

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1393 Session of  
1999

INTRODUCED BY HESS, PHILLIPS, GODSHALL, STERN, BELFANTI, PESCI,  
TRELLO, SOLOBAY, WILT, GEIST, SURRA, SEYFERT, E. Z. TAYLOR  
AND HARHAI, APRIL 26, 1999

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, NOVEMBER 20, 2000

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, further providing for unlawful taking or possession  
3 of threatened or endangered species; ~~and~~ limiting the <—  
4 prohibition on the use of turkey blinds; AND PROVIDING FOR <—  
5 THE ADOPTION OF CAPITAL PROJECTS TO BE FINANCED FROM CURRENT  
6 REVENUES OF THE GAME FUND.

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

9 Section 1. Section 2307(e) of Title 34 of the Pennsylvania  
10 Consolidated Statutes is amended to read:

11 § 2307. Unlawful taking or possession of game or wildlife.

12 \* \* \*

13 (e) Penalties.--A violation of this section relating to:

14 (1) Threatened or endangered species is a misdemeanor of  
15 the [third] second degree.

16 (2) Elk or bear is a summary offense of the first  
17 degree.

18 (3) Deer is a summary offense of the second degree.

(4) Bobcat or otter is a summary offense of the third degree.

(5) Wild turkey or beaver is a summary offense of the fourth degree.

(6) Any other game or wildlife is a summary offense of the fifth degree.

\* \* \*

Section 2. Section 2308(a)(9) of Title 34 is amended and subsection (b) is amended by adding a paragraph to read:

§ 2308. Unlawful devices and methods.

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

\* \* \*

(9) Any setgun, net, bird lime, deer lick, pit or pit fall, turkey blind except as permitted under subsection (b)(3) or turkey pen or any explosive, poison or chemical of any kind.

\* \* \*

(b) Exceptions.--The provisions of subsection (a) shall not apply to:

\* \* \*

(3) Any artificial or manufactured turkey blind consisting of all manmade materials of sufficient density to block the detection of movement within the blind from an observer located outside of the blind.

\* \* \*

SECTION 3. (A) THE TOTAL AUTHORIZATION FOR THE CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC IMPROVEMENT PROJECTS TO BE

<—

1 ACQUIRED BY THE PENNSYLVANIA GAME COMMISSION, AND TO BE FINANCED  
2 FROM CURRENT REVENUES OF THE GAME FUND PURSUANT TO EXECUTIVE  
3 AUTHORIZATIONS, SHALL BE \$570,000.

4 (B) THE INDIVIDUAL CAPITAL PROJECTS IN THE CATEGORY OF  
5 PUBLIC IMPROVEMENT PROJECTS TO BE ACQUIRED BY THE PENNSYLVANIA  
6 GAME COMMISSION, AND TO BE FINANCED FROM CURRENT REVENUES OF THE  
7 GAME FUND PURSUANT TO EXECUTIVE AUTHORIZATIONS, ARE HEREBY  
8 ITEMIZED, TOGETHER WITH THEIR RESPECTIVE ESTIMATED COSTS, AS  
9 FOLLOWS:

10 (1) CLINTON COUNTY

11 (I) LAND ACQUISITION - 3,300 ACRES \$570,000

12 (C) THE AUTHORIZATION FOR THE ADDITIONAL CAPITAL PROJECT <—  
13 ITEMIZED IN THIS SECTION FOR WHICH CONTRACTS HAVE NOT BEEN  
14 EXECUTED WITHIN FOUR YEARS OF THE EFFECTIVE DATE OF THIS ACT  
15 SHALL EXPIRE UPON SUCH DATE AND SHALL BE CONSIDERED REPEALED.  
16 THE SECRETARY OF THE BUDGET MAY EXTEND AN EXPIRED PROJECT FOR UP  
17 TO ONE YEAR UPON WRITTEN NOTIFICATION OF THE CHAIRMAN AND  
18 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE SENATE  
19 AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS  
20 COMMITTEE OF THE HOUSE OF REPRESENTATIVES. UPON EXPIRATION OF  
21 THE EXTENSION PERIOD, AN EXTENDED PROJECT MAY NOT BE  
22 SUBSEQUENTLY EXTENDED.

23 (D) WHENEVER THE AUTHORIZATION FOR THE ADDITIONAL CAPITAL  
24 PROJECT ITEMIZED UNDER THIS SECTION SHALL EXPIRE PURSUANT TO  
25 SUBSECTION (C), THE SECRETARY OF THE BUDGET SHALL, WITHIN 30  
26 DAYS OF THE DATE OF EXPIRATION, PROVIDE NOTICE TO THE CHAIRMAN  
27 AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE  
28 SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE  
29 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES. SUCH  
30 NOTICE SHALL CONTAIN SPECIFIC REFERENCES TO THE SECTION OF THE

1 ACT WHEREIN THE PROJECTS WERE ITEMIZED AND SHALL INCLUDE THE  
2 PROJECT LOCATION, PROJECT DESCRIPTION AND AUTHORIZED PROJECT  
3 AMOUNT.

4 Section ~~3~~ 4. This act shall take effect immediately.

<—