

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 612 Session of
1999

INTRODUCED BY KASUNIC, HELFRICK, CORMAN, STOUT, STAPLETON AND
WHITE, MARCH 18, 1999

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 14, 2000

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further providing for controlled goose hunting
3 areas, FOR UNLAWFUL TAKING OR POSSESSION OF GAME OR WILDLIFE, <—
4 FOR CERTAIN MANDATORY HUNTER EDUCATION REQUIREMENTS, FOR THE
5 USE OF CROSSBOWS AS LEGAL HUNTING DEVICES AND FOR THE
6 APPLICATION, ISSUANCE AND FEES OF VARIOUS LICENSES INCLUDING
7 ELK HUNTING LICENSES AND DISABLED PERSON PERMITS.

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

10 ~~Section 1. Section 730 of Title 34 of the Pennsylvania~~ <—
11 ~~Consolidated Statutes is amended to read:~~

12 SECTION 1. SECTIONS 730, 929(A) AND (A.1), 2307(E)(1), 2308, <—
13 2522(F), 2704(D) AND 2705 OF TITLE 34 OF THE PENNSYLVANIA
14 CONSOLIDATED STATUTES ARE AMENDED TO READ:

15 § 730. Controlled goose hunting areas.

16 Applications are available in and must be submitted from the
17 current edition of Digest of Pennsylvania Hunting and Trapping
18 Regulations supplied with each hunting license. Applications
19 shall contain requested information, including the applicant's

1 current valid hunting license back tag number, including
2 letter[, and the number that appears on the Pennsylvania
3 Migratory Game Bird Hunting License, which is required for
4 application]. However, any person who has been selected to
5 reserve use of a Special Wildlife Management Area shall be
6 required to obtain a Pennsylvania Migratory Game Bird Hunting
7 License prior to the date of reservation. All other procedures
8 shall be established by regulations promulgated by the
9 commission.

10 ~~Section 2. This act shall take effect in 60 days.~~ <—

11 § 929. REVOCATION OR DENIAL OF LICENSE, PERMIT OR REGISTRATION. <—

12 (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN THIS
13 TITLE, ANY HUNTING OR FURTAKING LICENSE, SPECIAL LICENSE OR
14 PERMIT OR REGISTRATION GRANTED UNDER THE AUTHORITY OF THIS TITLE
15 MAY BE REVOKED BY THE COMMISSION WHEN THE HOLDER OF THE LICENSE,
16 PERMIT OR REGISTRATION IS CONVICTED OF AN OFFENSE UNDER THIS
17 TITLE OR HAS ACTED CONTRARY TO THE INTENT OF THE LICENSE,
18 SPECIAL LICENSE, REGISTRATION OR PERMIT, WITH EACH OFFENSE
19 CONSTITUTING A SEPARATE VIOLATION SUBJECT TO SEPARATE
20 REVOCATION. THE COMMISSION MAY REFUSE TO GRANT TO THAT PERSON
21 ANY NEW LICENSE, SPECIAL LICENSE OR PERMIT OR REGISTRATION AND
22 MAY DENY ANY PRIVILEGE GRANTED BY THESE DOCUMENTS FOR A PERIOD
23 NOT EXCEEDING FIVE YEARS UNLESS OTHERWISE PROVIDED IN THIS
24 TITLE. [A PERSON WHOSE LICENSE, PERMIT OR REGISTRATION IS
25 REVOKED OR SUSPENDED UNDER A PROVISION OF THIS TITLE REQUIRING
26 MANDATORY REVOCATION OR SUSPENSION MUST, IN ORDER TO OBTAIN
27 RESTORATION, PRESENT EVIDENCE OF THE SUCCESSFUL COMPLETION OF A
28 HUNTER EDUCATION COURSE UNDER SECTION 2704(B) (RELATING TO
29 ELIGIBILITY FOR LICENSE) TAKEN SUBSEQUENT TO THE PERIOD OF
30 REVOCATION.]

