

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1356

 Session of 1999

INTRODUCED BY PHILLIPS, STABACK, ALLEN, FAIRCHILD, SATHER, WILT,
GEIST, GODSHALL, GORDNER, ORIE, HESS, HENNESSEY, HASAY,
STERN, YOUNGBLOOD, BAKER, McCALL, BELFANTI AND MAJOR,
APRIL 20, 1999

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
DECEMBER 6, 1999

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further providing FOR UNLAWFUL TAKING OR POSSESSION <—
3 OF GAME OR WILDLIFE AND for the issuance of various licenses
4 AND DISABLED PERSON PERMITS. <—

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 ~~Section 1. Section 2705 of Title 34 of the Pennsylvania~~ <—
8 ~~Consolidated Statutes, amended December 21, 1998 (P.L.1274,~~
9 ~~No.166), is amended to read:~~

10 SECTION 1. SECTIONS 2307(E)(1), 2705 AND 2923(C) OF TITLE 34 <—
11 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:
12 § 2307. UNLAWFUL TAKING OR POSSESSION OF GAME OR WILDLIFE.

13 * * *

14 (E) PENALTIES.--A VIOLATION OF THIS SECTION RELATING TO:

15 (1) THREATENED OR ENDANGERED SPECIES IS A MISDEMEANOR OF
16 THE [THIRD] SECOND DEGREE.

17 * * *

1 § 2705. Classes of licenses.

2 Unless otherwise provided, any person wishing to exercise any
3 of the privileges granted by this title shall first secure the
4 applicable resident or nonresident hunting or furtaker license
5 as follows:

6 (1) Adult resident hunting licenses to residents who
7 have reached their 17th birthday but have not reached their
8 65th birthday.

9 (2) Junior resident hunting licenses to residents who
10 have reached or will reach their 12th birthday in the
11 [calendar] license year of application for a license but who
12 have not reached their 17th birthday prior to the date of the
13 application for the license and who present a written
14 request, bearing the signature of a parent or guardian, for
15 the issuance of a license. The actual hunting privileges
16 granted to the holder of a junior license shall not be
17 exercised until that person in fact is 12 years of age.

18 (3) Senior resident hunting licenses or, at the option
19 of the applicant, a senior lifetime resident hunting license
20 to residents who have reached or will reach their 65th
21 birthday in the license year of the application for the
22 license. The commission shall develop, implement and
23 administer a system to provide tags, report cards and
24 applications to those residents who hold a senior lifetime
25 resident hunting license issued under this paragraph. The
26 system shall require the applicant or license holder to pay
27 any approved fee assessed by the issuing agent.

28 (4) Adult resident furtaker licenses to residents who
29 have reached their 17th birthday but have not reached their
30 65th birthday.

1 (5) Junior resident furtaker licenses to residents who
2 have reached or will reach their 12th birthday in the
3 [calendar] license year of application for a license but who
4 have not reached their 17th birthday prior to the date of the
5 application for the license and who present a written
6 request, containing the signature of a parent or guardian,
7 for the issuance of a license. The actual furtaking
8 privileges granted to the holder of a junior license shall
9 not be exercised until that person in fact is 12 years of
10 age.

11 (6) Senior resident furtaker licenses or, at the option
12 of the applicant, a senior lifetime resident furtaker license
13 to residents who have reached or will reach their 65th
14 birthday in the license year of the application for the
15 license.

16 (7) Senior lifetime resident combination hunting and
17 furtaking license, including archery and muzzleloader
18 privileges, to residents who have reached or will reach their
19 65th birthday in the license year of the application for the
20 license. The commission shall develop, implement and
21 administer a system to provide tags, report cards and
22 applications to those residents who hold a senior lifetime
23 resident hunting license issued under this paragraph. The
24 system shall require the applicant or license holder to pay
25 any approved fee assessed by the issuing agent.

26 (7.1) Junior resident combination hunting and furtaker
27 license, including archery and muzzleloader privileges, to
28 residents who have reached or will reach their 12th birthday
29 in the [calendar] license year of application for a license
30 but who have not reached their 17th birthday prior to the

1 date of the application for the license and who present a
2 written request, containing the signature of a parent or
3 guardian, for the issuance of a license. The actual
4 privileges granted to the holder of a junior resident
5 combination license shall not be exercised until that person
6 in fact is 12 years of age.

7 (8) Adult nonresident hunting licenses to all
8 nonresidents of 17 years of age or older.

