts. Our boating under the influence enforcement efforts also won important recognition, and the success of this program depends on specialized training and allocation of conservation officers resources. The model for the future of the conservation officer program does not adequately consider the needs for boating law enforcement to protect public safety.

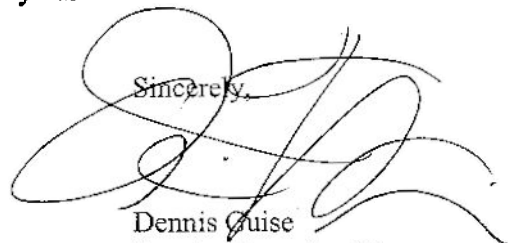
Conclusion:

In this letter, I have only been able to touch on a few of the major issues that were raised by the LBFC report. The Fish and Boat Commission has staked out a clear policy position that Pennsylvania should consider a single fish, wildlife and boating agency only if it is justified by better protection and management of aquatic resources, substantial cost savings and better services for anglers and boaters. Making this determination involves a review of both tangible and intangible costs and benefits.

Pennsylvania should not copy some other state's organizational structure unless it is clear that there will be major benefits for our customers and the resource. We're sure your staff have looked hard for these benefits, and they would have described them in detail if they existed. As our Commissioners observed in their policy statement: "Bigger is not necessarily better." Pennsylvania recognized this when it split the Departments of Conservation and Natural Resources and Environmental Protection. Mergers, whether in business or in government, do not always produce the expected results as evidenced by the recent Nevada experience or the merger of AOL/Time Warner.

The Commission's position on merger is not based on protecting our turf or the jobs of our employees. Instead, we believe Pennsylvania's way of organizing our fish, wildlife and boating agencies should be grounded on what's best for the protection and management of the resource and what's best for our customers, the anglers and boaters of Pennsylvania.

Sincerely,



Dennis Guise
Deputy Executive Director

Attachment

Specific Comments about LBFC Report

This document summarizes issues identified by PFBC staff in the LBFC Report. The PFBC will submit, by separate letter, comments on the overall content of the draft report. Although several members of the PFBC staff reviewed the documents, this list should not be viewed as exhaustive:

Page S1: The summary of previous merger studies is somewhat helpful. It is important to note that while the 1962 WMI report recommended merger they also stated that there would be no substantial savings. The five previous merger studies found no overwhelming or significant cost savings. Prior studies provided more information about the costs incident to a merger.

Page S1 (bottom): Although circumstances today differ from those in 1989, the report should note that, at the time of the 1989 study, 49 states had "merged" fish and wildlife agencies in one form or another, and the same is true today. What's more, although mounting financial demands and budgetary shortfalls are certainly issues for Pennsylvania's Fish and Boat and Game Commissions, reports from other states with merged agency structures show that the ability to address these demands is not dependant on the structure of the fish and wildlife agencies. Many state fish and wildlife agencies face more dire fiscal problems than Pennsylvania, and their merged status did not protect them from these difficulties.

There is no discussion of the Commissions' successful joint efforts to garner and obligate new Federal holistic fish and wildlife management dollars. Various Federal nongame and habitat related programs are being tapped to implement a more holistic approach to fish and wildlife management. The report here and elsewhere, refers to "fish and wildlife management." If this is to be a study of merger, it must also include boating. Recreational boating seems to be regarded as a sideline activity, which it is not. There are more people who boat than fish and hunt combined.

