
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 596

Session of
1983

INTRODUCED BY W. W. FOSTER, LETTERMAN, NOYE, MERRY, VROON,
BOWSER AND PETRONE, MARCH 23, 1983

REFERRED TO COMMITTEE ON GAME AND FISHERIES, MARCH 23, 1983

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," increasing certain fees.

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

7 Section 1. Sections 302, 303 and 303.1 of the act of June 3,
8 1937 (P.L.1225, No.316), known as The Game Law, amended November
9 20, 1981 (P.L.340, No.125), are amended to read:

10 Section 302. Resident License Fees.--Each such resident as
11 defined in sections 101 and 301, upon application made, in
12 writing, to an agent authorized to issue such licenses within
13 the Commonwealth, and upon presentation of proof by the
14 applicant that he or she is a resident of this Commonwealth as
15 previously defined in this act by producing a current
16 Pennsylvania motor vehicle registration card, or tax receipts
17 evidencing payment of State income tax, earned income tax or
18 other local taxes pursuant to the act of December 31, 1965

1 (P.L.1257, No.511), known as "The Local Tax Enabling Act," or
2 some other positive means of verifying residency, and the
3 establishment of his or her identity to the satisfaction of the
4 authority issuing the license, unless any such person has been
5 disqualified for a license in the manner hereinafter specified,
6 and the payment to said agent or the commission of [eight
7 dollars and twenty-five cents (\$8.25)] eight dollars and fifty
8 cents (\$8.50) except as hereinafter provided for certain minors
9 and older persons, shall be entitled to a resident hunter's
10 license and a tag with the number of the license thereon, which
11 shall entitle the holder to hunt or trap for all wild birds and
12 wild animals which may legally be hunted or trapped in this
13 Commonwealth. Residents with the above qualifications, who are
14 between the ages of twelve and sixteen inclusive or who are
15 sixty-five years of age or more at the time of application,
16 shall be entitled to a resident hunter's license and tag upon
17 payment to said agent or the commission of, in the case of
18 persons sixty-five years of age or more, [five dollars and
19 twenty-five cents (\$5.25)] five dollars and fifty cents (\$5.50)
20 and, in the case of persons between the ages of twelve and
21 sixteen, [five dollars and twenty-five cents (\$5.25)] five
22 dollars and fifty cents (\$5.50). The application for the
23 issuance of a license in such cases shall, in addition to the
24 other information required, give the date of birth of the
25 applicant.

26 Any resident disabled veteran of any war whose disability
27 consists of the loss of one or more limbs or the loss of the use
28 of one or more limbs, or who presents a physician's certificate
29 of total or one hundred per cent disability, and who meets the
30 above qualifications shall be issued such license upon

1 application to any county treasurer without the payment of the
2 above license fee provided for the use of the Commonwealth. The
3 application for the issuance of a license in such case shall in
4 addition to the other information required, contain a statement
5 that the applicant is a war veteran and that his disability was
6 service incurred. The county treasurer may likewise require of
7 such applicant the production of such applicant's discharge
8 papers.

9 It shall be unlawful for any person to sell or attempt to
10 sell any resident hunting license for a monetary fee in excess
11 of the fees fixed pursuant to the provisions of this section.
12 The sale or attempted sale of each license shall constitute a
13 separate offense.

14 Section 303. Nonresident Hunting License Fees.--Every
15 nonresident of this Commonwealth, upon application made, in
16 writing, to any agent authorized to issue such licenses, or to
17 the commission, unless any such person has been disqualified for
18 a license in the manner hereinafter specified, or is a resident
19 of a state which does not issue like licenses to residents of
20 this Commonwealth, and upon payment to said agent or commission
21 of [fifty dollars and fifty cents (\$50.50) for the license year
22 beginning in 1979 and] sixty dollars and fifty cents (\$60.50)
23 [for the license year beginning in 1980 and each year
24 thereafter] shall be entitled to the license herein designated
25 as a Nonresident Hunter's License and a tag with the number of
26 the license thereon, which shall entitle the holder to hunt for
27 all wild birds and wild animals which may legally be hunted in
28 this Commonwealth, until the close of the license year. Other
29 licenses valid for use by nonresidents shall be as follows:

30 Nonresident trapper's license which shall be issued only upon

1 application to the Commission in Harrisburg and which shall be
2 effective for the same period as hunters' licenses shall entitle
3 the holder to take through the use of traps or deadfalls only
4 wild birds and wild animals which may legally be trapped in this
5 Commonwealth, except beavers, three hundred fifty dollars
6 (\$350). Nothing in this clause shall be construed to prohibit
7 the holder of a nonresident trapper's license from using a
8 sidearm or a rifle not larger than a .22 rimfire caliber to kill
9 legally caught birds and animals.

