

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 AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
NOVEMBER 20, 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, FOR DEER CONTROL PERMITS IN CITIES OF <—  
8 THE FIRST CLASS AND FOR DISABLED PERSON PERMITS. <—

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

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

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

16 § 730. Controlled goose hunting areas.

17 Applications are available in and must be submitted from the  
18 current edition of Digest of Pennsylvania Hunting and Trapping  
19 Regulations supplied with each hunting license. Applications

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

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

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

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

1 REVOCATION.]

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

17 \* \* \*

18 § 2307. UNLAWFUL TAKING OR POSSESSION OF GAME OR WILDLIFE.

19 \* \* \*

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

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

23 \* \* \*

24 § 2308. UNLAWFUL DEVICES AND METHODS.

25 (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN THIS  
26 TITLE, IT IS UNLAWFUL FOR ANY PERSON TO HUNT OR AID, ABET,  
27 ASSIST OR CONSPIRE TO HUNT ANY GAME OR WILDLIFE THROUGH THE USE  
28 OF:

29 (1) AN AUTOMATIC FIREARM OR SIMILAR DEVICE.

30 (2) A SEMIAUTOMATIC RIFLE OR PISTOL.

1           [(3) A CROSSBOW.] RESERVED.

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

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

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

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

25           (8) ANY ARTIFICIAL OR NATURAL BAIT, HAY, GRAIN, FRUIT,  
26 NUT, SALT, CHEMICAL, MINERAL OR OTHER FOOD AS AN ENTICEMENT  
27 FOR GAME OR WILDLIFE, REGARDLESS OF KIND AND QUANTITY, OR  
28 TAKE ADVANTAGE OF ANY SUCH AREA OR FOOD OR BAIT PRIOR TO 30  
29 DAYS AFTER THE REMOVAL OF SUCH MATERIAL AND ITS RESIDUE.

30           NOTHING CONTAINED IN THIS SUBSECTION SHALL PERTAIN TO NORMAL

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

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

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

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

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

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

27 (2) ANY POLITICAL SUBDIVISION, ITS EMPLOYEES OR AGENTS,  
28 WHICH HAS A VALID DEER CONTROL PERMIT ISSUED UNDER SECTION  
29 2902(C) (RELATING TO GENERAL CATEGORIES OF PERMITS).

30 (C) PENALTIES.--

(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.

\* \* \*

(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.

\* \* \*

§ 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

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

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

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

16 \* \* \*

17 § 2705. CLASSES OF LICENSES.

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

22 (1) ADULT RESIDENT HUNTING LICENSES TO RESIDENTS WHO  
23 HAVE REACHED THEIR 17TH BIRTHDAY BUT HAVE NOT REACHED THEIR  
24 65TH BIRTHDAY.

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

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

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

14 (4) ADULT RESIDENT FURTKAKER LICENSES TO RESIDENTS WHO  
15 HAVE REACHED THEIR 17TH BIRTHDAY BUT HAVE NOT REACHED THEIR  
16 65TH BIRTHDAY.

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

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



1 LICENSE.

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

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

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

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

1 GUARDIAN, FOR THE ISSUANCE OF A LICENSE. THE ACTUAL HUNTING  
2 PRIVILEGES GRANTED TO THE HOLDER OF A JUNIOR LICENSE SHALL  
3 NOT BE EXERCISED UNTIL THAT PERSON IN FACT IS 12 YEARS OF  
4 AGE.

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

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

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

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

1 DAYS. THE HOLDER OF THE LICENSE SHALL BE ENTITLED TO HUNT  
2 FOR, TAKE OR KILL CROWS AND SMALL GAME.

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

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

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

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

§ 2706.2. APPLICATION LIMITATION.

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

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

§ 2708. APPLICATION REQUIREMENTS.

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

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

(C) ADDITIONAL POLICIES.--THE DIRECTOR WITH APPROVAL OF THE COMMISSION MAY ESTABLISH ADDITIONAL POLICIES AND PROCEDURES AS NECESSARY FOR ACCEPTING AND PROCESSING ELECTRONICALLY FILED

1 LICENSE APPLICATIONS AND AFFIDAVITS.

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

4 § 2709. LICENSE COSTS AND FEES.

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

9 \* \* \*

10 (21) ELK HUNTING LICENSE:

11 (I) RESIDENT - \$25

12 (II) NONRESIDENT - \$250

13 \* \* \*

14 SECTION 5. SECTION 2902 OF TITLE 34 IS AMENDED BY ADDING A  
15 SUBSECTION TO READ:

16 § 2902. GENERAL CATEGORIES OF PERMITS.