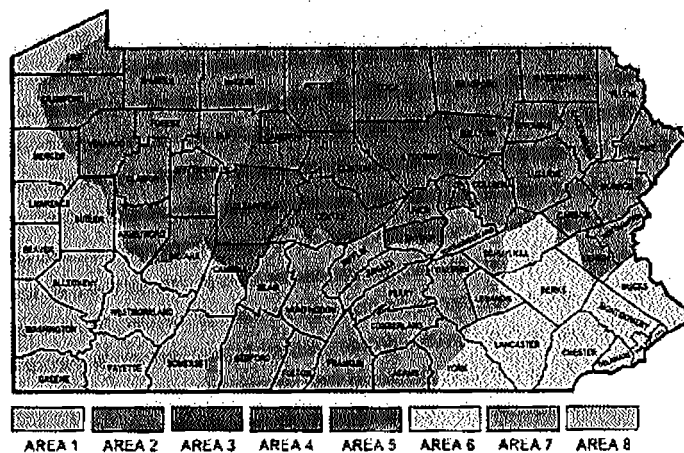
Page S2: The table paints an inaccurate and overly simplistic view of the how other states accommodate fish, wildlife and boating functions in their states' organizational structures. It is difficult to characterize how other states are organized because every state approaches these issues in different ways, and there is no one right or wrong way to organize these functions. Only one state agency (Wyoming) combines all the functions proposed for the new Pennsylvania fish, wildlife and boating agency. The report mischaracterizes the status of some agencies. For example, in Massachusetts, the Department of Fish and Game is actually part of a larger executive agency (the Executive Office of Environmental Affairs) and not an independent department. In Vermont, the Department of Fish and Wildlife is part of the Agency of Natural Resources, an executive agency. Twenty-five states use more than one agency for boating-related responsibilities like registration and titling, promulgation of regulations and boating law enforcement. For example, California and Oregon have separate boating organizations.

Page S3: The proposed organizational structure states that no functional areas were deleted. Boating appears to be minimized in any discussion of responsibilities.

Page S4: It is not clear from the organization chart or in the discussion later in the report where many boating functions will be accomplished. It is explained where marina management and boat registration/titling goes and how "education programs" are to be handled. However, functions like capacity plates, aids-to-navigation management, boating accident reporting investigation, water rescue program coordination, the boating Safety Certificate Program and other boating related efforts are apparently not recognized as important and necessary components of the boating programs. These major program areas and services are significant and need to be accommodated in any new structure. The staffing proposed to be cut from the consolidated education and information functions currently do much of the work in these areas.

Page S4: The Organization Chart for a proposed fish and wildlife commission shows a regional deployment that is incongruous with the current regional functions of the PFBC. Where are the regional fisheries management, regional area maintenance functions and the regional Aquatic Resource Program Specialists? There are 3 area maintenance regions, 8 Area Fisheries Management Offices plus a Lake Erie Unit Office and 6 ARPS offices. Are they part of the new field operations or will the field aspect of these areas be managed out of the centrally located Deputate for Resource Management? The chart structure suggests some sort of regional supervisory structure that does not take into account these functions, none of which are to be cut according to the text. Example: Area fisheries managers are assigned on a watershed basis as shown below:

Area Fisheries Management Regions



Page S6, para 1: The coordination of fish stocking involves much more than directing traffic and carrying buckets of fish. For this reason, it is not realistic to believe that this effort will diminish unless services to the angling public are further reduced. The report states that the 12 wildlife management technicians are to be available for stocking

coordination. The local knowledge and capacity of 80+WCO's cannot be replaced with 12 wildlife technicians. Seasonal employees could certainly be hired to carry buckets of fish, but those seasonal employees would certainly lack the expertise to coordinate the stocking program, and the costs of staffing a seasonal stocking program are not assessed in the report. The idea that twelve regional wildlife management technicians and an unspecified number of seasonal employees could handle this on a statewide basis is inconsistent with the number of stocking trips in a single day, particularly in the run-up to trout season. What's more, someone will still be needed to assess the local access situation, stocking points, coordinate the day, time, and delivery of fish with the fisheries staff and external stocking volunteers. The vast majority of 12,000 hours BLE spends stocking are concentrated in March, April and May. The BLE provide stocking coordination with intimate local knowledge of geographic areas roughly smaller than the size of a county. This coordination includes providing hatcheries with such timely and detailed information such as cancellation of daily stocking based on individual stream conditions. There will be a major loss of service to the fishing public.

Page S6: Where do PFBC regional maintenance management, regional fisheries management staff and regional Aquatic Resource Program Specialist fit?

Page S6: While the average vehicle value for the state in general might be \$3,263 it is highly likely that lower mileage higher value vehicles would be retained after the merger and only the many old 100,000+ mile vehicles would be surplus. The estimated one-time savings from vehicle reductions is questionable, and it is almost entirely dependent on the policy decision to cut services by reducing the number of enforcement officers.