10 It shall be unlawful for any person to sell or attempt to
11 sell any nonresident hunting license for a monetary fee in
12 excess of the fees fixed pursuant to the provisions of this
13 section. The sale or attempted sale of each license shall
14 constitute a separate offense.

15 Section 303.1. Three-Day Licenses to Hunt on Regulated
16 Shooting Grounds.--Residents and nonresidents of the
17 Commonwealth twelve (12) years of age or upward, upon
18 application in writing to the authorized agent, in such form as
19 the commission may prescribe, and upon payment to the issuing
20 agent of three dollars (\$3.00), for the use of the commission,
21 and [twenty-five cents (\$.25)] fifty cents (\$.50), for the use
22 of the county if the issuing agent is the county treasurer,
23 otherwise for the use of the issuing agent, shall be entitled to
24 the license, herein referred to as a "Three-Day Special
25 Regulated Shooting Ground License," which shall be valid for a
26 period of three (3) consecutive days, Sundays excluded. Such
27 license shall entitle the holder thereof to hunt for, take or
28 kill, on lawfully operated regulated shooting grounds, only
29 those species of birds which the regulated shooting grounds
30 permittee has released thereon which shall be limited to

1 pheasants, bobwhite quail of the subspecies approved by the
2 commission, chukar partridges, and domestically propagated
3 mallard ducks.

4 A tag or button, in such size and form as the commission may
5 determine, shall be issued with each license, which tag or
6 button the licensee is required to wear in plain view on an
7 outer garment at all times while using it, in such a manner that
8 the tag or button and the numerals thereon is plainly visible.
9 The holder of such license shall be subject to the restrictions
10 and requirements of all laws and regulations of the commission,
11 now in force or hereafter adopted, and to the penalties
12 prescribed for violation thereof.

13 Upon filing an appropriate bond, with corporate surety, in
14 the sum of one thousand dollars (\$1000), approved by the Office
15 of Attorney General, the permittees of regulated shooting
16 grounds, or an officer of a corporate permittee, who, for that
17 purpose, are hereby made agents of the commission, shall be
18 authorized to issue Three-Day Special Regulated Shooting Ground
19 Licenses as hereinbefore described.

20 Each issuing agent shall keep a record and make monthly
21 reports and remittances in the form and manner and at the time
22 prescribed by sections three hundred ten and three hundred
23 eleven of The Game Law.

24 It shall be unlawful for any person to sell or attempt to
25 sell any Special Regulated Shooting Ground License for a
26 monetary fee in excess of the fees fixed pursuant to the
27 provisions of this section. The sale or attempted sale of each
28 license shall constitute a separate offense.

29 Any person who is properly licensed to hunt within this
30 Commonwealth in accordance with the provisions of section 302 or

1 303 of this act whichever the case may be, shall be excluded
2 from the necessity of obtaining a Three-Day Special Regulated
3 Shooting Ground License.

4 Section 2. The first paragraph of section 311, amended
5 November 20, 1981 (P.L.339, No.124), is amended to read:

6 Section 311. Agents to Collect and Remit License Fees;
7 Reports; Compensation.--The agents designated by the commission
8 for the collection of said license fees, for their services
9 rendered in collecting and paying over the same, shall, as long
10 as they continue to be agents of the commission, be allowed to
11 retain not to exceed the sum of [twenty-five] fifty cents from
12 the amount paid for each resident hunter's license, and not to
13 exceed fifty cents from the amount paid for each nonresident
14 hunter's license, which amount shall be for the use of the
15 county if the issuing agent is the county treasurer, or for
16 other issuing agents shall be full compensation for services
17 rendered by them under the provisions of this act, such
18 compensation to be disposed of by the respective issuing agents
19 as may now or hereafter be provided by law. Each issuing agent
20 other than a county treasurer shall remit all balances arising
21 from this source within five days after the end of each month to
22 the State Treasurer, through the commission upon a form to be
23 supplied by the commission. All such moneys shall be placed in
24 the Game Fund by the State Treasurer.

25 * * *

26 Section 3. Section 312 of the act, amended May 20, 1976
27 (P.L.131, No.58), is amended to read:

28 Section 312. Replacement of Lost Hunting Licenses.--Any
29 holder of a regular resident, nonresident or antlerless deer
30 hunter's license who shall accidentally lose the same, upon

1 application to the commission or to any issuing agent, who after
2 contacting the agent who issued the lost license or who, being
3 otherwise satisfied of the validity of the claim for
4 replacement, accompanied by a sworn statement setting forth the
5 pertinent facts relative thereto and surrender the remaining
6 portion, if any, of the original license, and upon payment of
7 the fees set forth herein, shall be entitled to a replacement
8 license of the same kind and value as the original when lost.

