

STATEMENTS OF POLICY

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 57]

Deputy Waterways Conservation Officers

The Fish and Boat Commission (Commission) by this order adopts a statement of policy set forth in Chapter 57 (relating to statements of policy). The Commission is publishing this statement of policy under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The statement of policy relates to deputy waterways conservation officers.

A. *Effective Date*

This statement of policy will go into effect upon publication of this order adopting the statement of policy in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the statement of policy, contact Laurie E. Shepler, Assistant Counsel, (717) 705-7815, P. O. Box 67000, Harrisburg, PA 17106-7000. This statement of policy is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

C. *Statutory Authority*

The statement of policy is published under the statutory authority of section 305 of the code (relating to deputy waterways conservation officers).

D. *Purpose and Background*

The Commission's Bureau of Law Enforcement (Bureau) maintains detailed standard operating procedures pertaining to a variety of subjects, including deputy waterways conservation officers, their appointment, training, and the like. The Bureau's statements of policy set forth in §§ 57.41 and 57.42 (relating to deputy waterways conservation officers; and active deputy waterways conservation officers) also address these issues. To avoid some of the redundancy, the Commission has replaced the text of §§ 57.41 and 57.42 with the language set forth in Annex A.

E. *Paperwork*

The statement of policy will not increase paperwork and will create no new paperwork requirements.

F. *Fiscal Impact*

The statement of policy will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The statement of policy will impose no new costs on the private sector or the general public.

G. *Public Involvement*

Because this order adopts a statement of policy, and not amendments, the Commission was not required to publish a notice of proposed rulemaking in the *Pennsylvania Bulletin* or to solicit public comment.

Order

The Commission, acting under the authorizing statutes, orders that:

(a) The statement of policy of the Commission, 58 Pa. Code Chapter 57, is amended by amending § 57.41 and deleting § 57.42 to read as set forth at Annex A.

(b) The Executive Director shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

PETER A. COLANGELO,
Executive Director

Fiscal Note: 48A-119. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 57. STATEMENTS OF POLICY

Subchapter C. LAW ENFORCEMENT POLICIES

§ 57.41. Deputy waterways conservation officers.

(a) The Commission's Bureau of Law Enforcement will establish and implement policies as necessary to administer a volunteer deputy waterways conservation officer program. The policies, at a minimum, shall address the following:

(1) Eligibility and procedure for appointment.

(2) Training, law enforcement procedures and firearms and other qualifications.

(3) Wearing of uniforms.

(b) Commissions for deputy waterways conservation officers expire on December 31 of the year in which they were issued. No person has a right, title or interest in being commissioned as a deputy waterways conservation officer nor an expectation that his commission will be reissued for a subsequent year. Commissions are issued until December 31 and no longer.

(c) The district waterways conservation officer or region manager may temporarily suspend the commission of a deputy waterways conservation officer for failure to comply with the policies established by the Bureau of Law Enforcement. The Executive Director or a designee may permanently revoke the commission of a deputy waterways conservation officer when revocation is deemed to be in the best interests of the Commission.

§ 57.42. (Reserved).

[Pa.B. Doc. No. 01-1168. Filed for public inspection June 29, 2001, 9:00 a.m.]