

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 932

Session of
1975

INTRODUCED BY MESSRS. GEORGE, NOYE, SHELHAMER, HALVERSON, PITTS,
GIAMMARCO, THOMAS, COLE, LETTERMAN, MCINTYRE, E. H. SMITH
AND RENWICK, APRIL 7, 1975

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 7, 1975

AN ACT

1 Amending the act of June 3, 1937 (P.L.1225, No.316), entitled
2 "An act concerning game and other wild birds and wild
3 animals; and amending, revising, consolidating, and changing
4 the law relating thereto," adding the term "resident" and
5 specifying the meaning of the term for the purpose of the
6 act.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 101, act of June 3, 1937 (P.L.1225,
10 No.316), known as "The Game Law," is amended by adding a
11 definition to read:

12 Section 101. Definitions.--* * *

13 The term "resident" as used throughout this act shall mean A <—
14 PERSON WHO IS permanently domiciled within this Commonwealth <—
15 the place where one AND has his permanent home and HERE to which <—
16 he has the intention of returning whenever he is absent. the <—
17 fixed place of abode which is permanent rather than transitory.
18 The place where any person has voluntarily fixed the habitation
19 of himself or herself and his or her family, not for a mere

1 ~~special or limited purpose, but with the express intention of~~
2 ~~making a permanent home and to remain there until such time as~~
3 ~~an event occurs to induce him or her to adopt some other~~
4 ~~permanent home. The place where one is legally obligated by law~~
5 ~~as a resident of the Commonwealth, to pay any income tax, wage~~
6 ~~tax, occupation tax, per capita tax or personal tax, State or~~
7 ~~local, which may be imposed. The burden of proof that he or she~~
8 ~~is a resident of this Commonwealth as herein defined for any~~
9 ~~purpose of this act shall be the responsibility of the person~~
10 ~~asserting the same.~~

11 * * *

12 Section 2. Section 301 of the act is amended to read:

13 Section 301. Residents of State.--For the purpose of this
14 article any person who has been a [bonafide] resident of this
15 Commonwealth as defined in section 101 for a period of not less
16 than sixty days preceding his application for a hunter's
17 license, and was born in the United States of America, or was
18 fully naturalized under the laws of the United States, or who is
19 a citizen of the United States of America and regularly enrolled
20 in the United States Army, the United States Navy, or the United
21 States Marine Corps and officially stationed within the
22 Commonwealth thirty or more days next preceding his application,
23 shall be entitled to the license herein referred to as the
24 resident hunter's license, upon the further fulfillment of the
25 requirements of this article.

26 Section 3. The first paragraph of section 302 of the act,
27 amended June 27, 1973 (No.36), is amended to read:

28 Section 302. Resident License Fees.--Each such resident as
29 [provided in the preceding section] defined in sections 101 and
30 301, upon application made, in writing, to an agent authorized

1 to issue such licenses within the Commonwealth, [the] and upon
2 presentation of proof by the applicant that he or she is a
3 citizen of the United States and a [bonafide] resident of this
4 Commonwealth [under the requirements of this article] as
5 previously defined in this act, and the establishment of his or
6 her identity to the satisfaction of the authority issuing the
7 license, or to the satisfaction of the justice of the peace,
8 magistrate, or notary public, or any agent designated to receive
9 applications for licenses, when taking such applications as
10 hereinafter authorized, by producing a bank book, letters, lodge
11 cards, police cards, a motor vehicle driver's license, TAX <—
12 RECEIPTS EVIDENCING PAYMENT OF STATE INCOME TAX, EARNED INCOME
13 TAX OR OTHER LOCAL TAXES PURSUANT TO THE ACT OF DECEMBER 31,
14 1965 (P.L.1257, NO.511), KNOWN AS "THE LOCAL TAX ENABLING ACT,"
15 or some other positive means of identification, and, in the case
16 of naturalized foreign-born applicants, the production of such
17 applicant's naturalization papers, unless any such person has
18 been disqualified for a license in the manner hereinafter
19 specified, and the payment to said agent or the commission of
20 eight dollars and twenty-five cents (\$8.25) except as
21 hereinafter provided for certain minors and older persons, shall
22 be entitled to a resident hunter's license and a tag with the
23 number of the license thereon, which shall entitle the holder to
24 hunt or trap for all wild birds and wild animals which may
25 legally be hunted or trapped in this Commonwealth. Residents
26 with the above qualifications, who are between the ages of
27 twelve and sixteen inclusive or who are sixty-five years of age
28 or more at the time of application, shall be entitled to a
29 resident hunter's license and tag upon payment to said agent or
30 the commission of, in the case of persons sixty-five years of

1 age or more, five dollars and twenty-five cents (\$5.25) and, in
2 the case of persons between the ages of twelve and sixteen, five
3 dollars and twenty-five cents (\$5.25). The application for the
4 issuance of a license in such cases shall, in addition to the
5 other information required, give the date of birth of the
6 applicant.

7 * * *

8 Section 4. This act shall take effect immediately.