9 Fees for replacement of regular resident, nonresident or
10 antlerless deer licenses of any description shall be as follows:

11 (1) Except in the case of a regular nonresident hunter's
12 license, the replacement fee for a regular resident hunting
13 license shall be one-half of the fee charged for the original
14 license.

15 (2) In the case of a regular nonresident hunting license,
16 the replacement fee shall be one-half of the fee charged for a
17 regular resident hunting license as set forth in the act for
18 persons seventeen years of age or older, but less than sixty-
19 five years of age.

20 (3) In the case of an antlerless deer license, the
21 replacement fee shall be the same cost as the original license.
22 The replacement of an antlerless deer license shall be made only
23 by the issuing agent who issued the original license.

24 The issuing agent shall indicate on the face of the license
25 and tag so issued, also on the stub or carbon copy thereof, that
26 it is a replacement with the number of the original license. The
27 affidavit so filed and any remaining portion of the original
28 license also shall be fastened to the stub or carbon copy of the
29 replacement license for the information of the auditors.

30 For such services the commission may authorize any issuing

1 agent to retain not to exceed the sum of [twenty-five] fifty
2 cents and remit the balance of the replacement license fee as
3 hereinbefore provided. Issuing agents who are county treasurers
4 shall remit the fee for services to the county for the use of
5 the county.

6 It shall be unlawful for any person to give false information
7 on the sworn statement for a replacement hunting license or to
8 obtain or attempt to obtain a replacement hunting license
9 contrary to the provisions of this section. Any person who shall
10 give false information on the sworn statement for a replacement
11 hunting license or who obtains or attempts to obtain a
12 replacement hunting license as herein defined contrary to the
13 provisions of this section shall, upon conviction, be sentenced
14 to pay a penalty of one hundred dollars (\$100) plus costs of
15 prosecution.

16 Section 4. Section 501(c) of the act, amended November 20,
17 1981 (P.L.340, No.125) and February 11, 1982 (P.L.33, No.21), is
18 amended to read:

19 Section 501. Open Seasons.--* * *

20 (c) Hunters' Licenses and Tags for Antlerless Deer.--If in
21 any year the commission declares an open season for antlerless
22 deer, it shall issue antlerless deer licenses and tags to hunt
23 for or kill such deer, at a fee of three dollars [thirty-five]
24 fifty cents under such rules and regulations governing the
25 issuance of such licenses and tags as it may deem necessary to
26 limit the number of persons who may hunt for such deer in any
27 county of the Commonwealth and to regulate the issuance of such
28 licenses generally. Except as otherwise provided in this
29 subsection, no applications for antlerless deer licenses
30 received from nonresidents of the Commonwealth shall be approved

1 or licenses issued in advance of thirty days prior to the
2 opening date of such antlerless deer season. Such licenses and
3 tags shall be issued without restriction or regard to the county
4 of residence of the Pennsylvania applicant and may be issued
5 only to holders of resident or nonresident hunting licenses, and
6 such licenses and tags shall not be transferable from one person
7 to another nor shall they be refunded or reissued to anyone.
8 Notwithstanding the provisions of any regulation limiting the
9 number of licenses and tags, the commission shall issue
10 antlerless deer licenses and tags without effecting any quota
11 established by the commission for a particular county: (1) to
12 members of Armed Forces who are residents of Pennsylvania and
13 who are on full time active duty; (2) to residents who were
14 honorably discharged from the Armed Forces within sixty days of
15 the date of the application upon substantial proof of their
16 military status; and (3) to disabled veterans as defined in
17 section 302 upon submission of the information required by
18 section 302.

19 Licenses and tags for antlerless deer shall be issued only by
20 the county treasurers or by any person carrying out the duties
21 and responsibilities of a county treasurer in counties
22 functioning under a Home Rule Charter in counties where such
23 deer may be hunted and killed, who, for that purpose, are hereby
24 made agents of the commission.

25 For services rendered in collecting and paying over fees and
26 issuing licenses and tags, by mail or otherwise, such agents may
27 retain the sum of [thirty-five] fifty cents from the amount paid
28 by each licensee, which amount shall be paid into the county
29 treasury.

30 It shall be unlawful for any person to sell or attempt to

1 sell any antlerless deer hunting license for a monetary fee in
2 excess of the fees fixed pursuant to this subsection. The sale
3 or attempted sale of each license shall constitute a separate
4 offense.