17 \* \* \*

18 (D) DEER CONTROL PERMITS IN CITIES OF THE FIRST CLASS.--

19 (1) THE DIRECTOR SHALL ISSUE A PERMIT TO CONTROL DEER  
20 WITHIN 30 DAYS OF RECEIPT OF AN APPLICATION BY A CITY OF THE  
21 FIRST CLASS, OR BY ANY DEPARTMENT, AGENCY, BOARD OR  
22 COMMISSION OF A CITY OF THE FIRST CLASS. THE COMMISSION MAY  
23 PROMULGATE REGULATIONS TO CONTROL THE ACTIVITIES WHICH MAY BE  
24 PERFORMED UNDER AUTHORITY OF THE PERMIT ISSUED UNDER THIS  
25 SUBSECTION.

26 (2) A PERMIT FOR CONTROLLING DEER ISSUED TO A CITY OF  
27 THE FIRST CLASS, OR TO ANY DEPARTMENT, AGENCY, BOARD OR  
28 COMMISSION OF A CITY OF THE FIRST CLASS, SHALL NOT BE LIMITED  
29 BY OR SUBJECT TO ANY REQUIREMENT THAT INCLUDES PUBLIC HUNTING  
30 OR CONTROLLED HUNTING BY LICENSED HUNTERS.

1       (3) ACTIVITY TO CONTROL DEER OR OTHER GAME OR WILDLIFE  
2       CONDUCTED BY A CITY OF THE FIRST CLASS, OR ANY DEPARTMENT,  
3       AGENCY, BOARD OR COMMISSION OF A CITY OF THE FIRST CLASS,  
4       SHALL NOT BE CONSTRUED TO CONSTITUTE "HUNTING" OR "TAKE" AS  
5       DEFINED IN SECTION 102 (RELATING TO DEFINITIONS).

6       (4) A CITY OF THE FIRST CLASS, OR ANY DEPARTMENT,  
7       AGENCY, BOARD OR COMMISSION OF A CITY OF THE FIRST CLASS,  
8       THAT IS ISSUED A PERMIT TO CONTROL DEER MAY CONDUCT DEER  
9       CONTROL ACTIVITY AT ANY TIME OR TIMES DURING THE TERM OF THE  
10      PERMIT, REGARDLESS OF SEASON.

11      (5) IT IS UNLAWFUL FOR ANY PERSON TO INTERFERE WITH OR  
12      DISRUPT ANY ACTIVITIES CONDUCTED BY A CITY OF THE FIRST  
13      CLASS, OR ANY DEPARTMENT, AGENCY, BOARD OR COMMISSION OF A  
14      CITY OF THE FIRST CLASS UNDER A PERMIT ISSUED UNDER THIS  
15      SECTION. A VIOLATION OF THIS SUBSECTION IS A SUMMARY OFFENSE  
16      OF THE SECOND DEGREE. THIS SUBSECTION SHALL NOT BE CONSTRUED  
17      TO PROHIBIT A CITY OF THE FIRST CLASS FROM ENFORCING LOCAL  
18      STATUTES OR FROM SEEKING DAMAGES SUFFERED BY SUCH CITY AS A  
19      RESULT OF SUCH INTERFERENCE OR DISRUPTION.

20      SECTION ~~5~~ 6. SECTION 2923(C) OF TITLE 34 IS AMENDED TO READ: <—

21      § 2923. DISABLED PERSON PERMITS.

22      \* \* \*

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

28              (1) A BOW AND ARROW WHICH IS HELD IN PLACE BY A BRACE  
29              SECURED AROUND THE BODY OF THE HUNTER OR IS TRIGGERED WITH  
30              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 THE LICENSE YEAR FOR WHICH THE PERMIT IS ISSUED. THE PERMITTEE SHALL CARRY THE PERMIT UPON HIS PERSON AT ALL TIMES WHILE HUNTING. TO THE EXTENT THAT IT AUTHORIZES THE ISSUANCE OF PERMITS BASED UPON TEMPORARY DISABILITY, THIS SUBSECTION SHALL EXPIRE ON JUNE 30, 2003, UNLESS LEGISLATION IS ENACTED REAUTHORIZING IT.

\* \* \*

SECTION ~~6~~ 7. THE AMENDMENT OR ADDITION OF 34 PA.C.S. §§ 2705(15), 2706.2 AND 2709(A) SHALL APPLY TO THE LICENSE YEARS BEGINNING ON OR AFTER JULY 1, 2001.

SECTION ~~7~~ 8. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

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

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

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