

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 51]

Administrative Provisions; Public Comments at Commission Meetings

[56 Pa.B. 2849]

[Saturday, May 16, 2026]

The Fish and Boat Commission (commission) proposes to amend Chapter 51 (relating to administrative provisions). The commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code). Section 51.7(b) (relating to public comments at Commission meetings) directs that a public comment period be provided at the beginning of each committee meeting in an appropriate format determined by the committee chair. This rulemaking proposes to permit the public comment period for virtual committee meetings to be provided prior to the date of the meeting.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this proposed rulemaking, contact Robert J. Schefter, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the commission's website at pa.gov/agencies/fishandboat.

C. *Statutory Authority*

The proposed amendment to § 51.7(b) is published under the authority of 65 Pa.C.S. § 710 (relating to rules and regulations for conduct of meetings) and section 506 of The Administrative Code of 1929 (71 P.S. § 186).

D. *Purpose and Background*

Section 51.7(b) directs that "[t]he committee chair will provide a brief public comment period at the beginning of each committee meeting." The current practice is to hold most committee meetings virtually for efficiency purposes, including alleviating the need for some individuals to travel great distances to attend the meeting. The current practice for accepting public comments for virtual meetings is to hold the public comment period during a scheduled block of time on a date prior to the meeting by means of telephonic voice message. This format provides flexibility to the public to make comments at the commenter's convenience during the defined time period without having to connect remotely at the time of the meeting. This format avoids the risk of technological difficulties and also avoids the risk to the commission of inappropriate use of remote technology during public comment; for example, inappropriate language or images being broadcast live across the Internet.

The public comment period for virtual meetings and instructions for making public comments are posted along with the notice of the meeting; notices are posted in accordance with 65 Pa.C.S. § 709 (relating to publicnotice). The agenda for each meeting is published on the commission's website prior to the public comment period. The current practice is for the public comment period to begin at 8 a.m. and continue until 12 p.m. the following day, approximately 1 to 2 weeks prior to the meeting, providing ample opportunity for those who wish to provide public comment. Once the public comment period ends, the comments are transcribed and provided to the committee members prior to the meeting.

This proposed rulemaking is necessary to align the commission regulation relating to public comments at committee meetings with the current practice of accepting public comments for virtual committee meetings on a date prior to the meeting. This proposed rulemaking would satisfy the need by directing the committee chair to provide a public comment period to be held prior to the date and time of the meeting. This proposed rulemaking reflects the current practice of accepting public comments by means of telephone message, while permitting the committee chair to select another appropriate format. This proposed rulemaking also ensures that the meeting agenda and public comment period and format are provided with the notice of the meeting. This practice ensures that the public will have the agenda items in advance of the public comment period. This proposed rulemaking further ensures that committee members will receive public comments prior to any deliberation that may occur at the committee meeting.

E. Summary of Proposal

The commission proposes to amend § 51.7(b) to permit the public comment period for virtual committee meetings to be provided prior to the date of the meeting by adding paragraphs (1) and (2) as set forth in Annex A.

The first and second sentences of proposed paragraph (1) define the current practice of accepting public comments prior to the date of the meeting by telephonic message, while allowing the chair to select another appropriate format. The last sentence ensures the public has the meeting agenda prior to the public comment period by requiring that the agenda and public comment period and format be provided when the public notice of the meeting is posted. Proposed paragraph (2) provides a definition of the term "virtual meetings."

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to ra-pfbcregulations@pa.gov. Electronic comments submitted in any other manner will not be accepted.

Fiscal Note: 48A-371. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter A. PRELIMINARY PROVISIONS

§ 51.7. Public comments at Commission meetings.

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(b) *Public comments at committee meetings.* The committee chair will provide a brief public comment period at the beginning of each committee meeting. The committee chair will determine an appropriate format for this period, including its length. The [Committee] committee chair may limit comments to matters that are related to the charge of the committee that are not repetitive or duplicative of other comments.

(1) *Public comments at virtual committee meetings.* For virtual committee meetings, the committee chair will provide a public comment period to be held prior to the date of the meeting. The format for public comments will be by telephonic voice message or other appropriate format determined by the committee chair. The meeting agenda and the public comment period and format shall be provided with the public notice of the meeting.

(2) *Definition.* As used in this section, the term "virtual meeting" means a meeting conducted using digital technology that allows participants to communicate in real time from remote physical locations.

[Pa.B. Doc. No. 26-691. Filed for public inspection May 15, 2026, 9:00 a.m.]

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