5 When such licenses are issued to restrict the number of
6 persons who may hunt antlerless deer in any county of the
7 Commonwealth, certain qualifying landowners who own eighty or
8 more contiguous acres of land within any county where they
9 desire to hunt antlerless deer shall be entitled to one
10 antlerless deer license for that county, at the prescribed fee,
11 to one and only one person whose name appears on the deed. These
12 antlerless deer licenses shall be allocated in advance of their
13 availability to the general public from the quota established by
14 the commission for the county where such land is situated to
15 persons who meet all of the following requirements:

16 (i) the eighty or more contiguous acres of land are owned by
17 a natural person individually or as tenants by the entirety, or
18 by a corporation of four or fewer shareholders, or by tenants in
19 common of four or fewer natural persons;

20 (ii) the eighty or more contiguous acres of land are open to
21 public hunting and trapping and shall remain open to hunting and
22 trapping during the hunting license year for which the
23 antlerless deer license is issued;

24 (iii) the applicant for an antlerless deer license shall
25 furnish proof of ownership of eighty or more contiguous acres of
26 land to the county treasurer within the county where such land
27 is situated.

28 Any resident of Pennsylvania residing within the Commonwealth
29 who is a bona fide owner or lessee of lands which lie within the
30 county declared open to the hunting of antlerless deer, or any

1 member of the family or household, or regularly hired help of
2 such owner or lessee who are so employed on a full-time basis,
3 if such person is a resident of the Commonwealth, actually
4 residing upon and cultivating such lands for general farm crop
5 purposes, is hereby declared eligible to hunt antlerless deer
6 without a resident hunters' license or an antlerless deer
7 license upon said property, and, by and with the written consent
8 of the owner or lessee thereof, upon the lands immediately
9 adjacent and connected with his own lands, other than publicly-
10 owned lands.

11 The terms "antlerless deer" and "deer without visible
12 antlers," as used in this subsection or any other provision of
13 the Game Law which this act amends, are hereby defined to mean a
14 deer without an antler sometimes called horn, or a deer with
15 antlers both of which are less than three inches long, the term
16 "antler," as herein used or in any other provision of the Game
17 Law which this act amends, meaning the bony growth on the head
18 of a deer regardless of its size or development.

19 When the commission adopts and promulgates such rules and
20 regulations relative to hunters' licenses and tags for
21 antlerless deer, it is unlawful for any person other than a
22 landowner or lessee of the county or a member of his household,
23 as hereinbefore enumerated, to hunt for antlerless deer without
24 a hunters' license and tag for antlerless deer, or to take such
25 deer contrary to the rules and regulations adopted by the
26 commission.

27 The antlerless deer license tag issued with an antlerless
28 deer license shall be displayed on the outer garment immediately
29 below the regular resident or nonresident hunting license tag.
30 Any person who fails to display the antlerless deer license tag

1 herein required shall, upon conviction, be sentenced to pay a
2 fine of twenty-five dollars (\$25) and costs of prosecution,
3 provided it shall be determined the person has purchased a
4 license; otherwise, a penalty of fifty dollars (\$50) and costs
5 of prosecution shall be imposed. Any person who shall give false
6 information in obtaining or attempting to obtain an antlerless
7 deer license as relates to certain qualifying landowners shall,
8 upon conviction, be sentenced to pay a fine of two hundred
9 dollars (\$200) and costs of prosecution and shall be denied the
10 right to hunt or trap anywhere in this Commonwealth, with or
11 without a license, for a period of three years. Any other person
12 who shall give false information in obtaining or attempting to
13 obtain an antlerless deer license shall, upon conviction, be
14 sentenced to pay a fine of fifty dollars (\$50) and costs of
15 prosecution.

16 * * *

17 Section 5. Section 501(e) and (f) of the act, amended
18 November 20, 1981 (P.L.340, No.125), are amended to read:

19 Section 501. Open Seasons.--* * *

20 (e) Open Season for Hunting Deer with Bows and Arrows.--In
21 each year in which there is an open season for hunting deer
22 there shall, in addition, be an open season for hunting deer
23 with bows and arrows exclusively, unless otherwise declared by
24 resolution of the commission and the provisions of subsection
25 (c) of this section shall not apply thereto. The duration and
26 time of such additional open season, together with the
27 description of the deer which may be lawfully killed, shall each
28 year be fixed by the commission. During any such additional open
29 season, it shall be unlawful to hunt for, kill or attempt to
30 kill, any deer, without a license as hereinafter prescribed, or

1 with any weapon other than a bow and arrow.