Page S7: Initial and annual training costs would rise. Laws and regulations change annually and so do training requirements. With more to go over and be trained on, the costs and resources needed to do the training would increase. This would not be a short-term impact as characterized in the report.

Page S7: Information Technology. The report underemphasizes the costs involved in merging IT functions.

Page S7: Publications. The assumption that there should be a single periodical for the merged agency sounds reasonable, but it may not be correct. There is a trend toward specialized publications having more success in attracting subscribers than those covering broader subject matter. An assessment would need to be made of the costs and benefits of various publication scenarios.

Page S7. Transition Planning. An ITB or RFP would be needed to assess the consultation costs. The scope and complexity of merging the PFBC and PGC seem to be much greater than that of integrating the marine and freshwater fisheries agencies in Florida. The estimated costs of the consultant are probably understated.

Page S8: Only passing reference is made to the potential increased costs associated with a consolidated fish and wildlife officer classification that includes all of the salary, overtime and benefits received by both agencies.

Page S8: Issues regarding possible diversion of funds issues and loss of federal funds should be discussed in the context of accounting for license and registration dollars. The language in the report seems to indicate that the new agency should be able to use the funds for whatever priority is on the top of the list today rather than assuring that the funds are used in the programs that generate them. Although agencies certainly do not need to have separate funds to maintain accountability for federal funding and customer-relations purposes, they do need to be able to maintain accountability for these funds and their uses.

Page S9: The PFBC agrees with the statement that "it is our assessment that, even in a merged agency, new revenue sources would be needed."

Page S10: The chart indicates that 7 states use fuels tax for boating programs. There are 30 states that refund some fuel taxes to their boating program. The error in the report may relate to the different ways that different states organize their boating functions.

Page S10: Maryland and Virginia receive all or a portion of the excise tax on the sale of boats. The listing of alternative revenues is not exhaustive. This table also includes only fish and wildlife agencies and not the other agencies that deal with recreational boating. It also does not list Federal Funds as a revenue source.

Page 2, Para 5: It should be noted, with one exception at the first hearing, all the sportsmen groups that testified opposed merging the agencies because of the loss of service and focus that might result.

Page 4, Para 2. The Fish and Boat Commission traces its origins in state government back to the Act of March 30, 1866 (P.L. 370, No. 336) which created the position of Commissioner of Fisheries of the Commonwealth of Pennsylvania. The citation of the 1925 act does not accurately reflect this history. Governor Curtin named James J. Worrall as Pennsylvania's first Commissioner of Fisheries. The 1984 act cited in this paragraph changed the name of "waterways patrolman" to "waterways conservation officer" and "deputy waterways patrolman" to "deputy waterways conservation officer." Although the text is accurate, it may be read to imply that these positions were created in 1984, which is not correct.*

Page 6, Exhibit 1: The current Commission President is Samuel Concilla. The vice-president remains Paul Mahon. Commissioners Sabatose and Huhn were appointed and confirmed to new terms in July 2003. Their current terms expire in July 2011. There are no Commissioners serving unexpired terms at this time.*

Page 8, Agency Direction, Executive Director. This should be reworded to more accurately track the wording of Section 302 of the Fish and Boat Code: "The PFBC appoints to serve at its pleasure, and with the approval of the Governor, fixes the compensation of the executive director." *

Page 14: Under Federal Funds paragraph, the report should better explain the restrictions on use and the necessity to be careful regarding the diversion license dollars. The Federal fund discussion appears to not include all of the funding received from all federal sources such as the Recreational Boating Safety Grant, NOAA, etc. The reference to DJ, although a commonplace shorthand, is somewhat inapt. This is the title of the original federal funding mechanism supporting fishing and boating program, but the Act has been amended by newer pieces of legislation. Today, it is more common for it to be described as Dingell-Johnson/Wallop-Breaux.*

Page 14, last full paragraph. The first sentence should have a footnote, used elsewhere in the report, that these figures are based on October 2003 fiscal reports and may change slightly when finalized.*

Page 16: The Executive Office also houses the Press Secretary and Legislative Liaison. The name of the personnel function has been changed to "Human Resources" throughout state government. *

Under Bureau of Fisheries. The nongame/endangered and threatened species unit is part of the Environmental Services Division under the Executive Office. It is now designated the "Natural Diversity Section."

