

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 585

Session of
1985

INTRODUCED BY LETTERMAN, DIETZ, GODSHALL, BOWLEY, STABACK,
PHILLIPS, GRUPPO, CARLSON AND FOX, MARCH 18, 1985

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 6, 1985

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," providing lifetime resident~~
5 ~~hunting licenses to certain qualified residents.~~
6 AMENDING THE ACT OF JUNE 3, 1937 (P.L.1225, NO.316), ENTITLED <—
7 "AN ACT CONCERNING GAME AND OTHER WILD BIRDS AND WILD
8 ANIMALS; AND AMENDING, REVISING, CONSOLIDATING, AND CHANGING
9 THE LAW RELATING THERETO," RECLASSIFYING THE RACCOON AS A
10 FUR-BEARING ANIMAL; INCREASING CERTAIN LICENSE FEES; AND
11 ESTABLISHING ADDITIONAL LICENSES FOR CERTAIN HUNTING AND
12 TRAPPING ACTIVITIES.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 ~~Section 1. Section 302 of the act of June 3, 1937 (P.L.1225,~~ <—
16 ~~No.316), known as The Game Law, amended July 20, 1983 (P.L.55,~~
17 ~~No.28), is amended to read:~~

18 ~~Section 302. Resident License Fees. (a) Each such resident~~
19 ~~as defined in sections 101 and 301, upon application made, in~~
20 ~~writing, to an agent authorized to issue such licenses within~~
21 ~~the Commonwealth, and upon presentation of proof by the~~
22 ~~applicant that he or she is a resident of this Commonwealth as~~

1 previously defined in this act by producing a current
2 Pennsylvania motor vehicle registration card, or tax receipts
3 evidencing payment of State income tax, earned income tax or
4 other local taxes pursuant to the act of December 31, 1965
5 (P.L.1257, No.511), known as "The Local Tax Enabling Act," or
6 some other positive means of verifying residency, and the
7 establishment of his or her identity to the satisfaction of the
8 authority issuing the license, unless any such person has been
9 disqualified for a license in the manner hereinafter specified,
10 and the payment to said agent or the commission of eight dollars
11 and fifty cents (\$8.50) except as [hereinafter] provided in
12 subsections (b) and (c) for certain minors and older persons,
13 shall be entitled to a resident hunter's license and a tag with
14 the number of the license thereon, which shall entitle the
15 holder to hunt or trap for all wild birds and wild animals which
16 may legally be hunted or trapped in this Commonwealth.

17 ~~(b)~~ Residents with the [above] qualifications set forth in
18 subsection (a), who are between the ages of twelve and sixteen
19 inclusive [or who are sixty five years of age or more] at the
20 time of application, shall be entitled to a resident hunter's
21 license and tag upon payment to said agent or the commission
22 of[, in the case of persons sixty five years of age or more,]
23 five dollars and fifty cents (\$5.50) [and, in the case of
24 persons between the ages of twelve and sixteen, five dollars and
25 fifty cents (\$5.50)]. The application for the issuance of a
26 license in such cases shall, in addition to the other
27 information required, give the date of birth of the applicant.

28 ~~(c) (1)~~ Residents with the qualifications set forth in
29 subsection (a) who are sixty five years of age or more at the
30 time of application shall be entitled to, at the option of the

~~applicant, either (i) an annual resident hunter's license and tag upon payment to said agent or the commission of five dollars and fifty cents (\$5.50) or (ii) a lifetime resident hunter's license and appropriate tags upon the payment to said agent or the commission of thirty five dollars and fifty cents (\$35.50). The application for the issuance of either license shall, in addition to the other information required, give the date of birth of the applicant.~~

~~(2) The commission shall develop, implement and administer a program to provide tags, report cards and applications to those residents who hold a lifetime license issued pursuant to (1)(ii).~~

~~(d) Any resident disabled veteran of any war whose disability consists of the loss of one or more limbs or the loss of the use of one or more limbs, or who presents a physician's certificate of total or one hundred per cent disability, and who meets the above qualifications shall be issued such license upon application to any county treasurer without the payment of the above license fee provided for the use of the Commonwealth. The application for the issuance of a license in such case shall in addition to the other information required, contain a statement that the applicant is a war veteran and that his disability was service incurred. The county treasurer may likewise require of such applicant the production of such applicant's discharge papers.~~

~~(e) It shall be unlawful for any person to sell or attempt to sell any resident hunting license for a monetary fee in excess of the fees fixed pursuant to the provisions of this section. The sale or attempted sale of each license shall constitute a separate offense.~~

1 ~~Section 2. This act shall apply to the license year~~
2 ~~beginning September 1, 1985, and each year thereafter.~~

3 ~~Section 3. This act shall take effect in 60 days.~~

4 SECTION 1. THE DEFINITIONS OF "GAME ANIMALS" AND "FUR-
5 BEARING ANIMALS" IN SECTION 101 OF THE ACT OF JUNE 3, 1937
6 (P.L.1225, NO.316), KNOWN AS THE GAME LAW, AMENDED MARCH 22,
7 1974 (P.L.201, NO.41), ARE AMENDED TO READ:

8 SECTION 101. DEFINITIONS.--* * *

9 THE TERM "GAME ANIMALS" SHALL INCLUDE: (A) THE WAPITI OR ELK,
10 (B) THE DEER, (C) THE BEAR, (D) THE WILD RABBIT AND HARE, (E)
11 THE RED, GRAY, BLACK AND FOX SQUIRREL, [(F) THE RACCOON,] (G)
12 THE WOODCHUCK, COMMONLY KNOWN AS GROUNDHOG, AND (H) THE BOBCAT
13 OR WILDCAT.

14 * * *

15 EXCEPT AS MODIFIED BY THE [RESOLUTIONS] REGULATIONS OF THE
16 COMMISSION, THE TERM "FUR-BEARING ANIMALS" SHALL INCLUDE: (A)
17 THE MINK, (B) THE MUSKRAT, (C) THE OPOSSUM, (D) THE OTTER, (E)
18 THE SKUNK, COMMONLY CALLED POLECAT, [AND] (F) THE BEAVER, AND
19 (G) THE RACCOON.

20 * * *

21 SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

22 SECTION 301.2. FURTAKEER'S CERTIFICATE OF TRAINING.--(A) NO
23 RESIDENT OR NONRESIDENT FURTAKEER'S LICENSE SHALL BE ISSUED TO
24 ANY APPLICANT UNLESS THE APPLICANT PRESENTS TO THE AGENT
25 AUTHORIZED TO ISSUE SUCH LICENSE EITHER (I) EVIDENCE THAT THE
26 APPLICANT HAS HELD A TRAPPING OR FURTAKEER'S LICENSE ISSUED BY
27 ANOTHER STATE OR NATION, OR (II) A CERTIFICATE OF TRAINING
28 ISSUED UNDER THIS SECTION, OR (III) A CERTIFICATION SIGNED BY
29 THE APPLICANT ON THE FURTAKEER'S LICENSE APPLICATION THAT THE
30 APPLICANT COMPLETED A VOLUNTARY TRAPPING COURSE SPONSORED BY THE

1 COMMISSION OR THAT THE APPLICANT HAS PREVIOUSLY TRAPPED WITHIN
2 THE LAST FIVE YEARS.

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

8 (C) THE COMMISSION MAY DESIGNATE ANY PERSON FOUND BY IT TO
9 BE COMPETENT TO GIVE INSTRUCTION IN THE HANDLING OF FIREARMS,
10 TRAPS OR OTHER DEVICES TO ACT AS AN INSTRUCTOR. A PERSON SO
11 APPOINTED SHALL GIVE SUCH COURSE OF INSTRUCTION, AND UPON THE
12 SUCCESSFUL COMPLETION THEREOF SHALL ISSUE TO THE PERSON
13 INSTRUCTED A CERTIFICATE OF TRAINING IN THE HANDLING OF
14 FIREARMS, TRAPS OR OTHER DEVICES. NO CHARGE SHALL BE MADE FOR
15 SUCH COURSE OF INSTRUCTION, EXCEPT FOR MATERIALS OR AMMUNITION
16 CONSUMED.

17 (D) THE COMMISSION SHALL FURNISH INFORMATION ON THE
18 REQUIREMENTS OF THE FURTAKER'S EDUCATION PROGRAM AS PROVIDED
19 HEREIN, SAID INFORMATION TO BE DISTRIBUTED FREE OF CHARGE TO
20 APPLICANTS FOR FURTAKER LICENSES BY THE PERSONS APPOINTED AND
21 AUTHORIZED TO ISSUE SUCH LICENSES.