2 No person shall hunt for or kill any deer during such
3 additional open archery season with bow and arrow without first
4 having secured a hunting license and, in addition thereto, an
5 archery license from the commission or any agent designated as
6 an issuing agent of the commission, the fee for which is hereby
7 fixed at two dollars. Such license shall be attached to the
8 hunters' license certificate for the current year and shall be
9 countersigned in ink diagonally across its face by the licensee
10 before hunting in the open season herein provided for.

11 The county treasurer of each county and each other person
12 designated the agent for the commission for the issuance of
13 archery licenses may retain for the use of the county if the
14 issuing agent is the county treasurer, otherwise to the agent
15 for such service the sum of [twenty] fifty cents paid by the
16 applicant in addition to the license fee prescribed. The
17 provisions of this act with respect to the issuance of licenses,
18 collections of fees and records shall apply to the issuance of
19 archery licenses.

20 It shall be unlawful for any person to sell or attempt to
21 sell any archery hunting license for a monetary fee in excess of
22 the fee fixed pursuant to this subsection. The sale or attempted
23 sale of each such license shall constitute a separate offense.

24 (f) Muzzleloading Firearms Deer Season.--The commission may,
25 by resolution, declare an open season for hunting deer with
26 muzzleloading firearms during any hunting license year which
27 shall hereinafter be known and referred to as Muzzleloading
28 Firearms Deer Season.

29 In any year in which a Muzzleloading Firearms Deer Season
30 shall be declared as hereinbefore provided, the Muzzleloading

1 Firearms Deer Season shall not be established prior to the close
2 of the regular rifle deer seasons for the then current hunting
3 license year. The commission shall, notwithstanding any other
4 provisions of this act, adopt rules and regulations governing
5 the hunting and killing of deer during such Muzzleloading
6 Firearms Deer Season which shall include but not be limited to,
7 the duration and time of such deer season, the description of
8 the deer which may lawfully be killed, the type of muzzleloading
9 firearms which may lawfully be used to hunt for and kill deer
10 during such season, the area or areas within the Commonwealth
11 where deer may lawfully be hunted and killed, and any other
12 rules and regulations deemed necessary to properly regulate,
13 manage, and control the hunting and killing of deer during such
14 season. For the purposes of this section, a muzzleloading
15 firearm shall not be less than .44 calibre and shall not be
16 equipped with a telescope.

17 It shall be unlawful for any person to hunt for, take, kill
18 or wound, or attempt to take, or kill, or for any person to aid
19 or assist in any manner to hunt for, take, kill or wound deer
20 during such Muzzleloading Firearms Deer Season without first
21 having legally obtained a resident, nonresident or alien
22 hunter's license as defined in sections 302 and 303 of this act
23 and, in addition thereto, a Muzzleloading Firearms Deer Season
24 license which may be obtained from the commission or any agent
25 designated by the commission to issue such licenses, the fee for
26 which is hereby fixed at [three dollars twenty-five cents
27 (\$3.25)] three dollars fifty cents (\$3.50). Such license shall
28 be in such form as the commission shall prescribe and shall be
29 valid from the first day of September of one year to the thirty-
30 first day of August of the year next following. The lawful

1 holder of such license shall sign his full name in ink
2 diagonally across its face before hunting deer in the open
3 season herein provided for and shall carry such license upon his
4 person at all times while hunting during such season.

5 Any agent designated by the commission to issue Muzzleloading
6 Firearms Deer Season licenses may retain the sum of [twenty-five
7 cents (\$.25)] fifty cents (\$.50) of the hereinbefore prescribed
8 license fee for each such license issued as payment for services
9 rendered. The several provisions of this act governing the
10 issuance of hunting licenses by issuing agents with respect to
11 keeping records, filing reports, and collecting and remitting
12 license fees shall apply in like manner, force and effect to
13 agents designated by the commission to issue Muzzleloading
14 Firearms Deer Season licenses.

15 It shall be unlawful for any person to sell or attempt to
16 sell any Muzzleloading Firearms Deer Season license for a
17 monetary fee in excess of the fees fixed pursuant to this
18 subsection. The sale or attempted sale of each license shall
19 constitute a separate offense.

20 It shall be unlawful for any person to hunt for, take, kill
21 or wound or attempt to take, kill or wound, or to aid or assist
22 any person in any manner to hunt for, take, kill or wound deer
23 during such Muzzleloading Firearms Deer Season contrary to the
24 provisions of this section or rules and regulations adopted by
25 the commission as hereinbefore provided.

26 Any person who shall violate any of the provisions of this
27 section or any rules and regulations adopted by the commission
28 pursuant thereto, shall, upon conviction, be sentenced to pay
29 the penalties prescribed in section 506 of this act.

30 * * *

1 Section 6. This act shall take effect in 60 days.