(A.1) [HUNTER] REMEDIAL HUNTER EDUCATION COURSE.--A PERSON WHOSE PRIVILEGE TO HUNT WITH OR WITHOUT A LICENSE ANYWHERE IN THIS COMMONWEALTH IS REVOKED OR SUSPENDED UNDER A PROVISION OF THIS TITLE REQUIRING MANDATORY REVOCATION OR SUSPENSION SHALL, IN ORDER TO OBTAIN RESTORATION, PRESENT EVIDENCE OF THE SUCCESSFUL COMPLETION OF A REMEDIAL HUNTER EDUCATION COURSE [UNDER SECTION 2704(B) TAKEN SUBSEQUENT TO EACH PERIOD OF REVOCATION OR SUSPENSION.] AS PROVIDED BY THE DIRECTOR AND APPROVED BY THE COMMISSION PRIOR TO OBTAINING A LICENSE. THIS COURSE MAY BE TAKEN NO EARLIER THAN THREE MONTHS PRIOR TO THE END OF THE PERIOD OF REVOCATION. THE COMMISSION SHALL PROMULGATE REGULATIONS ESTABLISHING THE CURRICULUM, ADMINISTRATION AND ANY ASSOCIATED FEES OF SUCH A REMEDIAL COURSE WHICH FEES SHALL BEAR A REASONABLE RELATIONSHIP TO THE COSTS OF PROVIDING THE COURSE AND THE COURSE MATERIALS.

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§ 2307. UNLAWFUL TAKING OR POSSESSION OF GAME OR WILDLIFE.

* * *

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

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

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§ 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:

(1) AN AUTOMATIC FIREARM OR SIMILAR DEVICE.

(2) A SEMIAUTOMATIC RIFLE OR PISTOL.

[(3) A CROSSBOW.] RESERVED.

1 (4) A SEMIAUTOMATIC SHOTGUN OR MAGAZINE SHOTGUN FOR
2 HUNTING OR TAKING SMALL GAME, FURBEARERS, TURKEY OR
3 UNPROTECTED BIRDS UNLESS THE SHOTGUN IS PLUGGED TO A TWO-
4 SHELL CAPACITY IN THE MAGAZINE.

5 (5) ANY DEVICE OPERATED BY AIR, CHEMICAL OR GAS CYLINDER
6 BY WHICH A PROJECTILE OF ANY SIZE OR KIND CAN BE DISCHARGED
7 OR PROPELLED.

8 (6) ANY RECORDED CALL OR SOUND OR RECORDED OR
9 ELECTRONICALLY AMPLIFIED IMITATION OF A CALL OR SOUND OF ANY
10 DESCRIPTION OR ANY OTHER CALL OR SOUND OR IMITATION OF CALLS
11 OR SOUNDS WHICH ARE PROHIBITED BY REGULATIONS OF THE
12 COMMISSION. THE COMMISSION SHALL BE AUTHORIZED, BY
13 RESOLUTION, TO ADOPT RULES AND REGULATIONS AUTHORIZING THE
14 LIMITED USE OF RECORDED CALLS OR SOUNDS OR RECORDED OR
15 ELECTRONICALLY AMPLIFIED IMITATION OF CALLS OR SOUNDS WHEN
16 SUCH USE IS NECESSARY IN THE COMMISSION'S JUDGMENT TO PROTECT
17 THE PUBLIC HEALTH AND SAFETY OR TO PRESERVE THAT SPECIES OR
18 ANY OTHER ENDANGERED BY IT.

19 (7) A VEHICLE OR CONVEYANCE OF ANY KIND OR ITS
20 ATTACHMENT PROPELLED BY OTHER THAN MANPOWER. NOTHING IN THIS
21 SUBSECTION SHALL PERTAIN TO ANY MOTORBOAT OR SAILBOAT IF THE
22 MOTOR HAS BEEN COMPLETELY SHUT OFF OR SAIL FURLED, AND THE
23 PROGRESS THEREOF HAS CEASED.