22 (E) THE PROVISIONS OF THIS SECTION SHALL ALSO APPLY TO ANY
23 PERSON UNDER TWELVE YEARS OF AGE WHO TAKES FURBEARERS.

24 SECTION 301.3. LICENSE REQUIREMENTS AND VALIDITY.--(A)
25 EXCEPT IN DEFENSE OF PERSON OR PROPERTY OR PURSUANT TO
26 EXEMPTIONS AUTHORIZED IN THIS ACT, EVERY PERSON, PRIOR TO
27 ENGAGING IN ANY OF THE PRIVILEGES GRANTED BY THIS ACT AND THE
28 REGULATIONS ADOPTED THEREUNDER, SHALL FIRST OBTAIN THE
29 APPLICABLE LICENSE SUBJECT TO ANY CONDITIONS OR OTHER
30 REQUIREMENTS IMPOSED BY THIS ACT OR REGULATION ADOPTED

1 THEREUNDER.

2 (B) ONLY ONE FULL TERM OR DISTINCT HUNTING OR FUR TAKING
3 LICENSE SHALL BE VALID DURING ANY FULL TERM LICENSE YEAR. THE
4 ISSUANCE OF ANY REPLACEMENT LICENSE OR THE PURCHASE OF A SECOND
5 OR SUBSEQUENT LICENSE OF ANY CLASS SHALL IMMEDIATELY AND
6 AUTOMATICALLY INVALIDATE ANY SUCH CLASS OF LICENSE OR SPECIAL
7 LICENSE CONNECTED THEREWITH WHICH HAD BEEN PREVIOUSLY ISSUED.

8 SECTION 3. SECTION 302 OF THE ACT, AMENDED JULY 20, 1983
9 (P.L.55, NO.28), IS AMENDED TO READ:

10 SECTION 302. RESIDENT HUNTING LICENSE FEES.--(A) EACH SUCH
11 RESIDENT AS DEFINED IN SECTIONS 101 AND 301, UPON APPLICATION
12 MADE, IN WRITING, TO AN AGENT AUTHORIZED TO ISSUE SUCH LICENSES
13 WITHIN 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
19 (P.L.1257, NO.511), KNOWN AS "THE LOCAL TAX ENABLING ACT," OR
20 SOME OTHER POSITIVE MEANS OF VERIFYING RESIDENCY, AND THE
21 ESTABLISHMENT OF HIS OR HER IDENTITY TO THE SATISFACTION OF THE
22 AUTHORITY ISSUING THE LICENSE, UNLESS ANY SUCH PERSON HAS BEEN
23 DISQUALIFIED FOR A LICENSE UNDER THIS ACT IN THE MANNER
24 HEREINAFTER SPECIFIED, AND THE PAYMENT TO SAID AGENT OR THE
25 COMMISSION OF [EIGHT DOLLARS AND FIFTY CENTS (\$8.50)] TWELVE
26 DOLLARS AND FIFTY CENTS (\$12.50), EXCEPT AS HEREINAFTER PROVIDED
27 FOR CERTAIN MINORS AND OLDER PERSONS, SHALL BE ENTITLED TO A
28 RESIDENT HUNTER'S LICENSE [AND A TAG WITH THE NUMBER OF THE
29 LICENSE THEREON,] WHICH SHALL ENTITLE THE HOLDER TO HUNT [OR
30 TRAP FOR] ALL WILD BIRDS AND WILD ANIMALS, OTHER THAN FUR-

1 BEARING ANIMALS, WHICH MAY LEGALLY BE HUNTED [OR TRAPPED] IN
2 THIS COMMONWEALTH.

3 (B) RESIDENTS WITH THE ABOVE QUALIFICATIONS, WHO ARE BETWEEN
4 THE AGES OF TWELVE AND SIXTEEN INCLUSIVE [OR WHO ARE SIXTY-FIVE
5 YEARS OF AGE OR MORE] AT THE TIME OF APPLICATION, SHALL BE
6 ENTITLED TO A RESIDENT HUNTER'S LICENSE [AND TAG] UPON PAYMENT
7 TO SAID AGENT OR THE COMMISSION OF[, IN THE CASE OF PERSONS
8 SIXTY-FIVE YEARS OF AGE OR MORE,] FIVE DOLLARS AND FIFTY CENTS
9 (\$5.50) [AND, IN THE CASE OF PERSONS BETWEEN THE AGES OF TWELVE
10 AND SIXTEEN,]. THE APPLICATION FOR THE ISSUANCE OF A LICENSE IN
11 SUCH CASES SHALL, IN ADDITION TO THE OTHER INFORMATION REQUIRED,
12 GIVE THE DATE OF BIRTH OF THE APPLICANT.

13 (C) (1) RESIDENTS WITH THE QUALIFICATIONS SET FORTH IN
14 SUBSECTION (A) WHO ARE SIXTY-FIVE YEARS OF AGE OR MORE AT THE
15 TIME OF APPLICATION SHALL BE ENTITLED TO, AT THE OPTION OF THE
16 APPLICANT, EITHER (I) AN ANNUAL RESIDENT HUNTER'S LICENSE AND
17 TAG UPON PAYMENT TO SAID AGENT OR THE COMMISSION OF TEN DOLLARS
18 AND FIFTY CENTS (\$10.50) OR (II) A LIFETIME RESIDENT HUNTER'S
19 LICENSE AND APPROPRIATE TAGS UPON THE PAYMENT TO SAID AGENT OR
20 THE COMMISSION OF FIFTY DOLLARS AND FIFTY CENTS (\$50.50). THE
21 APPLICATION FOR THE ISSUANCE OF EITHER LICENSE SHALL, IN
22 ADDITION TO THE OTHER INFORMATION REQUIRED, GIVE THE DATE OF
23 BIRTH OF THE APPLICANT.

24 (2) THE COMMISSION SHALL DEVELOP, IMPLEMENT AND ADMINISTER A
25 PROGRAM TO PROVIDE TAGS, REPORT CARDS AND APPLICATIONS TO THOSE
26 RESIDENTS WHO HOLD A LIFETIME LICENSE ISSUED PURSUANT TO
27 (1)(II). THE PROGRAM SHALL REQUIRE THE APPLICANT OR LICENSE
28 HOLDER TO PAY ANY APPROVED FEE ASSESSED BY THE ISSUING AGENT.

29 (D) ANY RESIDENT DISABLED VETERAN OF ANY WAR WHOSE
30 DISABILITY CONSISTS OF THE LOSS OF ONE OR MORE LIMBS OR THE LOSS

1 OF THE USE OF ONE OR MORE LIMBS, OR WHO PRESENTS A PHYSICIAN'S
2 CERTIFICATE OF TOTAL OR ONE HUNDRED PER CENT DISABILITY, AND WHO
3 MEETS THE ABOVE QUALIFICATIONS SHALL BE ISSUED SUCH LICENSE UPON
4 APPLICATION TO ANY COUNTY TREASURER WITHOUT THE PAYMENT OF THE
5 ABOVE LICENSE FEE PROVIDED FOR THE USE OF THE COMMONWEALTH. THE
6 APPLICATION FOR THE ISSUANCE OF A LICENSE IN SUCH CASE SHALL IN
7 ADDITION TO THE OTHER INFORMATION REQUIRED, CONTAIN A STATEMENT
8 THAT THE APPLICANT IS A WAR VETERAN AND THAT HIS DISABILITY WAS
9 SERVICE INCURRED. THE COUNTY TREASURER MAY LIKEWISE REQUIRE OF
10 SUCH APPLICANT THE PRODUCTION OF SUCH APPLICANT'S DISCHARGE
11 PAPERS.

12 (E) IT SHALL BE UNLAWFUL FOR ANY PERSON TO SELL OR ATTEMPT
13 TO SELL ANY RESIDENT HUNTING LICENSE FOR A MONETARY FEE IN
14 EXCESS OF THE FEES FIXED PURSUANT TO THE PROVISIONS OF THIS
15 SECTION. THE SALE OR ATTEMPTED SALE OF EACH LICENSE SHALL
16 CONSTITUTE A SEPARATE OFFENSE.