The cooperative nursery unit does not operate a state fish hatchery. It manages the Commonwealth's cooperative nursery program whereby over 150 volunteer organizations operate cooperative nurseries to raise trout and other fish for stocking in state waters open to free public fishing. The PFBC provides over 1 million fingerling fish and about \$60,000 in grants to cooperative nurseries under the oversight and management of the unit. *

The PFBC has geographically distinct regional deployment system not only of Law Enforcement but also, Fisheries Management, Aquatic Resource Program Specialists, Area Facilities Maintenance Manager and Habitat Improvement; none of them encompass the same geographic areas. The PFBC fish production system is incorrectly characterized; there are six hatcheries solely for trout (including steelhead trout), four are mainly trout (including steelhead trout) with some warmwater and three are solely warmwater. In addition, the Division of Research manages the seasonal shad hatchery at Van Dyke.

Page 18: The Bureau of Administration also includes Federal Aid and Office Services.*

Page 18: The Bureau of Engineering and Development also includes responsibility for construction and maintenance of dams and fish hatcheries. *

Page 18: The Bureau of Boating and Education oversees the Commonwealth's mandatory boating education programs.

Page 19. The map is an illustration of the PFBC's Law Enforcement regions. Not shown are the area fisheries management or maintenance regions. *

Page 30: The report's assertion that the Commissions have outgrown their primary revenue base overlooks the fact that funding in the past for infrastructure, land/habitat/access and other conservation purposes was provided through Commonwealth sources, including the great conservation bond initiatives of the past. The report makes it appear as if the agencies have always addressed all operating and infrastructure needs with license dollars. This is simply incorrect. This text also fails to note that part of the reason for the erosion of the revenue base is due to programs such as Senior Lifetime Licenses, free fishing for military personnel home on leave, and other such programs.

The table for the Boat Fund is somewhat confusing because the fuels tax was listed in the year received rather than the year due. It would be clearer if this chart is adjusted to show the tax in the year that it should have been deposited with a footnote to explain the delays. This would make the percentages and changes easier to observe. There should be a footnote to the effect that boat titling went into effect in 1998 and that the initial flurry of sales of titles resulted in additional Boat Fund revenue in FY 00-01.

The PFBC agrees with the statement that "alternative revenue sources need to be identified."

Table 3: PFBC license fee increase in 1996 needs to be included as a footnote at the 96-97 FY as was the hunting license increase in 1999.

Page 35 Para 3: The timing of the transfer of liquid fuel tax revenue to the Boat Fund affects revenue and not expenditures. This is an incorrect statement. *

Page 36, Bottom. It is incorrect that the balance declined to \$11,065,000. This figure actually represents a slight increase from the prior year ending balance of \$11,051,042. This is explained by the planned prior year lapse of \$4+ million.*

Page 37, Bottom: The increase in the Boat Fund balance is not primarily attributable to changes in fuels tax refunds. The principal reason is that, as Fish Fund expenditures decline, Boat Fund expenditures are reduced because of the splits between the two funds.

Page 42: Even though the PFBC owns far less acreage than does the PGC, the PFBC's property holdings are much more infrastructure intensive. The commission operates two marinas. We have additional offices besides the 6 regional LE offices.

The breakdown in infrastructure funding needs (\$95 million Fish Fund and \$55 million Boat Fund) does not reflect the current splits used for these kinds of projects.

Page 44: Nowhere in the report does it state that many of the infrastructure capital needs are due to the changing standards of DEP for effluent or for dams to meet current PMF requirements. Much of what is currently needed in terms of upgrades is due to changed requirements of outside agencies (reflecting the desires of the public) rather than poor planning or mismanagement on the part of the PFBC as has been implied by some.