24 (8) ANY ARTIFICIAL OR NATURAL BAIT, HAY, GRAIN, FRUIT,
25 NUT, SALT, CHEMICAL, MINERAL OR OTHER FOOD AS AN ENTICEMENT
26 FOR GAME OR WILDLIFE, REGARDLESS OF KIND AND QUANTITY, OR
27 TAKE ADVANTAGE OF ANY SUCH AREA OR FOOD OR BAIT PRIOR TO 30
28 DAYS AFTER THE REMOVAL OF SUCH MATERIAL AND ITS RESIDUE.
29 NOTHING CONTAINED IN THIS SUBSECTION SHALL PERTAIN TO NORMAL
30 OR ACCEPTED FARMING, HABITAT MANAGEMENT PRACTICES, OIL AND

1 GAS DRILLING, MINING, FOREST MANAGEMENT ACTIVITIES OR OTHER
2 LEGITIMATE COMMERCIAL OR INDUSTRIAL PRACTICES. UPON DISCOVERY
3 OF SUCH BAITED AREAS, WHETHER PROSECUTION IS CONTEMPLATED OR
4 NOT, THE COMMISSION MAY CAUSE A REASONABLE AREA SURROUNDING
5 THE ENTICEMENT TO BE POSTED AGAINST HUNTING OR TAKING GAME OR
6 WILDLIFE. THE POSTERS SHALL REMAIN FOR 30 DAYS AFTER COMPLETE
7 REMOVAL OF THE BAIT.

8 (9) ANY SETGUN, NET, BIRD LIME, DEER LICK, PIT OR PIT
9 FALL, TURKEY BLIND OR TURKEY PEN OR ANY EXPLOSIVE, POISON OR
10 CHEMICAL OF ANY KIND.

11 (9.1) ANY DEVICE WHICH PERMITS THE RELEASE OF TWO OR
12 MORE ARROWS SIMULTANEOUSLY ON A SINGLE FULL DRAW OF A BOW.

13 (10) ANY OTHER DEVICE OR METHOD OF ANY KIND PROHIBITED
14 BY THIS TITLE OR REGULATIONS PROMULGATED UNDER THIS TITLE.

15 (B) EXCEPTIONS.--THE PROVISIONS OF SUBSECTION (A) SHALL NOT
16 APPLY TO:

17 (1) ANY ARCHERY SIGHT OR FIREARM'S SCOPE WHICH CONTAINS
18 AND USES ANY MECHANICAL, PHOTOELECTRIC, ULTRAVIOLET OR SOLAR-
19 POWERED DEVICE TO SOLELY ILLUMINATE THE SIGHT OR CROSSHAIRS
20 WITHIN THE SCOPE. NO ARCHERY SIGHT OR FIREARM'S SCOPE SHALL
21 CONTAIN OR USE ANY DEVICE, NO MATTER HOW POWERED, TO PROJECT
22 OR TRANSMIT ANY LIGHT BEAM, INFRARED BEAM, ULTRAVIOLET LIGHT
23 BEAM, RADIO BEAM, THERMAL BEAM, ULTRASONIC BEAM, PARTICLE
24 BEAM OR OTHER BEAM OUTSIDE THE SIGHT OR SCOPE ONTO THE
25 TARGET.

26 (2) ANY POLITICAL SUBDIVISION, ITS EMPLOYEES OR AGENTS,
27 WHICH HAS A VALID DEER CONTROL PERMIT ISSUED UNDER SECTION
28 2902(C) (RELATING TO GENERAL CATEGORIES OF PERMITS).

29 (C) PENALTIES.--

30 (1) A VIOLATION OF SUBSECTION (A)(1), (2), [(3),] (4) OR

(5) IS A SUMMARY OFFENSE OF THE FIFTH DEGREE.

(2) A VIOLATION OF SUBSECTION (A)(7) IS A SUMMARY
OFFENSE OF THE THIRD DEGREE.

(3) A VIOLATION OF ANY OTHER PROVISION OF THIS SECTION
IS A SUMMARY OFFENSE OF THE FOURTH DEGREE.

§ 2522. SHOOTING AT OR CAUSING INJURY TO HUMAN BEINGS.