17 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

18 SECTION 302.1. RESIDENT FURTKER LICENSE FEE.--(A) EACH
19 SUCH RESIDENT AS DEFINED IN SECTIONS 101 AND 301, UPON
20 APPLICATION MADE, IN WRITING, TO AN AGENT AUTHORIZED TO ISSUE
21 SUCH LICENSES WITHIN THIS COMMONWEALTH, AND UPON PRESENTATION OF
22 PROOF BY THE APPLICANT THAT THE APPLICANT IS A RESIDENT OF THIS
23 COMMONWEALTH AS PREVIOUSLY DEFINED IN THIS ACT BY PRODUCING A
24 CURRENT PENNSYLVANIA MOTOR VEHICLE REGISTRATION CARD, OR TAX
25 RECEIPTS EVIDENCING PAYMENT OF STATE INCOME TAX, EARNED INCOME
26 TAX OR OTHER LOCAL TAXES PURSUANT TO THE ACT OF DECEMBER 31,
27 1965 (P.L.1257, NO.511), KNOWN AS "THE LOCAL TAX ENABLING ACT,"
28 OR SOME OTHER POSITIVE MEANS OF VERIFYING RESIDENCY, AND THE
29 ESTABLISHMENT OF THE IDENTITY OF THE APPLICANT TO THE
30 SATISFACTION OF THE AUTHORITY ISSUING THE LICENSE, UNLESS ANY

1 SUCH PERSON HAS BEEN DISQUALIFIED FOR A LICENSE UNDER THIS ACT
2 IN THE MANNER HEREINAFTER SPECIFIED, AND THE PAYMENT TO SAID
3 AGENT OR THE COMMISSION OF TWELVE DOLLARS AND FIFTY CENTS
4 (\$12.50), EXCEPT AS HEREINAFTER PROVIDED FOR CERTAIN MINORS AND
5 OLDER PERSONS, SHALL BE ENTITLED TO A RESIDENT FURTKER'S
6 LICENSE WHICH SHALL ENTITLE THE HOLDER TO HUNT OR TRAP FOR ALL
7 FUR-BEARING ANIMALS WHICH MAY LEGALLY BE HUNTED OR TRAPPED IN
8 THIS COMMONWEALTH.

9 (B) RESIDENTS WITH THE ABOVE QUALIFICATIONS, WHO ARE BETWEEN
10 THE AGES OF TWELVE AND SIXTEEN INCLUSIVE AT THE TIME OF
11 APPLICATION, SHALL BE ENTITLED TO A RESIDENT FURTKER'S LICENSE
12 UPON PAYMENT TO SAID AGENT OR THE COMMISSION OF FIVE DOLLARS AND
13 FIFTY CENTS (\$5.50). THE APPLICATION FOR THE ISSUANCE OF A
14 LICENSE IN SUCH CASES SHALL, IN ADDITION TO THE OTHER
15 INFORMATION REQUIRED, GIVE THE DATE OF BIRTH OF THE APPLICANT.

16 (C) RESIDENTS WITH THE QUALIFICATIONS SET FORTH IN
17 SUBSECTION (A) WHO ARE SIXTY-FIVE YEARS OF AGE OR MORE AT THE
18 TIME OF APPLICATION SHALL BE ENTITLED TO AN ANNUAL RESIDENT
19 FURTKER'S LICENSE UPON PAYMENT TO SAID AGENT OR THE COMMISSION
20 OF TEN DOLLARS AND FIFTY CENTS (\$10.50). THE APPLICATION FOR THE
21 ISSUANCE OF EITHER LICENSE SHALL, IN ADDITION TO THE OTHER
22 INFORMATION REQUIRED, GIVE THE DATE OF BIRTH OF THE APPLICANT.

23 (D) ANY RESIDENT DISABLED VETERAN OF ANY WAR WHOSE
24 DISABILITY CONSISTS OF THE LOSS OF ONE OR MORE LIMBS OR THE LOSS
25 OF THE USE OF ONE OR MORE LIMBS, OR WHO PRESENTS A PHYSICIAN'S
26 CERTIFICATE OF TOTAL OR ONE HUNDRED PER CENT DISABILITY, AND WHO
27 MEETS THE ABOVE QUALIFICATIONS, SHALL BE ISSUED SUCH LICENSE
28 UPON APPLICATION TO ANY COUNTY TREASURER WITHOUT THE PAYMENT OF
29 THE ABOVE LICENSE FEE PROVIDED FOR THE USE OF THE COMMONWEALTH.
30 THE APPLICATION FOR THE ISSUANCE OF A LICENSE IN SUCH CASE

1 SHALL, IN ADDITION TO THE OTHER INFORMATION REQUIRED, CONTAIN A
2 STATEMENT THAT THE APPLICANT IS A WAR VETERAN AND THAT HIS
3 DISABILITY WAS SERVICE INCURRED. THE COUNTY TREASURER MAY
4 LIKEWISE REQUIRE OF SUCH APPLICANT THE PRODUCTION OF SUCH
5 APPLICANT'S DISCHARGE PAPERS.

6 (E) NOTHING IN THIS SECTION SHALL PROHIBIT THE HOLDER OF A
7 RESIDENT FURTKER'S LICENSE FROM USING A SIDEARM OR A RIFLE NOT
8 LARGER THAN A .22 RIMFIRE CALIBER TO KILL LEGALLY TRAPPED WILD
9 ANIMALS.

10 (F) IT SHALL BE UNLAWFUL FOR ANY PERSON TO SELL OR ATTEMPT
11 TO SELL ANY RESIDENT FURTKER'S 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 5. SECTION 303 OF THE ACT, AMENDED JULY 20, 1983
16 (P.L.55, NO.28), IS AMENDED TO READ:

17 SECTION 303. NONRESIDENT HUNTING LICENSE FEES.--(A) EVERY
18 ADULT NONRESIDENT OF THIS COMMONWEALTH, UPON APPLICATION MADE,
19 IN WRITING, TO ANY AGENT AUTHORIZED TO ISSUE SUCH LICENSES, OR
20 TO THE COMMISSION, UNLESS ANY SUCH PERSON HAS BEEN DISQUALIFIED
21 FOR A LICENSE UNDER THIS ACT IN THE MANNER HEREINAFTER
22 SPECIFIED, OR IS A RESIDENT OF A STATE WHICH DOES NOT ISSUE LIKE
23 LICENSES TO RESIDENTS OF THIS COMMONWEALTH, AND UPON PAYMENT TO
24 SAID AGENT OR COMMISSION OF [SIXTY DOLLARS AND FIFTY CENTS
25 (\$60.50)] EIGHTY DOLLARS AND FIFTY CENTS (\$80.50) SHALL BE
26 ENTITLED TO THE LICENSE HEREIN DESIGNATED AS A NONRESIDENT
27 HUNTER'S LICENSE [AND A TAG WITH THE NUMBER OF THE LICENSE
28 THEREON,] WHICH SHALL ENTITLE THE HOLDER TO HUNT FOR ALL WILD
29 BIRDS AND WILD ANIMALS, OTHER THAN FUR-BEARING ANIMALS, WHICH
30 MAY LEGALLY BE HUNTED IN THIS COMMONWEALTH, UNTIL THE CLOSE OF

1 THE LICENSE YEAR. [OTHER LICENSES VALID FOR USE BY NONRESIDENTS
2 SHALL BE AS FOLLOWS:

3 NONRESIDENT TRAPPER'S LICENSE WHICH SHALL BE ISSUED ONLY UPON
4 APPLICATION TO THE COMMISSION IN HARRISBURG AND WHICH SHALL BE
5 EFFECTIVE FOR THE SAME PERIOD AS HUNTERS' LICENSES SHALL ENTITLE
6 THE HOLDER TO TAKE THROUGH THE USE OF TRAPS OR DEADFALLS ONLY
7 WILD BIRDS AND WILD ANIMALS WHICH MAY LEGALLY BE TRAPPED IN THIS
8 COMMONWEALTH, EXCEPT BEAVERS, THREE HUNDRED FIFTY DOLLARS
9 (\$350). NOTHING IN THIS CLAUSE SHALL BE CONSTRUED TO PROHIBIT
10 THE HOLDER OF A NONRESIDENT TRAPPER'S LICENSE FROM USING A
11 SIDEARM OR A RIFLE NOT LARGER THAN A .22 RIMFIRE CALIBER TO KILL
12 LEGALLY CAUGHT BIRDS AND ANIMALS.]