Page 46-47: The Commission cannot incur debt unless specifically authorized by law. The paragraph on the bottom of the page indicates that the Commission can borrow money to address project needs. In fact, all such borrowing is through existing Capital Debt Facilities funding mechanisms. The Commonwealth can incur debt; the Fish and Boat Commission has no such authority. There is a distinct issue concerning what fund(s) will be used to pay the debt service on these Commonwealth bonds. The statement that "the debt must be repaid using monies from the Fish and Boat Funds" seems to imply that this is a statutory requirement. It is not. It would be more accurate to say that "it is likely that the Fish Fund and Boat Fund will have to pay for all or some of the debt service on these projects." This more accurately describes the status of this issue. *

Page 47, last three lines: While perhaps no deadline for a fishing license increase was stated at the July 29 hearing, the Commission is long on record as indicated a fishing license fee would be needed no later than the 2005 license year.*

Page 48: The Working Group Proposal should be replaced with the current proposal embodied in HB 2155. The license bill was introduced and the House Game and Fisheries Committee held a hearing on this bill November 12, 2003.

As currently worded, House Bill 2155 includes the following fee concepts:*

<i>Fishing Licenses</i>	<i>Current Price</i>	<i>Proposed Cost</i>
Resident	\$16.25	\$20.00
Nonresident	\$34.25	\$50.00
Resident Senior (annual)	\$3.25	\$10.00
Resident Senior Lifetime	\$15.25	\$50.00
3-day tourist	\$14.25	\$25.00
1-day resident (after May 1 only)	New	\$10.00
Trout Stamp	\$5.00	\$8.00
Lake Erie Stamp	New	\$8.00
Combo Lake Erie Stamp	New	\$12.00
Junior Fishing License (12-15 year olds)	New	\$2.00
<i>Boat Registrations</i>	<i>Current Price (2 year)</i>	<i>Proposed Cost</i>
Unpowered	\$10.00	\$18.00
Less than 16'	\$20.00	\$26.00
16' to 20'	\$30.00	\$39.00
20+ to 40'	\$40.00	\$52.00
40+ to 65'	\$40.00	\$52.00
65'	\$40.00	\$52.00

Page 48-49: Tipping fee. It now appears that a standalone bill (HB 2142), rather than an amendment to HB 501, will include the proposal for a new conservation heritage account. It would be better to say: "The General Assembly may consider creation of a new Conservation Heritage Account to be funded with "tipping fees" collected for waste deposited in landfills." *

Page 49, para 6. Economic activity particularly in rural areas should be prominent in the rationale for alternative to license fees funding support.

Page 51: Fish and Boat Commission Paragraph: Tipping fees and the other potential alternative revenue sources deserve mention.

Page 52, Para 3. The report largely ignores the organization of boating functions in the various states.

Page 53: Boating functions, as well as the fish and wildlife functions, need to be described.

Page 56: Core Functions. The "boat education and training" bullet should be replaced with one that states: "Education, including boating safety education and aquatic resource education." An additional core function should be included: "Protection and management of aquatic resources." Although management may be included in fisheries management, the concept of protection extends beyond "law enforcement" to include the environmental services functions.

Page 56. Last Paragraph. No discussion of the organization for the various ways boating functions are carried out in various states.

Page 57. We believe that Arkansas, Kentucky and Florida agencies have boat law enforcement responsibilities

Page 61 A discussion of funding of boating programs needs to be included.

Page 65: .Where is the heading and discussion for BOATING REVENUE?

Page 66: Alternative Revenue Sources. Seeking of nontraditional funding sources is a matter of sound public policy. The last sentence in last paragraph should read "In some cases, states have garnered nontraditional funding sources..."

Page 72: Area Fisheries Managers and Regional Fisheries Biologists are not included in the chart? Should it be assumed they will continue to work out of current regions? What about the area maintenance managers and staff?

Page 73: The report mischaracterizes the organization of the agencies' legal staffs. It is true that the PFBC has a deputy executive director/chief counsel right now, but this position grew out of the chief counsel position and still performs substantial legal work.

The Game Commission has an assistant counsel position in addition to the chief counsel, but that position is assigned with their Bureau of Land Management. Under Legal Staff, in a merged agency the LBFC report advocates retaining the PGCs Chief Counsel and the PFBCs Attorney 2. There is no mention of the PFBCs Chief Counsel or Game's assistant counsel. It is likely that the cost savings from a merged legal staff would be modest since there is ample legal work for a chief counsel, deputy chief counsel, and two (2) assistant counsel, plus support staff. At most, one (not two) attorney positions would be saved.