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(F) MANDATORY REMEDIAL HUNTER EDUCATION.--ANY PERSON WHOSE
PRIVILEGE TO HUNT OR TAKE GAME IS SUSPENDED UNDER SUBSECTION (C)
SHALL, PRIOR TO OBTAINING A LICENSE AFTER THE PERIOD OF
SUSPENSION, PRESENT EVIDENCE OF THE SUCCESSFUL COMPLETION OF A
REMEDIAL HUNTER EDUCATION COURSE [AS PRESCRIBED IN SECTION
2704(B) (RELATING TO ELIGIBILITY FOR LICENSE) TAKEN SUBSEQUENT
TO EACH SUSPENSION OF THE LICENSE] AS PROVIDED BY THE DIRECTOR
AND APPROVED BY THE COMMISSION.

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§ 2704. ELIGIBILITY FOR LICENSE.

* * *

(D) DUTIES OF COMMISSION.--

(1) THE COMMISSION SHALL PROVIDE FOR A COURSE OF
INSTRUCTION, APPROVED BY THE DIRECTOR, IN THE SAFE AND
ETHICAL UTILIZATION OF FIREARMS AND TRAPS OR OTHER DEVICES
USED FOR TAKING FURBEARERS. THE COMMISSION MAY COOPERATE WITH
ANY REPUTABLE ASSOCIATION OR ORGANIZATION IN PRESENTATION OF
THIS COURSE.

(2) THE COMMISSION MAY DESIGNATE ANY PERSON WHO THE
COMMISSION DETERMINES TO BE COMPETENT TO GIVE INSTRUCTION IN
THE HANDLING OF FIREARMS, TRAPS OR OTHER DEVICES TO ACT AS AN
INSTRUCTOR. THE APPOINTED PERSON SHALL GIVE THE COURSE OF
INSTRUCTION AND SHALL ISSUE TO EACH PERSON WHO SUCCESSFULLY

1 COMPLETES THE COURSE OF INSTRUCTION A CERTIFICATE OF TRAINING
2 IN THE HANDLING OF FIREARMS, TRAPS OR OTHER DEVICES. NO
3 CHARGE SHALL BE MADE FOR THE COURSE OF INSTRUCTION, EXCEPT
4 [FOR MATERIALS OR AMMUNITION CONSUMED] AS MAY BE PROVIDED BY
5 THIS TITLE OR BY REGULATIONS PROMULGATED UNDER THIS TITLE.

6 (3) THE COMMISSION SHALL FURNISH INFORMATION ON THE
7 REQUIREMENTS OF THE FURTAKER'S EDUCATION PROGRAM WHICH SHALL
8 BE DISTRIBUTED, FREE OF CHARGE, TO APPLICANTS FOR FURTAKER
9 LICENSES BY THE PERSONS APPOINTED AND AUTHORIZED TO ISSUE THE
10 LICENSES.

11 (4) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO
12 THOSE PERSONS UNDER 12 YEARS OF AGE WHO TRAP FURBEARERS UNDER
13 THE DIRECT SUPERVISION OF AN ADULT LICENSED FURTAKER 18 YEARS
14 OF AGE OR OLDER.

15 * * *

16 § 2705. CLASSES OF LICENSES.

17 UNLESS OTHERWISE PROVIDED, ANY PERSON WISHING TO EXERCISE ANY
18 OF THE PRIVILEGES GRANTED BY THIS TITLE SHALL FIRST SECURE THE
19 APPLICABLE RESIDENT OR NONRESIDENT HUNTING OR FURTAKER LICENSE
20 AS FOLLOWS:

21 (1) ADULT RESIDENT HUNTING LICENSES TO RESIDENTS WHO
22 HAVE REACHED THEIR 17TH BIRTHDAY BUT HAVE NOT REACHED THEIR
23 65TH BIRTHDAY.

24 (2) JUNIOR RESIDENT HUNTING LICENSES TO RESIDENTS WHO
25 HAVE REACHED OR WILL REACH THEIR 12TH BIRTHDAY IN THE
26 [CALENDAR] LICENSE YEAR OF APPLICATION FOR A LICENSE BUT WHO
27 HAVE NOT REACHED THEIR 17TH BIRTHDAY PRIOR TO THE DATE OF THE
28 APPLICATION FOR THE LICENSE AND WHO PRESENT A WRITTEN
29 REQUEST, BEARING THE SIGNATURE OF A PARENT OR GUARDIAN, FOR
30 THE ISSUANCE OF A LICENSE. THE ACTUAL HUNTING PRIVILEGES