13 (B) NONRESIDENTS WITH THE QUALIFICATIONS IN SUBSECTION (A),
14 WHO ARE BETWEEN THE AGES OF TWELVE AND SIXTEEN INCLUSIVE, SHALL
15 BE ENTITLED TO A NONRESIDENT HUNTING LICENSE UPON PAYMENT TO
16 SAID AGENT OR THE COMMISSION OF FORTY DOLLARS AND FIFTY CENTS
17 (\$40.50). THE APPLICATION SHALL, IN ADDITION TO OTHER
18 INFORMATION, GIVE THE DATE OF BIRTH OF THE APPLICANT.

19 (C) IT SHALL BE UNLAWFUL FOR ANY PERSON TO SELL OR ATTEMPT
20 TO SELL ANY NONRESIDENT HUNTING LICENSE FOR A MONETARY FEE IN
21 EXCESS OF THE FEES FIXED PURSUANT TO THE PROVISIONS OF THIS
22 SECTION. THE SALE OR ATTEMPTED SALE OF EACH LICENSE SHALL
23 CONSTITUTE A SEPARATE OFFENSE.

24 SECTION 6. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

25 SECTION 303.2. NONRESIDENT SMALL GAME LICENSE.--NONRESIDENTS
26 OF THIS COMMONWEALTH TWELVE YEARS OF AGE OR OLDER, UPON
27 APPLICATION IN WRITING TO AN AUTHORIZED AGENT, IN SUCH FORM AS
28 THE COMMISSION MAY PRESCRIBE, AND UPON PAYMENT TO THE ISSUING
29 AGENT OF FIFTEEN DOLLARS AND FIFTY CENTS (\$15.50) FOR THE USE OF
30 THE ISSUING AGENT, SHALL BE ENTITLED TO A LICENSE KNOWN AS A

"FIVE-DAY NONRESIDENT SMALL GAME HUNTING LICENSE," WHICH SHALL
BE VALID FOR A PERIOD OF FIVE (5) CONSECUTIVE DAYS. THE HOLDER
OF THE LICENSE SHALL BE ENTITLED TO HUNT FOR, TAKE OR KILL ANY
CROWS OR SMALL GAME EXCEPT WILD TURKEYS. THE LICENSE ISSUED
UNDER THIS SECTION SHALL NOT BE VALID ON ANY SPECIAL CONTROLLED
WATERFOWL MANAGEMENT AREA.

SECTION 303.3. NONRESIDENT FURTAKER LICENSE FEE.--(A) EVERY
NONRESIDENT OF THIS COMMONWEALTH, UPON APPLICATION MADE, IN
WRITING, TO ANY AGENT AUTHORIZED TO ISSUE SUCH LICENSES, OR TO
THE COMMISSION, UNLESS ANY SUCH PERSON HAS BEEN DISQUALIFIED FOR
A LICENSE UNDER THIS ACT IN THE MANNER HEREINAFTER SPECIFIED, OR
IS A RESIDENT OF A STATE WHICH DOES NOT ISSUE LIKE LICENSES TO
RESIDENTS OF THIS COMMONWEALTH, AND UPON PAYMENT TO SAID AGENT
OR COMMISSION OF EIGHTY DOLLARS AND FIFTY CENTS (\$80.50) SHALL
BE ENTITLED TO THE LICENSE HEREIN DESIGNATED AS A NONRESIDENT
FURTAKER'S LICENSE WHICH SHALL ENTITLE THE HOLDER TO HUNT FOR OR
TRAP ANY FUR-BEARING ANIMALS WHICH MAY LEGALLY BE TAKEN IN THIS
COMMONWEALTH, UNTIL THE CLOSE OF THE LICENSE YEAR.

(B) NONRESIDENTS WITH THE QUALIFICATIONS IN SUBSECTION (A),
WHO ARE BETWEEN THE AGES OF TWELVE AND SIXTEEN INCLUSIVE, SHALL
BE ENTITLED TO A NONRESIDENT FURTAKER'S LICENSE UPON PAYMENT TO
SUCH AGENT OR THE COMMISSION OF FORTY DOLLARS AND FIFTY CENTS
(\$40.50). THE APPLICATION, IN ADDITION TO OTHER INFORMATION,
SHALL GIVE THE DATE OF BIRTH OF THE APPLICANT.

(C) NOTHING IN THIS SECTION SHALL PROHIBIT THE HOLDER OF A
NONRESIDENT FURTAKER'S LICENSE FROM USING A SIDEARM OR A RIFLE
NOT LARGER THAN A .22 RIMFIRE CALIBER TO KILL LEGALLY TRAPPED
WILD ANIMALS.

(D) IT SHALL BE UNLAWFUL FOR ANY PERSON TO SELL OR ATTEMPT
TO SELL ANY NONRESIDENT FURTAKER'S LICENSE FOR A MONETARY FEE IN

EXCESS OF THE FEES FIXED PURSUANT TO THE PROVISIONS OF THIS
SECTION. THE SALE OR ATTEMPTED SALE OF EACH LICENSE SHALL
CONSTITUTE A SEPARATE OFFENSE.

SECTION 7. SECTION 311 OF THE ACT, AMENDED DECEMBER 10, 1970
(P.L.896, NO.282) AND JULY 20, 1983 (P.L.55, NO.28), IS AMENDED
TO READ:

SECTION 311. AGENTS TO COLLECT AND REMIT LICENSE FEES;
REPORTS; COMPENSATION.--(A) THE AGENTS DESIGNATED BY THE
COMMISSION FOR THE COLLECTION OF SAID LICENSE FEES, FOR THEIR
SERVICES RENDERED IN COLLECTING AND PAYING OVER THE SAME, SHALL,
AS LONG AS THEY CONTINUE TO BE AGENTS OF THE COMMISSION, BE
ALLOWED TO RETAIN NOT TO EXCEED THE SUM OF FIFTY CENTS FROM THE
AMOUNT PAID FOR EACH RESIDENT [HUNTER'S] LICENSE, AND NOT TO
EXCEED FIFTY CENTS FROM THE AMOUNT PAID FOR EACH NONRESIDENT
[HUNTER'S] LICENSE, WHICH AMOUNT SHALL BE FOR THE USE OF THE
COUNTY IF THE ISSUING AGENT IS THE COUNTY TREASURER, OR FOR
OTHER ISSUING AGENTS SHALL BE FULL COMPENSATION FOR SERVICES
RENDERED BY THEM UNDER THE PROVISIONS OF THIS ACT, SUCH
COMPENSATION TO BE DISPOSED OF BY THE RESPECTIVE ISSUING AGENTS
AS MAY NOW OR HEREAFTER BE PROVIDED BY LAW. EACH ISSUING AGENT
OTHER THAN A COUNTY TREASURER SHALL REMIT ALL BALANCES ARISING
FROM THIS SOURCE WITHIN FIVE DAYS AFTER THE END OF EACH MONTH TO
THE STATE TREASURER, THROUGH THE COMMISSION UPON A FORM TO BE
SUPPLIED BY THE COMMISSION. ALL SUCH MONEYS SHALL BE PLACED IN
THE GAME FUND BY THE STATE TREASURER.

(B) EVERY AGENT DESIGNATED TO ISSUE [HUNTERS'] LICENSES,
UNLESS ALREADY UNDER BOND TO COVER THE HANDLING OF PUBLIC FUNDS,
SHALL GIVE BOND TO THE COMMONWEALTH IN SUCH SUM AS SHALL BE
FIXED BY THE COMMISSION, BUT NOT LESS THAN THREE THOUSAND
DOLLARS (\$3,000.00) FOR EACH PLACE WHERE LICENSES ARE ISSUED

1 BEFORE THE ANNUAL SUPPLY OF LICENSES IS DELIVERED TO HIM. IF AN
2 AGENT HAS MORE THAN ONE PLACE WHERE LICENSES ARE ISSUED HE MAY
3 SUPPLY A BLANKET BOND COVERING ALL PLACES.

4 (C) ANY ISSUING AGENT WHO SHALL FAIL TO COMPLY WITH ANY OF
5 THE PROVISIONS OF THIS ACT RELATING TO [HUNTERS'] LICENSES SHALL
6 NOT BE ENTITLED TO RETAIN THE SUM HEREINBEFORE FIXED FOR HIS
7 SERVICES, BUT SUCH SUMS SHALL BE PAID TO THE STATE TREASURER,
8 AND IF NOT SO PAID, MAY BE RECOVERED BY THE COMMONWEALTH BY SUIT
9 IN THE SAME MANNER AS LIKE AMOUNTS ARE NOW BY LAW RECOVERABLE.