Page 74. Legislative Liaison. It is not accurate to say the PFBC legislative liaison position is vacant. A manager from the Bureau of Law Enforcement has been detailed to carry out the full range of legislative liaison duties. This is not a temporary assignment. This is another example of using one person to fill two roles. The PFBC legislative liaison continues to provide law enforcement oversight and assistance in boat registration and titling issues.*

Page 74. Analysis of Press Office Staffing: The statement that the Department of Conservation and Natural Resources has one Press Secretary is technically correct; there is only one individual within DCNR with the title of Press Secretary. However, the implication that all the duties of the press office are handled by the person in that position is in error. In fact, DCNR's press functions are divided among three full-time positions: Communication Director, a Press Secretary and Assistant Press Secretary. In all likelihood, a merged Fish and Wildlife Agency would require at two full-time positions.

Page 75: Agency policy decisions, mentioned under merged agency structure heading, are made by the Commissioners.

Page 76: The facilities consultant position has been abolished as a cost savings measure.

Page 77: Note – The administrative position under the PFBC's budget analyst is responsible for the day-to-day operation of the Visa card program and accountability for this effort.

Page 78: The importance of WCO coordination of fish stocking is underestimated. Although trout stocking is concentrated during March, April and May, stocking of trout and warmwater fish can occur during any month of the year. Staffing resources proposed under the merged agency structure and/or new seasonal help will not be able to review and negotiate access needs, coordinate stocking runs and volunteer assistance, and provide the outreach benefits derived from having the WCO coordinate these activities. Stocking fish is far more than carrying buckets. The BLE provide stocking coordination with intimate local knowledge of geographic areas roughly smaller than the size of a county. This coordination includes providing hatcheries with such timely and detailed information such as cancellation of daily stocking based on individual stream conditions. It seems inconceivable the 12 wildlife resource technicians would have the knowledge to coordinate and assist on individual stocking on areas roughly the size of 5 counties. This will be a major loss of service to the fishing public. This report does not adequately address the needs for fisheries administrative staffing; within the perspective of the

challenges of the expectations and operations, two assistant directors are needed one for production and distribution and one for biological services.

Shouldn't the wildlife technicians be assigned to the Bureau of Fisheries? Isn't one of their responsibilities to coordinate and assist with fish stocking?

Page 80: Under Bureau of Land and Facility Management, Existing Structure, the LBFC report addresses dam maintenance. There is no acknowledgement of other maintenance activities such as access areas, marinas or other facilities. Last sentence on the page going to page 81 needs clarified. Do you mean to say that the Federal Aid Position in the PGC BLM would be moved to Executive Office?

Page 81: The "Marina Management Position" has many other duties including but not limited to, the aids-to-navigation and capacity plate programs. These programs need to be re-tasked to someone.

Page 85: Bureau of Information Technology. The Commission has ONE Division with a satellite office at Pleasant Gap. *

Page 86: Bureau of Education and Public Outreach. The combined bureau would also be responsible for angler education, aquatic education, and water rescue training. PFBC's regional Aquatic Resource Program Specialists are not accurately described.

Page 87, Para 1 and 2: The report suggests that all current education specialist staff will be retained. What about the support staff? A combined education and information effort could not be effective with only 2 people out of 6 to support these activities.

Page 87, Para 3: The report overlooked the fact that the 6 Aquatic Resource Program Specialists are located in regional offices and not the headquarters. The PFBC also has two education division chiefs in the headquarters that the discussion appears to overlook.

Page 87, Para 5: The managing editor in PFBC does a whole lot more than just manage the magazines. This position is essential for management of whole range of graphic service requirements, which would not diminish in a merged agency.

Page 89, Para 5: Program Support. Where are the examples of Fish and Boat applications? Who's going to be responsible for boats and boating equipment?*

Page 90, Region Office Operations: Report ignores that ARPS, AFMs and Maintenance units also work out of region offices.

Page 91. This regional deployment is incongruous with the current regional functions of the PFBC. See previous comments.