1 GRANTED TO THE HOLDER OF A JUNIOR LICENSE SHALL NOT BE
2 EXERCISED UNTIL THAT PERSON IN FACT IS 12 YEARS OF AGE.

3 (3) SENIOR RESIDENT HUNTING LICENSES OR, AT THE OPTION
4 OF THE APPLICANT, A SENIOR LIFETIME RESIDENT HUNTING LICENSE
5 TO RESIDENTS WHO HAVE REACHED OR WILL REACH THEIR 65TH
6 BIRTHDAY IN THE LICENSE YEAR OF THE APPLICATION FOR THE
7 LICENSE. THE COMMISSION SHALL DEVELOP, IMPLEMENT AND
8 ADMINISTER A SYSTEM TO PROVIDE TAGS, REPORT CARDS AND
9 APPLICATIONS TO THOSE RESIDENTS WHO HOLD A SENIOR LIFETIME
10 RESIDENT HUNTING LICENSE ISSUED UNDER THIS PARAGRAPH. THE
11 SYSTEM SHALL REQUIRE THE APPLICANT OR LICENSE HOLDER TO PAY
12 ANY APPROVED FEE ASSESSED BY THE ISSUING AGENT.

13 (4) ADULT RESIDENT FURTKAKER LICENSES TO RESIDENTS WHO
14 HAVE REACHED THEIR 17TH BIRTHDAY BUT HAVE NOT REACHED THEIR
15 65TH BIRTHDAY.

16 (5) JUNIOR RESIDENT FURTKAKER LICENSES TO RESIDENTS WHO
17 HAVE REACHED OR WILL REACH THEIR 12TH BIRTHDAY IN THE
18 [CALENDAR] LICENSE YEAR OF APPLICATION FOR A LICENSE BUT WHO
19 HAVE NOT REACHED THEIR 17TH BIRTHDAY PRIOR TO THE DATE OF THE
20 APPLICATION FOR THE LICENSE AND WHO PRESENT A WRITTEN
21 REQUEST, CONTAINING THE SIGNATURE OF A PARENT OR GUARDIAN,
22 FOR THE ISSUANCE OF A LICENSE. THE ACTUAL FURTAKING
23 PRIVILEGES GRANTED TO THE HOLDER OF A JUNIOR LICENSE SHALL
24 NOT BE EXERCISED UNTIL THAT PERSON IN FACT IS 12 YEARS OF
25 AGE.

26 (6) SENIOR RESIDENT FURTKAKER LICENSES OR, AT THE OPTION
27 OF THE APPLICANT, A SENIOR LIFETIME RESIDENT FURTKAKER LICENSE
28 TO RESIDENTS WHO HAVE REACHED OR WILL REACH THEIR 65TH
29 BIRTHDAY IN THE LICENSE YEAR OF THE APPLICATION FOR THE
30 LICENSE.

1 (7) SENIOR LIFETIME RESIDENT COMBINATION HUNTING AND
2 FURTAKING LICENSE, INCLUDING ARCHERY AND MUZZLELOADER
3 PRIVILEGES, TO RESIDENTS WHO HAVE REACHED OR WILL REACH THEIR
4 65TH BIRTHDAY IN THE LICENSE YEAR OF THE APPLICATION FOR THE
5 LICENSE. THE COMMISSION SHALL DEVELOP, IMPLEMENT AND
6 ADMINISTER A SYSTEM TO PROVIDE TAGS, REPORT CARDS AND
7 APPLICATIONS TO THOSE RESIDENTS WHO HOLD A SENIOR LIFETIME
8 RESIDENT HUNTING LICENSE ISSUED UNDER THIS PARAGRAPH. THE
9 SYSTEM SHALL REQUIRE THE APPLICANT OR LICENSE HOLDER TO PAY
10 ANY APPROVED FEE ASSESSED BY THE ISSUING AGENT.