10 SECTION 8. SECTION 312 OF THE ACT, AMENDED JULY 20, 1983
11 (P.L.55, NO.28), IS AMENDED TO READ:

12 SECTION 312. REPLACEMENT OF LOST [HUNTING] LICENSES.--(A)
13 ANY HOLDER OF A [REGULAR RESIDENT, NONRESIDENT OR ANTLERLESS
14 DEER HUNTER'S] LICENSE WHO SHALL ACCIDENTALLY LOSE THE SAME,
15 UPON APPLICATION TO THE COMMISSION OR TO [ANY] AN ISSUING AGENT,
16 [WHO AFTER CONTACTING THE AGENT WHO ISSUED THE LOST LICENSE OR
17 WHO, BEING OTHERWISE SATISFIED OF THE VALIDITY OF THE CLAIM FOR
18 REPLACEMENT, ACCOMPANIED BY A SWORN STATEMENT SETTING FORTH THE
19 PERTINENT FACTS RELATIVE THERETO AND SURRENDER THE REMAINING
20 PORTION, IF ANY, OF THE ORIGINAL LICENSE, AND UPON PAYMENT OF
21 THE FEES SET FORTH HEREIN,] SHALL BE ENTITLED TO A REPLACEMENT
22 LICENSE OF THE SAME KIND [AND VALUE] AS THE ORIGINAL [WHEN
23 LOST].

24 [FEES FOR REPLACEMENT OF REGULAR RESIDENT, NONRESIDENT OR
25 ANTLERLESS DEER LICENSES OF ANY DESCRIPTION SHALL BE AS FOLLOWS:

26 (1) EXCEPT IN THE CASE OF A REGULAR NONRESIDENT HUNTER'S
27 LICENSE, THE REPLACEMENT FEE FOR A REGULAR RESIDENT HUNTING
28 LICENSE SHALL BE ONE-HALF OF THE FEE CHARGED FOR THE ORIGINAL
29 LICENSE.

30 (2) IN THE CASE OF A REGULAR NONRESIDENT HUNTING LICENSE,

1 THE REPLACEMENT FEE SHALL BE ONE-HALF OF THE FEE CHARGED FOR A
2 REGULAR RESIDENT HUNTING LICENSE AS SET FORTH IN THE ACT FOR
3 PERSONS SEVENTEEN YEARS OF AGE OR OLDER, BUT LESS THAN SIXTY-
4 FIVE YEARS OF AGE.

5 (3) IN THE CASE OF AN ANTLERLESS DEER LICENSE, THE
6 REPLACEMENT FEE SHALL BE THE SAME COST AS THE ORIGINAL LICENSE.
7 THE REPLACEMENT OF AN ANTLERLESS DEER LICENSE SHALL BE MADE ONLY
8 BY THE ISSUING AGENT WHO ISSUED THE ORIGINAL LICENSE.] (B) (1)
9 EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE FEE FOR THE
10 REPLACEMENT OF ANY LOST LICENSE WHICH WAS ISSUED PURSUANT TO
11 SECTIONS 302, 302.1, 303 AND 303.3 AND 501(G) SHALL BE FIVE
12 DOLLARS AND FIFTY CENTS (\$5.50).

13 (2) THE FEE FOR THE REPLACEMENT OF A LOST RESIDENT
14 FURTKER'S LICENSE ISSUED TO A RESIDENT BETWEEN THE AGES OF
15 TWELVE AND SIXTEEN INCLUSIVE AND FOR ALL OTHER LOST LICENSES NOT
16 SPECIFIED IN (B)(1) SHALL BE THE ORIGINAL FEE FOR THE ISSUANCE
17 OF SUCH LICENSE.

18 (C) THE ISSUING AGENT SHALL INDICATE ON THE FACE OF THE
19 REPLACEMENT LICENSE [AND TAG] SO ISSUED, ALSO ON THE STUB OR
20 CARBON COPY THEREOF, THAT IT IS A REPLACEMENT WITH THE NUMBER OF
21 THE ORIGINAL LICENSE. THE AFFIDAVIT SO FILED AND ANY REMAINING
22 PORTION OF THE ORIGINAL LICENSE ALSO SHALL BE FASTENED TO THE
23 STUB OR CARBON COPY OF THE REPLACEMENT LICENSE FOR THE
24 INFORMATION OF THE AUDITORS.

25 (D) FOR SUCH SERVICES THE COMMISSION MAY AUTHORIZE ANY
26 ISSUING AGENT TO RETAIN NOT TO EXCEED THE SUM OF FIFTY CENTS AND
27 REMIT THE BALANCE OF THE REPLACEMENT LICENSE FEE AS HEREINBEFORE
28 PROVIDED. ISSUING AGENTS WHO ARE COUNTY TREASURERS SHALL REMIT
29 THE FEE FOR SERVICES TO THE COUNTY FOR THE USE OF THE COUNTY.

30 (E) IT SHALL BE UNLAWFUL FOR ANY PERSON TO GIVE FALSE

1 INFORMATION ON THE SWORN STATEMENT FOR A REPLACEMENT HUNTING
2 LICENSE OR TO OBTAIN OR ATTEMPT TO OBTAIN A REPLACEMENT HUNTING
3 LICENSE CONTRARY TO THE PROVISIONS OF THIS SECTION. ANY PERSON
4 WHO SHALL GIVE FALSE INFORMATION ON THE SWORN STATEMENT FOR A
5 REPLACEMENT HUNTING LICENSE OR WHO OBTAINS OR ATTEMPTS TO OBTAIN
6 A REPLACEMENT HUNTING LICENSE AS HEREIN DEFINED CONTRARY TO THE
7 PROVISIONS OF THIS SECTION SHALL, UPON CONVICTION, BE SENTENCED
8 TO PAY A PENALTY OF ONE HUNDRED DOLLARS (\$100) PLUS COSTS OF
9 PROSECUTION.

10 SECTION 9. SECTION 313 OF THE ACT, AMENDED DECEMBER 10, 1970
11 (P.L.896, NO.282), IS AMENDED TO READ:

12 SECTION 313. POWER TO ADMINISTER OATHS.--EACH AGENT WHO MAY
13 BE AUTHORIZED OR DESIGNATED BY THE COMMISSION TO ISSUE [HUNTING]
14 LICENSES, AND EACH AGENT WHO MAY BE AUTHORIZED OR DESIGNATED BY
15 THE COMMISSION TO RECEIVE APPLICATIONS FOR SUCH LICENSES, IN
16 ACCORDANCE WITH THE PROVISIONS OF THIS ACT, IS HEREBY EMPOWERED
17 TO ADMINISTER ANY OATH THAT MAY BE REQUIRED IN CONNECTION WITH
18 THE ISSUANCE OF SUCH LICENSES OR RECEIVING APPLICATIONS
19 THEREFOR.

20 SECTION 10. SECTIONS 314 AND 315(1) OF THE ACT ARE AMENDED
21 TO READ:

22 SECTION 314. SEIZURE OF LICENSES AND TAGS.--(A) ANY REGULAR
23 SALARIED OFFICER OF THE COMMISSION IS HEREBY EMPOWERED, EXCEPT
24 WHERE BIRDS OR ANIMALS ARE KILLED BY MISTAKE AND REPORTED AS
25 HEREINAFTER REQUIRED, TO SEIZE THE [HUNTING] LICENSE, AND THE
26 TAG ISSUED THEREWITH, OF ANY PERSON APPREHENDED IN THE ACT OF
27 VIOLATING ANY GAME LAW, OR ANY RULES OR REGULATIONS OF THE
28 COMMISSION, AND WHO HAS EITHER BEEN CONVICTED OR SIGNED AN
29 ACKNOWLEDGMENT OF VIOLATING ANY GAME LAW, OR RULES OR
30 REGULATIONS OF THE COMMISSION, OR IF SUCH LICENSEE IS FOUND

1 USING FIREARMS TO HUNT WHILE UNDER THE INFLUENCE OF INTOXICATING
2 LIQUOR OR NARCOTICS.

3 (B) ALL LICENSES SO SEIZED SHALL, WITHIN TWENTY-FOUR HOURS,
4 BE FORWARDED TO THE [DIVISION GAME SUPERVISOR] REGIONAL DIRECTOR
5 FOR TRANSMITTAL TO THE OFFICE OF THE COMMISSION, WITH A REPORT
6 RELATIVE THERETO. THE DIRECTOR MAY, UPON APPLICATION OF THE
7 OWNER, RETURN THE LICENSE [AND TAG] TO THE OWNER IF HE IS
8 SATISFIED THAT THE LICENSE SHOULD NOT BE RECOMMENDED TO THE
9 COMMISSION FOR REVOCATION IN THE MANNER HEREINAFTER STIPULATED.

