

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 715 Session of
1993

INTRODUCED BY GODSHALL, DeWEESE, PHILLIPS, DURHAM, COY, CIVERA,
GIGLIOTTI, BUNT, ULIANA, JAROLIN, CORNELL, B. SMITH, HALUSKA,
TRELLO AND TOMLINSON, MARCH 22, 1993

REFERRED TO COMMITTEE ON GAME AND FISHERIES, MARCH 22, 1993

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further providing for unlawful devices and methods.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Section 2308 of Title 34 of the Pennsylvania
6 Consolidated Statutes is amended to read:

7 § 2308. Unlawful devices and methods.

8 (a) General rule.--Except as otherwise provided in this
9 title, it is unlawful for any person to hunt or aid, abet,
10 assist or conspire to hunt any game or wildlife through the use
11 of:

12 (1) An automatic firearm or similar device.

13 (2) A semiautomatic rifle or pistol.

14 (3) A crossbow.

15 (4) A semiautomatic shotgun or magazine shotgun for
16 hunting or taking small game, furbearers, turkey or
17 unprotected birds unless the shotgun is plugged to a two-

1 shell capacity in the magazine.

2 (5) Any device operated by air, chemical or gas cylinder
3 by which a projectile of any size or kind can be discharged
4 or propelled.

5 (6) Any recorded call or sound or recorded or
6 electronically amplified imitation of a call or sound of any
7 description or any other call or sound or imitation of calls
8 or sounds which are prohibited by regulations of the
9 commission. The commission shall be authorized, by
10 resolution, to adopt rules and regulations authorizing the
11 limited use of recorded calls or sounds or recorded or
12 electronically amplified imitation of calls or sounds when
13 such use is necessary in the commission's judgment to protect
14 the public health and safety or to preserve that species or
15 any other endangered by it.

16 (7) A vehicle or conveyance of any kind or its
17 attachment propelled by other than manpower. Nothing in this
18 subsection shall pertain to any motorboat or sailboat if the
19 motor has been completely shut off or sail furled, and the
20 progress thereof has ceased.

21 (8) Any artificial or natural bait, hay, grain, fruit,
22 nut, salt, chemical, mineral or other food as an enticement
23 for game or wildlife, regardless of kind and quantity, or
24 take advantage of any such area or food or bait prior to 30
25 days after the removal of such material and its residue.
26 Nothing contained in this subsection shall pertain to normal
27 or accepted farming, habitat management practices, oil and
28 gas drilling, mining, forest management activities or other
29 legitimate commercial or industrial practices. Upon discovery
30 of such baited areas, whether prosecution is contemplated or

1 not, the commission may cause a reasonable area surrounding
2 the enticement to be posted against hunting or taking game or
3 wildlife. The posters shall remain for 30 days after complete
4 removal of the bait.

5 (9) Any setgun, net, bird lime, deer lick, pit or pit
6 fall, turkey blind or turkey pen or any explosive, poison or
7 chemical of any kind.

8 (9.1) Any device which permits the release of two or
9 more arrows simultaneously on a single full draw of a bow.

10 (10) Any other device or method of any kind prohibited
11 by this title.

12 (b) Exceptions.--The provisions of subsection (a) shall not
13 apply to [any]:

14 (1) Any archery sight or firearm's scope which contains
15 and uses any mechanical, photoelectric, ultraviolet or solar-
16 powered device to solely illuminate the sight or crosshairs
17 within the scope. No archery sight or firearm's scope shall
18 contain or use any device, no matter how powered, to project
19 or transmit any light beam, infrared beam, ultraviolet light
20 beam, radio beam, thermal beam, ultrasonic beam, particle
21 beam or other beam outside the sight or scope onto the
22 target.

23 (2) The use of commercially produced estrus and urine
24 scents or lures for hunting deer.

25 (c) Penalties.--

26 (1) A violation of subsection (a)(1), (2), (3), (4) or
27 (5) is a summary offense of the fifth degree.

28 (2) A violation of subsection (a)(7) is a summary
29 offense of the third degree.

30 (3) A violation of any other provision of this section

1 is a summary offense of the fourth degree.

2 Section 2. This act shall take effect immediately.