11 (7.1) JUNIOR RESIDENT COMBINATION HUNTING AND FURTAKER
12 LICENSE, INCLUDING ARCHERY AND MUZZLELOADER PRIVILEGES, TO
13 RESIDENTS WHO HAVE REACHED OR WILL REACH THEIR 12TH BIRTHDAY
14 IN THE [CALENDAR] LICENSE YEAR OF APPLICATION FOR A LICENSE
15 BUT WHO HAVE NOT REACHED THEIR 17TH BIRTHDAY PRIOR TO THE
16 DATE OF THE APPLICATION FOR THE LICENSE AND WHO PRESENT A
17 WRITTEN REQUEST, CONTAINING THE SIGNATURE OF A PARENT OR
18 GUARDIAN, FOR THE ISSUANCE OF A LICENSE. THE ACTUAL
19 PRIVILEGES GRANTED TO THE HOLDER OF A JUNIOR RESIDENT
20 COMBINATION LICENSE SHALL NOT BE EXERCISED UNTIL THAT PERSON
21 IN FACT IS 12 YEARS OF AGE.

22 (8) ADULT NONRESIDENT HUNTING LICENSES TO ALL
23 NONRESIDENTS OF 17 YEARS OF AGE OR OLDER.

24 (9) JUNIOR NONRESIDENT HUNTING LICENSES TO ALL
25 NONRESIDENTS WHO HAVE REACHED OR WILL REACH THEIR 12TH
26 BIRTHDAY IN THE [CALENDAR] LICENSE YEAR OF APPLICATION FOR A
27 LICENSE BUT WHO HAVE NOT REACHED THEIR 17TH BIRTHDAY PRIOR TO
28 THE DATE OF THE APPLICATION FOR THE LICENSE AND WHO PRESENT A
29 WRITTEN REQUEST, BEARING THE SIGNATURE OF A PARENT OR
30 GUARDIAN, FOR THE ISSUANCE OF A LICENSE. THE ACTUAL HUNTING

1 PRIVILEGES GRANTED TO THE HOLDER OF A JUNIOR LICENSE SHALL
2 NOT BE EXERCISED UNTIL THAT PERSON IN FACT IS 12 YEARS OF
3 AGE.

4 (10) ADULT NONRESIDENT FURTKER LICENSES TO NONRESIDENTS
5 OF 17 YEARS OF AGE OR OLDER.

6 (11) JUNIOR NONRESIDENT FURTKER LICENSES TO
7 NONRESIDENTS WHO HAVE REACHED OR WILL REACH THEIR 12TH
8 BIRTHDAY IN THE [CALENDAR] LICENSE YEAR OF APPLICATION FOR A
9 LICENSE BUT WHO HAVE NOT REACHED THEIR 17TH BIRTHDAY PRIOR TO
10 THE DATE OF THE APPLICATION FOR THE LICENSE AND WHO PRESENT A
11 WRITTEN REQUEST, CONTAINING THE SIGNATURE OF A PARENT OR
12 GUARDIAN, FOR THE ISSUANCE OF A LICENSE. THE ACTUAL FURTKING
13 PRIVILEGES GRANTED TO THE HOLDER OF A JUNIOR LICENSE SHALL
14 NOT BE EXERCISED UNTIL THAT PERSON IN FACT IS 12 YEARS OF
15 AGE.

16 (11.1) JUNIOR NONRESIDENT COMBINATION HUNTING AND
17 FURTKER LICENSE, INCLUDING ARCHERY AND MUZZLELOADER
18 PRIVILEGES, TO NONRESIDENTS WHO HAVE REACHED OR WILL REACH
19 THEIR 12TH BIRTHDAY IN THE [CALENDAR] LICENSE YEAR OF
20 APPLICATION FOR A LICENSE BUT WHO HAVE NOT REACHED THEIR 17TH
21 BIRTHDAY PRIOR TO THE DATE OF THE APPLICATION FOR THE LICENSE
22 AND WHO PRESENT A WRITTEN REQUEST, CONTAINING THE SIGNATURE
23 OF A PARENT OR GUARDIAN, FOR THE ISSUANCE OF A LICENSE. THE
24 ACTUAL PRIVILEGES GRANTED TO THE HOLDER OF A JUNIOR
25 NONRESIDENT COMBINATION LICENSE SHALL NOT BE EXERCISED UNTIL
26 THAT PERSON IN FACT IS 12 YEARS OF AGE.