10 SECTION 315. REVOCATION OF LICENSES; RIGHT TO HUNT OR TRAP
11 DENIED.--(1) THE COMMISSION MAY REVOKE ANY [HUNTER'S] LICENSE
12 ISSUED UNDER THIS ACT AND DENY ANY PERSON THE RIGHT TO SECURE A
13 LICENSE OR TO HUNT OR TRAP ANYWHERE IN THIS COMMONWEALTH, WITH
14 OR WITHOUT A LICENSE, IF SAID LICENSEE OR PERSON HAS EITHER BEEN
15 CONVICTED OR SIGNED AN ACKNOWLEDGMENT OF VIOLATING ANY PROVISION
16 OF THIS ACT, OR IF SUCH PERSON HAS BEEN ADJUDGED GUILTY, IN THE
17 MANNER HEREINAFTER PROVIDED, OF ANY OF THE ACTS ENUMERATED
18 BELOW, FOR SUCH PERIODS AS HEREINAFTER SPECIFIED.

19 * * *

20 SECTION 11. SECTION 315.1 OF THE ACT, ADDED OCTOBER 17, 1980
21 (P.L.1076, NO.178), IS AMENDED TO READ:

22 SECTION 315.1. SUSPENSION.--THE COMMISSION IN THE MANNER
23 PROVIDED IN SECTION 315 FOR REVOCATION OF LICENSES MAY SUSPEND
24 [THE HUNTER'S] A VALID LICENSE OR DENY A LICENSE (I) FOR FAILURE
25 TO PAY A FINE FOR A VIOLATION OF THIS ACT OR UNTIL SUCH A FINE
26 IS IMPOSED AND FULLY PAID, AND (II) DURING THE TIME A CITATION
27 IS GIVEN AND THE RECIPIENT OF THE CITATION RESPONDS TO IT.

28 SECTION 12. SECTION 319 OF THE ACT IS REPEALED:

29 SECTION 13. SECTION 501 OF THE ACT, AMENDED JULY 23, 1965
30 (P.L.240, NO.136), JUNE 21, 1967 (P.L.120, NO.30), MARCH 22,

1 1974 (P.L.201, NO.41), DECEMBER 10, 1974 (P.L.811, NO.269), JUNE
2 24, 1981 (P.L.111, NO.37), MARCH 7, 1982 (P.L.164, NO.51) AND
3 JULY 20, 1983 (P.L.55, NO.28), IS AMENDED TO READ:

4 SECTION 501. OPEN SEASONS.--AFTER INVESTIGATION, OR
5 INFORMATION OTHERWISE OBTAINED BY THE COMMISSION, AS TO THE
6 ANNUAL GAME SUPPLY AND OTHER WILD BIRDS AND WILD ANIMALS, THE
7 COMMISSION MAY, BY APPROPRIATE RULES AND REGULATIONS, [A SUMMARY
8 OF WHICH SHALL BE PUBLISHED AS HEREINAFTER SPECIFIED,] FIX
9 SEASONS, [SHOOTING HOURS] METHODS AND TIMES FOR TAKING WILDLIFE,
10 AND DAILY, SEASON AND POSSESSION LIMITS, OR REMOVE PROTECTION
11 AND DECLARE AN OPEN SEASON, OR INCREASE, REDUCE OR CLOSE
12 SEASONS, OR INCREASE OR REDUCE BAG LIMITS, FOR ALL SPECIES OF
13 GAME BIRDS AND GAME ANIMALS AND ALL OTHER WILD BIRDS AND WILD
14 ANIMALS AS DEFINED UNDER SECTION 101 OF THIS ACT, PROTECTED
15 BIRDS EXCEPTED, THROUGHOUT THE COMMONWEALTH, OR IN ANY PART
16 THEREOF, OR LIMIT THE NUMBER OF HUNTERS IN ANY DESIGNATED AREA
17 AND PRESCRIBE THE METHODS OF HUNTING THEREIN, WHEN IN ITS
18 OPINION, SUCH ACTION IS NECESSARY TO ASSURE THE MAINTENANCE OF
19 AN ADEQUATE SUPPLY OF SUCH SPECIES, OR WHEN AN UNBALANCED SEX
20 RATIO EXISTS WHICH IN ITS OPINION SHOULD BE CORRECTED, OR WHEN,
21 IN THE OPINION OF THE COMMISSION, SUCH ADDITIONAL OPEN SEASON
22 WILL NOT JEOPARDIZE THE FUTURE SUPPLY OF GAME OR OTHER WILD
23 BIRDS OR WILD ANIMALS.

24 IF IN ANY YEAR THE COMMISSION FAILS TO ESTABLISH SUCH SEASONS
25 OR BAG LIMITS OR FAILS TO ESTABLISH OTHER HUNTING OR TRAPPING
26 REGULATIONS UNDER AUTHORITY OF THIS ACT, THE OPEN SEASONS AND
27 BAG LIMITS FOR GAME, SUNDAYS EXCEPTED, UNLESS OTHERWISE PROVIDED
28 BY THIS ACT, AND ALL OTHER [HUNTING] REGULATIONS ADOPTED UNDER
29 AUTHORITY OF THIS ACT, SHALL BE THE SAME AS SET BY [RESOLUTION]
30 REGULATION OF THE COMMISSION FOR THE PREVIOUS [HUNTING] LICENSE

1 YEAR, AND ALL SEASONS SHALL OPEN AND CLOSE ONE CALENDAR DAY
2 EARLIER THAN THE PREVIOUS [HUNTING] LICENSE YEAR. IN THE EVENT
3 THE COMMISSION FAILS TO ESTABLISH SEASONS AND BAG LIMITS FOR A
4 [HUNTING] LICENSE YEAR BEGINNING IN A LEAP YEAR, THE SEASONS
5 SHALL OPEN AND CLOSE TWO CALENDAR DAYS EARLIER THAN THE PREVIOUS
6 [HUNTING] LICENSE YEAR.

7 IT IS UNLAWFUL FOR ANY PERSON TO KILL OR ATTEMPT TO KILL, OR
8 TO HUNT FOR, OR TAKE, OR HAVE IN POSSESSION ANY GAME BIRD OR
9 GAME ANIMAL AT ANY TIME OF THE YEAR OTHER THAN THE OPEN SEASON,
10 FIXED BY [RESOLUTION] REGULATION OF THE COMMISSION IN THE MANNER
11 ABOVE PROVIDED, OR AS SET FORTH IN THIS SECTION, EXCEPT AS
12 ELSEWHERE PROVIDED IN THIS ACT.

13 (A) HUNTING OR TRAPPING AT CERTAIN PERIODS UNLAWFUL. IF IN
14 ANY YEAR THE COMMISSION, BY [RESOLUTION] REGULATION, FIXES A
15 LATER HOUR TO BEGIN HUNTING [FOR GAME] OR TRAPPING ON THE FIRST
16 DAY OF ANY OPEN SEASON, IT SHALL BE UNLAWFUL FOR ANY PERSON,
17 EXCEPT IN DEFENSE OF PERSON OR PROPERTY, TO HUNT FOR, CHASE,
18 DISTURB, OR TAKE, OR TO ATTEMPT TO HUNT FOR, CHASE, DISTURB, OR
19 TAKE, ANY WILD BIRD OR WILD ANIMAL, GAME OR OTHERWISE, THROUGH
20 THE USE OF FIREARMS, OR A BOW AND ARROW, OR WITH DOGS, OR TRAPS,
21 ON SUCH FIRST DAY OF THE SEASON PRIOR TO THE OPENING HOUR SO
22 FIXED BY [RESOLUTION] REGULATION OF THE COMMISSION.

23 (B) TAKING OF RACCOONS REGULATED. (1) EXCEPT IN DEFENSE OF
24 PERSON OR PROPERTY, IT IS UNLAWFUL FOR ANY PERSON TO TAKE, OR
25 ATTEMPT TO TAKE, RACCOONS THROUGH THE USE OF TRAPS, EXCEPT IN
26 SUCH COUNTY OR COUNTIES AS THE COMMISSION MAY, BY PROPER
27 [RESOLUTION] REGULATION, DECLARE OPEN TO TRAPPING WHEN IN ITS
28 OPINION RACCOONS ARE SUFFICIENTLY ABUNDANT TO JUSTIFY SUCH
29 TRAPPING.