Page 92: Where are the area fisheries managers on the chart and where are the PFBC area maintenance managers and staff? Are they part of the regional office structure? Our

regional maintenance managers and their maintainers maintain fishing and boating infrastructure in their assigned regions. There are currently 3 maintenance regions. How is it proposed that the lake, access and other maintenance functions be handled? The Commission is understaffed in this area now. Certainly, more maintenance could be done at our access areas and lakes if more resources were available. The maintainers could and may also need to play an expanded maintenance role at our hatcheries and offices in the future.

Page 95: The Commission's ARPS are not centrally located in the Bureau of Boating and Education. They are centrally-supervised but located in regional locations. *

To say that one education specialist in each region could handle all of the education and information needs of the combined agency completely understates the requirements, especially since the report is proposing to remove these duties from WCOs. You can't remove the duties from one employee and then also reduce the number of other employees who are supposed to pick up the slack. Is the report suggesting that E & I functions need to be reduced? If that is the case, then it should come out and say so.

Page 112: A little over 10% of PFBC Law enforcement time is now dedicated to nonlaw-enforcement activity. The report is proposing to cut out this very small percent of effort as a way to justify staffing reductions without identifying how the same coverage and services will be provided

Page 113: Determining the number of new WCOs needed to carry out the mission and do their jobs requires a workload analysis which is lacking. The vacancy analysis in the report appears flawed. The savings are overstated.

Pages 115-120: While there is a projection of the number of deputies who leave service as a result of a merger, there is no real calculation of the impact a reduction of the deputy force would have programmatically. It is highly likely that a substantial reduction in the relatively cost-efficient deputy force would increase the workload on full-time conservation officers. Logically, this would result in either further diminished service, increased costs in overtime, or require more full time officers to be on staff than the report projects or - most likely - all of the above. There is no attempt to calculate the financial impact to a merged agency of a substantial workload shift due to a reduced deputy force. It is logical to assume, however, that the costs would be considerable and calls into question the projected "savings" in law enforcement costs that the report touts. While fines and penalties are not a major revenue stream for either agency, we can assume some decrease in said revenues with a reduced WCO/DWCO field complement. Once more, there is no attempt to calculate this loss of revenue, calling into question yet again the "savings" suggested by the report.

Page 120: What are the increased annual deputy training costs? Deputies in a combined agency should be hired for specific purposes. The good thing about the current system is that they are not expected to be operational year around at full activity levels. These are volunteers with specific interests and want some time off. If

someone has interest in hunting enforcement, we shouldn't expect him or her to do boat work. If someone likes boats but know anything about hunting we should not expect them to enforce the game laws. There is nothing wrong with specialization in the deputy corps.

Page 122 Last Para. California and Oregon DO maintain separate BOATING funds. Again the report focuses on fish and game funds and ignores boating.

Page 124: The proxy the Commission has used for "report groups" is organization and/or cost functions.

Page 124-126: If the separate fish and boat funds are a problem, a merger shouldn't be necessary or the driving factor to fix the problem. Many of the issues surrounding the problems with separate funds are administrative in nature and could be ameliorated. The SAP system was supposed to make this process simpler but it didn't.

Page 127-129: The Fish and Boat Code limits sale or exchanges of Commission property be requiring a unanimous vote of the Commissioners and limiting exchanges to property or money of equal or greater value.

Page 136: What analysis was done to justify permanently assigned vehicles for wildlife technicians?

Page 143 Table 30 If the new conservation officers are only doing Law Enforcement, why do they need training in Amphibian and Reptiles, fish management, aquatic ecology and fishing skills and education?

Volume II, page 43. The Fish and Boat Code has an analogous provision concerning reciprocal enforcement. 30 Pa. C.S. § 902 provides that all WCOs and DWCOs "are authorized to enforce all the laws of this Commonwealth, and rules and regulations promulgated thereunder, relating to game, parks and forestry, under the direction of the Pennsylvania Game Commission and the Department of Environmental Resources, respectively.*

*Indicates that an adjustment has been made to the final version of the report based on the commentary noted.