27 (12) SEVEN-DAY NONRESIDENT SMALL GAME LICENSE TO PERSONS
28 ELIGIBLE TO PROCURE A NONRESIDENT HUNTING LICENSE. THE
29 LICENSE SHALL BE VALID FOR A PERIOD OF SEVEN CONSECUTIVE
30 DAYS. THE HOLDER OF THE LICENSE SHALL BE ENTITLED TO HUNT

FOR, TAKE OR KILL CROWS AND SMALL GAME.

(13) ANTLERLESS DEER LICENSES, BEAR LICENSES, ARCHERY LICENSES, MUZZLELOADER LICENSES AND ANY OTHER LICENSE REQUIRED TO INSURE JUST AND PROPER ADMINISTRATION OF THIS TITLE AND SOUND GAME OR WILDLIFE CONSERVATION TO ELIGIBLE PERSONS, SUBJECT TO THE REGULATIONS, REQUIREMENTS AND CONDITIONS WHICH THE COMMISSION SHALL ESTABLISH. ANY SUCH LICENSE SHALL BE MADE AVAILABLE TO RESIDENTS SERVING ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES OR IN THE UNITED STATES COAST GUARD WITHOUT REGARD TO QUOTA LIMITATIONS OR APPLICATION DEADLINES.

(14) MIGRATORY GAME BIRD LICENSES FOR HUNTING ALL MIGRATORY GAME BIRDS TO ELIGIBLE PERSONS, SUBJECT TO THE REGULATIONS, REQUIREMENTS AND CONDITIONS WHICH THE COMMISSION SHALL ESTABLISH. ANY SUCH LICENSE SHALL BE MADE AVAILABLE TO RESIDENTS SERVING ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES OR IN THE UNITED STATES COAST GUARD WITHOUT REGARD TO QUOTA LIMITATIONS OR APPLICATION DEADLINES.

(15) ELK HUNTING LICENSE TO PERSONS ELIGIBLE FOR CLASSES OF LICENSES IN PARAGRAPHS (1), (2), (3), (7), (7.1), (8), (9) AND (11.1). NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS TITLE OR THE REGULATIONS PROMULGATED THEREUNDER, ELK LICENSES UNDER THIS PARAGRAPH SHALL NOT BE SUBJECT TO THE PROVISIONS OF SECTIONS 2706 (RELATING TO RESIDENT LICENSE AND FEE EXEMPTIONS) AND 2706.1 (RELATING TO COMPLIMENTARY NONRESIDENT LICENSES). TO ENSURE SOUND MANAGEMENT OF PENNSYLVANIA'S WILD ELK POPULATION, THE COMMISSION MAY PROMULGATE REGULATIONS TO ESTABLISH A LIMITED NUMBER OF LICENSES. THE COMMISSION MAY ESTABLISH A NONREFUNDABLE APPLICATION FEE AT A COST OF \$10.

SECTION 2. TITLE 34 IS AMENDED BY ADDING A SECTION TO READ:

1 § 2706.2. APPLICATION LIMITATION.

2 WHENEVER THE COMMISSION MAKES A DETERMINATION TO AUTHORIZE A
3 HUNTING SEASON FOR THE TAKING OF ELK, NO PERSON MAY SUBMIT MORE
4 THAN ONE APPLICATION FOR AN ELK HUNTING LICENSE IN ANY LICENSE
5 YEAR.

6 SECTION 3. SECTION 2708 OF TITLE 34 IS AMENDED TO READ:

7 § 2708. APPLICATION REQUIREMENTS.

8 (A) GENERAL RULE.--APPLICANTS FOR ANY CLASS OF LICENSE SHALL
9 BE REQUIRED TO [COMPLETE AND AFFIX THEIR SIGNATURE TO] SUBMIT A
10 LEGIBLE APPLICATION[, INDICATING] OR TO PROVIDE SUCH INFORMATION
11 AS MAY BE REQUIRED BY THE DIRECTOR, INCLUDING THE CLASS OF
12 LICENSE DESIRED, [EITHER PRINTED OR TYPED, ON FORMS SUPPLIED BY
13 THE COMMISSION AND CONTAINING SUCH INFORMATION] IN SUCH FORM AS
14 MAY BE REQUIRED BY THE DIRECTOR. THE SUBMISSION OF AN
15 APPLICATION OR THE TRANSMISSION OF REQUIRED INFORMATION TO THE
16 COMMISSION AND THE SIGNATURE OF THE [APPLICANT] LICENSEE ON THE
17 LICENSE SHALL CERTIFY THE CORRECTNESS OF ALL INFORMATION
18 [REQUIRED ON THE APPLICATION].