30 (2) AFTER INVESTIGATION OR UPON INFORMATION OTHERWISE

1 OBTAINED AS TO ANY COUNTY BEING INFESTED WITH RABIES, THE
2 COMMISSION MAY REMOVE ALL PROTECTION ON RACCOONS IN SUCH
3 INFESTED COUNTIES, OR DECLARE AN OPEN SEASON ON SUCH ANIMALS, OR
4 DIRECT THE KILLING AND DISPOSITION OF SAME, IN SUCH MANNER AS
5 THE CASE MAY REQUIRE.

6 (3) WHENEVER THE COMMISSION FIXES OPEN SEASONS FOR HUNTING
7 OR TRAPPING RACCOONS, OR WHENEVER SUCH OPEN SEASONS ARE
8 ESTABLISHED AS OTHERWISE PROVIDED IN THIS SECTION, SUCH OPEN
9 SEASONS SHALL BE THIRTY DAYS SHORTER FOR NONRESIDENTS OF THE
10 COMMONWEALTH. THE THIRTY DAYS OF EXTRA OPEN SEASONS FOR
11 RESIDENTS OF THE COMMONWEALTH SHALL BE THE FIRST THIRTY DAYS OF
12 THE OPEN SEASON.

13 (C) HUNTERS' LICENSES [AND TAGS] FOR ANTLERLESS DEER.--(1)
14 IF IN ANY YEAR THE COMMISSION DECLARES AN OPEN SEASON FOR
15 ANTLERLESS DEER, IT SHALL ISSUE ANTLERLESS DEER LICENSES [AND
16 TAGS] TO HUNT FOR OR KILL SUCH DEER, AT A FEE OF [THREE DOLLARS
17 FIFTY CENTS] FIVE DOLLARS AND FIFTY CENTS (\$6.50) UNDER SUCH
18 RULES AND REGULATIONS GOVERNING THE ISSUANCE OF SUCH LICENSES
19 [AND TAGS] AS IT MAY DEEM NECESSARY TO LIMIT THE NUMBER OF
20 PERSONS WHO MAY HUNT FOR SUCH DEER IN ANY COUNTY OF THE
21 COMMONWEALTH AND TO REGULATE THE ISSUANCE OF SUCH LICENSES
22 GENERALLY. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, NO
23 APPLICATIONS FOR ANTLERLESS DEER LICENSES RECEIVED FROM
24 NONRESIDENTS OF THE COMMONWEALTH SHALL BE APPROVED OR LICENSES
25 ISSUED IN ADVANCE OF THIRTY DAYS PRIOR TO THE OPENING DATE OF
26 SUCH ANTLERLESS DEER SEASON. SUCH LICENSES [AND TAGS] SHALL BE
27 ISSUED WITHOUT RESTRICTION OR REGARD TO THE COUNTY OF RESIDENCE
28 OF THE PENNSYLVANIA APPLICANT AND MAY BE ISSUED ONLY TO HOLDERS
29 OF RESIDENT OR NONRESIDENT HUNTING LICENSES, AND SUCH LICENSES
30 [AND TAGS] SHALL NOT BE TRANSFERABLE FROM ONE PERSON TO ANOTHER

1 NOR SHALL THEY BE REFUNDED OR REISSUED TO ANYONE.
2 NOTWITHSTANDING THE PROVISIONS OF ANY REGULATION LIMITING THE
3 NUMBER OF LICENSES [AND TAGS], THE COMMISSION SHALL ISSUE
4 ANTLERLESS DEER LICENSES [AND TAGS] WITHOUT EFFECTING ANY QUOTA
5 ESTABLISHED BY THE COMMISSION FOR A PARTICULAR COUNTY: [(1)] (I)
6 TO MEMBERS OF ARMED FORCES WHO ARE RESIDENTS OF PENNSYLVANIA AND
7 WHO ARE ON FULL TIME ACTIVE DUTY; [(2)] (II) TO RESIDENTS WHO
8 WERE HONORABLY DISCHARGED FROM THE ARMED FORCES WITHIN SIXTY
9 DAYS OF THE DATE OF THE APPLICATION UPON SUBSTANTIAL PROOF OF
10 THEIR MILITARY STATUS; AND [(3)] (III) TO DISABLED VETERANS AS
11 DEFINED IN SECTION 302 UPON SUBMISSION OF THE INFORMATION
12 REQUIRED BY SECTION 302.

13 (2) LICENSES [AND TAGS] FOR ANTLERLESS DEER SHALL BE ISSUED
14 ONLY BY THE COUNTY TREASURERS OR BY ANY PERSON CARRYING OUT THE
15 DUTIES AND RESPONSIBILITIES OF A COUNTY TREASURER IN COUNTIES
16 FUNCTIONING UNDER A HOME RULE CHARTER IN COUNTIES WHERE SUCH
17 DEER MAY BE HUNTED AND KILLED, WHO, FOR THAT PURPOSE, ARE HEREBY
18 MADE AGENTS OF THE COMMISSION.

19 (3) FOR SERVICES RENDERED IN COLLECTING AND PAYING OVER FEES
20 AND ISSUING LICENSES [AND TAGS], BY MAIL OR OTHERWISE, SUCH
21 AGENTS MAY RETAIN THE SUM OF FIFTY CENTS FROM THE AMOUNT PAID BY
22 EACH LICENSEE, WHICH AMOUNT SHALL BE PAID INTO THE COUNTY
23 TREASURY.

24 (4) IT SHALL BE UNLAWFUL FOR ANY PERSON TO SELL OR ATTEMPT
25 TO SELL ANY ANTLERLESS DEER HUNTING LICENSE FOR A MONETARY FEE
26 IN EXCESS OF THE FEES FIXED PURSUANT TO THIS SUBSECTION. THE
27 SALE OR ATTEMPTED SALE OF EACH LICENSE SHALL CONSTITUTE A
28 SEPARATE OFFENSE.

29 (5) WHEN SUCH LICENSES ARE ISSUED TO RESTRICT THE NUMBER OF
30 PERSONS WHO MAY HUNT ANTLERLESS DEER IN ANY COUNTY OF THE

1 COMMONWEALTH, CERTAIN QUALIFYING LANDOWNERS WHO OWN EIGHTY OR
2 MORE CONTIGUOUS ACRES OF LAND WITHIN ANY COUNTY WHERE THEY
3 DESIRE TO HUNT ANTLERLESS DEER SHALL BE ENTITLED TO ONE
4 ANTLERLESS DEER LICENSE FOR THAT COUNTY, AT THE PRESCRIBED FEE,
5 TO ONE AND ONLY ONE PERSON WHOSE NAME APPEARS ON THE DEED. THESE
6 ANTLERLESS DEER LICENSES SHALL BE ALLOCATED IN ADVANCE OF THEIR
7 AVAILABILITY TO THE GENERAL PUBLIC FROM THE QUOTA ESTABLISHED BY
8 THE COMMISSION FOR THE COUNTY WHERE SUCH LAND IS SITUATED TO
9 PERSONS WHO MEET ALL OF THE FOLLOWING REQUIREMENTS:

10 (I) THE EIGHTY OR MORE CONTIGUOUS ACRES OF LAND ARE OWNED BY
11 A NATURAL PERSON INDIVIDUALLY OR AS TENANTS BY THE ENTIRETY, OR
12 BY A CORPORATION OF FOUR OR FEWER SHAREHOLDERS, OR BY TENANTS IN
13 COMMON OF FOUR OR FEWER NATURAL PERSONS;

14 (II) THE EIGHTY OR MORE CONTIGUOUS ACRES OF LAND ARE OPEN TO
15 PUBLIC HUNTING AND TRAPPING AND SHALL REMAIN OPEN TO HUNTING AND
16 TRAPPING DURING THE HUNTING LICENSE YEAR FOR WHICH THE
17 ANTLERLESS DEER LICENSE IS ISSUED;

18 (III) THE APPLICANT FOR AN ANTLERLESS DEER LICENSE SHALL
19 FURNISH PROOF OF OWNERSHIP OF EIGHTY OR MORE CONTIGUOUS ACRES OF
20 LAND TO THE COUNTY TREASURER WITHIN THE COUNTY WHERE SUCH LAND
21 IS SITUATED.