APPENDIX F

LB&FC Staff Comments to the Pennsylvania Fish and Boat Commission and Pennsylvania Game Commission Responses to This Report

While we do not intend to address every point made in the Commissions' letters of response, several key points do require a response:

The Commissions criticize the report for focusing on what savings could be achieved in a merged Commission without explaining how a merged agency would better serve the Commonwealth's anglers, boaters, hunters, and trappers. The Fish and Boat Commission calls it our "willingness to sacrifice customer service and resource protection and management." As stated in the report, our objective was to propose an organizational structure that would preserve all key functions of the Commissions at current, or near current, levels. For example, we provided for no reductions at all in the current complement levels for the Game Commission's Bureau of Wildlife Management, Bureau of Land Management, and regional Food and Cover Corps employees or in the Fish and Boat Commission's Bureau of Fisheries and Bureau of Engineering and Development. While it is reasonable to assume that a merged agency would, over time, lead to a more holistic approach to resource management, this was not a factor that we could quantify for the report.

The Commissions criticize the report for not having done workload assessments of the current employees. Together, the two Commissions have a complement of approximately 1,100 positions. To conduct desk audits of all—or even 5 percent—of these positions was beyond the scope of this study. As stated in the report, the organizational structure we propose should be viewed as a framework, not a blueprint, for a merged agency. As can be seen on page 110 of the report, we did conduct a detailed workload analysis of the Waterways Conservation Officer and Wildlife Conservation Officer positions, the positions that we believe offer the greatest opportunity for savings in a merged agency.

The Commissions believe we have overestimated potential cost savings. We believe our estimate of \$5 million in annual savings, which is less than 5 percent of the combined Commissions' budgets, is realistic. There are other positions we could conceivably have eliminated, but our goal was to identify a figure that we believe could actually be achieved.

Appendix F (Continued)

The Fish and Boat Commission states that the report “. . . has completely ignored the many intangibles associated with such a proposal” and that “one of the most important intangible elements that needs to be considered in any merger scenario is the input from our customers. . . .” As noted in the Introduction to our report, we relied on the testimony taken at the five hearings held by the House Game and Fisheries Committee to obtain such input. Two members of our staff attended each of these hearings, and the testimony is summarized in Appendix C of the report.

The Game Commission criticizes the lack of analysis of the cost to merge the agencies, citing such issues as possible changes to HVAC systems if remodeling is done. In planning the study, we made the decision to focus on the organizational structures of fish and wildlife agencies in other states and to assess the possible cost savings of such a structure in Pennsylvania. We decided not to contract with consultants to assess the possible costs and benefits in such specialty areas such as information technology integration, real estate appraisal, and space and facilities management. A study at this level of detail would have been costly and difficult to complete in the time frame provided for in the resolution.

The Game Commission states “a major flaw in the analysis is the complete elimination of the Information and Education Program from the regions.” This is incorrect. We proposed that the number of I&E staff be reduced from twelve (two in each region) to six (one in each region). The regional staff would be supplemented by a core I&E team from Headquarters, such as now exists in the Fish and Boat Commission.

The Game Commission states that our WCO analysis is flawed, citing that

- *“. . . leave time is nonproductive and should not be included in actual work time.”* Leave time was included in the definition of law enforcement duties because it is a contracted benefit and field coverage must be maintained.
- *“. . . that the model’s definition of those activities that constitute law enforcement is misleading”* In defining “law enforcement activities,” however, we used the Game Commission’s own internal definition.
- *that we should have prorated “Other” time across all activities and not consider it as law enforcement time.”* We decided to include “Other”

Appendix F (Continued)

time as a law enforcement activity as a way of being conservative and to provide some opportunity for the law enforcement officers to conduct very limited “non-enforcement” activities.

The Game Commission charges that “. . . the [WCO workload] model appears inflated to get to an acceptable level.” This is untrue. We conducted the analysis we considered proper under the circumstances and provide detail in the report as to how we arrived at our conclusion.

The Game Commission states that “using an average salary inflates the financial savings” and that the lowest salaried staff would be the first to leave. It is just as likely that the highest paid staff—those who are at or near retirement age—would be the most likely to leave should the Commission be merged. We therefore think using an average salary is appropriate.

The Commissions appear to be of the opinion that we are advocating a merged agency. The report contains no recommendations. As the Fish and Boat Commission acknowledges, a single agency is clearly feasible. Our goal was to propose an organizational structure for such an agency and to develop a realistic estimate of the annual savings that could be achieved under that structure while still retaining both Commissions’ key functional responsibilities.