19 (B) ELECTRONIC FILING.--ON ELECTRONICALLY FILED LICENSE
20 APPLICATIONS AND AFFIDAVITS, SIGNATURE REQUIREMENTS SHALL BE
21 DEEMED MET UPON CONFERRAL OF THE APPLICANT'S VALID CREDIT OR
22 DEBIT CARD NUMBER AND EXPIRATION DATE. ON ELECTRONICALLY FILED
23 JUNIOR LICENSE APPLICATIONS AND AFFIDAVITS, SIGNATURE
24 REQUIREMENTS SHALL BE DEEMED MET UPON CONFERRAL OF THE PARENT OR
25 GUARDIAN'S VALID CREDIT OR DEBIT CARD NUMBER AND EXPIRATION
26 DATE.

27 (C) ADDITIONAL POLICIES.--THE DIRECTOR WITH APPROVAL OF THE
28 COMMISSION MAY ESTABLISH ADDITIONAL POLICIES AND PROCEDURES AS
29 NECESSARY FOR ACCEPTING AND PROCESSING ELECTRONICALLY FILED
30 LICENSE APPLICATIONS AND AFFIDAVITS.

SECTION 4. SECTION 2709(A) OF TITLE 34 IS AMENDED BY ADDING
A PARAGRAPH TO READ:

§ 2709. LICENSE COSTS AND FEES.

(A) LICENSE COSTS.--ANY PERSON WHO QUALIFIES UNDER THE
PROVISIONS OF THIS CHAPTER SHALL BE ISSUED THE APPLICABLE
LICENSE UPON PAYMENT OF THE FOLLOWING COSTS AND THE ISSUING
AGENT'S FEE:

* * *

(21) ELK HUNTING LICENSE:

(I) RESIDENT - \$25

(II) NONRESIDENT - \$250

* * *

SECTION 5. SECTION 2923(C) OF TITLE 34 IS AMENDED TO READ:
§ 2923. DISABLED PERSON PERMITS.

* * *

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

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

(2) A CROSSBOW SUBJECT TO THE FOLLOWING RESTRICTIONS:

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

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

ANY PERMIT ISSUED UNDER THIS SUBSECTION SHALL BE VALID ONLY FOR

1 THE LICENSE YEAR FOR WHICH THE PERMIT IS ISSUED. THE PERMITTEE
2 SHALL CARRY THE PERMIT UPON HIS PERSON AT ALL TIMES WHILE
3 HUNTING. TO THE EXTENT THAT IT AUTHORIZES THE ISSUANCE OF
4 PERMITS BASED UPON TEMPORARY DISABILITY, THIS SUBSECTION SHALL
5 EXPIRE ON JUNE 30, 2003, UNLESS LEGISLATION IS ENACTED
6 REAUTHORIZING IT.

7 * * *

8 SECTION 6. THE AMENDMENT OR ADDITION OF 34 PA.C.S. §§
9 2705(15), 2706.2 AND 2709(A) SHALL APPLY TO THE LICENSE YEARS
10 BEGINNING ON OR AFTER JULY 1, 2001.

11 SECTION 7. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

12 (1) THE AMENDMENT OR ADDITION OF 34 PA.C.S. §§ 730,
13 2308, 2705(15), 2706.1, 2706.2, 2708 AND 2709(A)(21) SHALL
14 TAKE EFFECT IN 60 DAYS.

15 (2) THE AMENDMENT OF 34 PA.C.S. §§ 929(A) AND (A.1),
16 2522(F) AND 2704(D) SHALL TAKE EFFECT JULY 1, 2001.

17 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
18 IMMEDIATELY.