9 (9) Junior nonresident hunting licenses to all
10 nonresidents who have reached or will reach their 12th
11 birthday in the [calendar] license year of application for a
12 license but who have not reached their 17th birthday prior to
13 the date of the application for the license and who present a
14 written request, bearing the signature of a parent or
15 guardian, for the issuance of a license. The actual hunting
16 privileges granted to the holder of a junior license shall
17 not be exercised until that person in fact is 12 years of
18 age.

19 (10) Adult nonresident furtaker licenses to nonresidents
20 of 17 years of age or older.

21 (11) Junior nonresident furtaker licenses to
22 nonresidents who have reached or will reach their 12th
23 birthday in the [calendar] license year of application for a
24 license but who have not reached their 17th birthday prior to
25 the date of the application for the license and who present a
26 written request, containing the signature of a parent or
27 guardian, for the issuance of a license. The actual furtaking
28 privileges granted to the holder of a junior license shall
29 not be exercised until that person in fact is 12 years of
30 age.

1 (11.1) Junior nonresident combination hunting and
2 furtaker license, including archery and muzzleloader
3 privileges, to nonresidents who have reached or will reach
4 their 12th birthday in the [calendar] license year of
5 application for a license but who have not reached their 17th
6 birthday prior to the date of the application for the license
7 and who present a written request, containing the signature
8 of a parent or guardian, for the issuance of a license. The
9 actual privileges granted to the holder of a junior
10 nonresident combination license shall not be exercised until
11 that person in fact is 12 years of age.

12 (12) Seven-day nonresident small game license to persons
13 eligible to procure a nonresident hunting license. The
14 license shall be valid for a period of seven consecutive
15 days. The holder of the license shall be entitled to hunt
16 for, take or kill crows and small game.

17 (13) Antlerless deer licenses, bear licenses, archery
18 licenses, muzzleloader licenses and any other license
19 required to insure just and proper administration of this
20 title and sound game or wildlife conservation to eligible
21 persons, subject to the regulations, requirements and
22 conditions which the commission shall establish. Any such
23 license shall be made available to residents serving on
24 active duty in the armed forces of the United States or in
25 the United States Coast Guard without regard to quota
26 limitations or application deadlines.

27 (14) Migratory game bird licenses for hunting all
28 migratory game birds to eligible persons, subject to the
29 regulations, requirements and conditions which the commission
30 shall establish. Any such license shall be made available to

1 residents serving on active duty in the armed forces of the
2 United States or in the United States Coast Guard without
3 regard to quota limitations or application deadlines.

4 § 2923. DISABLED PERSON PERMITS. <—

5 * * *

6 (C) BOW AND ARROW OR CROSSBOW.--A PERMIT SHALL BE ISSUED TO
7 ANY PERSON WHO PRESENTS A DOCTOR'S CERTIFICATE SHOWING THAT THE
8 PERSON IS, BECAUSE OF A PERMANENT OR TEMPORARY PHYSICAL
9 CONDITION, UNABLE TO HUNT WITH A CONVENTIONAL BOW AND ARROW,
10 AUTHORIZING THAT PERSON TO HUNT BY THE USE OF:

11 (1) A BOW AND ARROW WHICH IS HELD IN PLACE BY A BRACE
12 SECURED AROUND THE BODY OF THE HUNTER OR IS TRIGGERED WITH
13 THE AID OF A MECHANICAL DEVICE.

14 (2) A CROSSBOW SUBJECT TO THE FOLLOWING RESTRICTIONS:

15 (I) WHEN HUNTING DEER, BEAR OR TURKEY, THE CROSSBOW
16 MUST HAVE A DRAW WEIGHT OF NOT LESS THAN 125 POUNDS NOR
17 MORE THAN 200 POUNDS.

18 (II) THE ARROWS FOR THE CROSSBOW MUST BE TIPPED WITH
19 BROADHEADS OF A CUTTING EDGE DESIGN.

20 THE PERMITTEE SHALL CARRY THE PERMIT UPON HIS PERSON AT ALL
21 TIMES WHILE HUNTING. TO THE EXTENT THAT IT AUTHORIZES THE
22 ISSUANCE OF PERMITS BASED UPON TEMPORARY DISABILITY, THIS
23 SUBSECTION SHALL EXPIRE ON DECEMBER 31, 2002, UNLESS LEGISLATION
24 IS ENACTED REAUTHORIZING IT.

25 * * *

26 ~~Section 2. This act shall take effect July 1, 1999.~~ <—

27 SECTION 2. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <—

28 (1) THE AMENDMENT OF 34 PA.C.S. § 2307(E)(1) SHALL TAKE
29 EFFECT IMMEDIATELY.

30 (2) THE AMENDMENTS OF 34 PA.C.S. §§ 2705 AND 2923(C)

1 SHALL TAKE EFFECT JULY 1, 2000.

2 (3) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.