22 (6) ANY RESIDENT OF PENNSYLVANIA RESIDING WITHIN THE
23 COMMONWEALTH WHO IS A BONA FIDE OWNER OR LESSEE OF LANDS WHICH
24 LIE WITHIN THE COUNTY DECLARED OPEN TO THE HUNTING OF ANTLERLESS
25 DEER, OR ANY MEMBER OF THE FAMILY OR HOUSEHOLD, OR REGULARLY
26 HIRED HELP OF SUCH OWNER OR LESSEE WHO ARE SO EMPLOYED ON A
27 FULL-TIME BASIS, IF SUCH PERSON IS A RESIDENT OF THE
28 COMMONWEALTH, ACTUALLY RESIDING UPON AND CULTIVATING SUCH LANDS
29 FOR GENERAL FARM CROP PURPOSES, IS HEREBY DECLARED ELIGIBLE TO
30 HUNT ANTLERLESS DEER WITHOUT A RESIDENT HUNTERS' LICENSE OR AN

1 ANTLERLESS DEER LICENSE UPON SAID PROPERTY, AND, BY AND WITH THE
2 WRITTEN CONSENT OF THE OWNER OR LESSEE THEREOF, UPON THE LANDS
3 IMMEDIATELY ADJACENT AND CONNECTED WITH HIS OWN LANDS, OTHER
4 THAN PUBLICLY-OWNED LANDS.

5 (7) THE TERMS "ANTLERLESS DEER" AND "DEER WITHOUT VISIBLE
6 ANTLERS," AS USED IN THIS SUBSECTION OR ANY OTHER PROVISION OF
7 THE GAME LAW WHICH THIS ACT AMENDS, ARE HEREBY DEFINED TO MEAN A
8 DEER WITHOUT AN ANTLER SOMETIMES CALLED HORN, OR A DEER WITH
9 ANTLERS BOTH OF WHICH ARE LESS THAN THREE INCHES LONG, THE TERM
10 "ANTLER," AS HEREIN USED OR IN ANY OTHER PROVISION OF THE GAME
11 LAW WHICH THIS ACT AMENDS, MEANING THE BONY GROWTH ON THE HEAD
12 OF A DEER REGARDLESS OF ITS SIZE OR DEVELOPMENT.

13 (8) WHEN THE COMMISSION ADOPTS AND PROMULGATES SUCH RULES
14 AND REGULATIONS RELATIVE TO HUNTERS' LICENSES [AND TAGS] FOR
15 ANTLERLESS DEER, IT IS UNLAWFUL FOR ANY PERSON OTHER THAN A
16 LANDOWNER OR LESSEE OF THE COUNTY OR A MEMBER OF HIS HOUSEHOLD,
17 AS HEREINBEFORE ENUMERATED, TO HUNT FOR ANTLERLESS DEER WITHOUT
18 A HUNTERS' LICENSE [AND TAG] FOR ANTLERLESS DEER, OR TO TAKE
19 SUCH DEER CONTRARY TO THE RULES AND REGULATIONS ADOPTED BY THE
20 COMMISSION.

21 (9) THE ANTLERLESS DEER LICENSE [TAG ISSUED WITH AN
22 ANTLERLESS DEER LICENSE] SHALL BE DISPLAYED ON THE OUTER GARMENT
23 IMMEDIATELY BELOW THE REGULAR RESIDENT OR NONRESIDENT HUNTING
24 LICENSE [TAG]. ANY PERSON WHO FAILS TO DISPLAY THE ANTLERLESS
25 DEER LICENSE [TAG HEREIN REQUIRED] SHALL, UPON CONVICTION, BE
26 SENTENCED TO PAY A FINE OF TWENTY-FIVE DOLLARS (\$25) AND COSTS
27 OF PROSECUTION, PROVIDED IT SHALL BE DETERMINED THE PERSON HAS
28 PURCHASED A LICENSE; OTHERWISE, A PENALTY OF FIFTY DOLLARS (\$50)
29 AND COSTS OF PROSECUTION SHALL BE IMPOSED. ANY PERSON WHO SHALL
30 GIVE FALSE INFORMATION IN OBTAINING OR ATTEMPTING TO OBTAIN AN

1 ANTLERLESS DEER LICENSE AS RELATES TO CERTAIN QUALIFYING
2 LANDOWNERS SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF
3 TWO HUNDRED DOLLARS (\$200) AND COSTS OF PROSECUTION AND SHALL BE
4 DENIED THE RIGHT TO HUNT OR TRAP ANYWHERE IN THIS COMMONWEALTH,
5 WITH OR WITHOUT A LICENSE, FOR A PERIOD OF THREE YEARS. ANY
6 OTHER PERSON WHO SHALL GIVE FALSE INFORMATION IN OBTAINING OR
7 ATTEMPTING TO OBTAIN AN ANTLERLESS DEER LICENSE SHALL, UPON
8 CONVICTION, BE SENTENCED TO PAY A FINE OF FIFTY DOLLARS (\$50)
9 AND COSTS OF PROSECUTION.

10 (E) OPEN SEASON FOR HUNTING DEER WITH BOWS AND ARROWS.--(1)
11 IN EACH YEAR IN WHICH THERE IS AN OPEN SEASON FOR HUNTING DEER
12 THERE SHALL, IN ADDITION, BE AN OPEN SEASON FOR HUNTING DEER
13 WITH BOWS AND ARROWS EXCLUSIVELY, UNLESS OTHERWISE DECLARED BY
14 [RESOLUTION] REGULATION OF THE COMMISSION AND THE PROVISIONS OF
15 SUBSECTION (C) OF THIS SECTION SHALL NOT APPLY THERETO. THE
16 DURATION AND TIME OF SUCH ADDITIONAL OPEN SEASON, TOGETHER WITH
17 THE DESCRIPTION OF THE DEER WHICH MAY BE LAWFULLY KILLED, SHALL
18 EACH YEAR BE FIXED BY THE COMMISSION. DURING ANY SUCH ADDITIONAL
19 OPEN SEASON, IT SHALL BE UNLAWFUL TO HUNT FOR, KILL OR ATTEMPT
20 TO KILL, ANY DEER, WITHOUT A LICENSE AS HEREINAFTER PRESCRIBED,
21 OR WITH ANY WEAPON OTHER THAN A BOW AND ARROW.

22 (2) NO PERSON SHALL HUNT FOR OR KILL ANY DEER DURING SUCH
23 ADDITIONAL OPEN ARCHERY SEASON WITH BOW AND ARROW WITHOUT FIRST
24 HAVING SECURED A HUNTING LICENSE AND, IN ADDITION THERETO, AN
25 ARCHERY LICENSE FROM THE COMMISSION OR ANY AGENT DESIGNATED AS
26 AN ISSUING AGENT OF THE COMMISSION, THE FEE FOR WHICH IS HEREBY
27 FIXED AT [TWO DOLLARS] FIVE DOLLARS AND FIFTY CENTS (\$5.50).
28 SUCH LICENSE SHALL BE ATTACHED TO THE HUNTERS' LICENSE
29 CERTIFICATE FOR THE CURRENT YEAR AND SHALL BE COUNTERSIGNED IN
30 INK DIAGONALLY ACROSS ITS FACE BY THE LICENSEE BEFORE HUNTING IN

1 THE OPEN SEASON HEREIN PROVIDED FOR.

2 (3) THE COUNTY TREASURER OF EACH COUNTY AND EACH OTHER
3 PERSON DESIGNATED THE AGENT FOR THE COMMISSION FOR THE ISSUANCE
4 OF ARCHERY LICENSES MAY RETAIN FOR THE USE OF THE COUNTY IF THE
5 ISSUING AGENT IS THE COUNTY TREASURER, OTHERWISE TO THE AGENT
6 FOR SUCH SERVICE THE SUM OF FIFTY CENTS PAID BY THE APPLICANT IN
7 ADDITION TO THE LICENSE FEE PRESCRIBED. THE PROVISIONS OF THIS
8 ACT WITH RESPECT TO THE ISSUANCE OF LICENSES, COLLECTIONS OF
9 FEES AND RECORDS SHALL APPLY TO THE ISSUANCE OF ARCHERY
10 LICENSES.

11 (4) IT SHALL BE UNLAWFUL FOR ANY PERSON TO SELL OR ATTEMPT
12 TO SELL ANY ARCHERY HUNTING LICENSE FOR A MONETARY FEE IN EXCESS
13 OF THE FEE FIXED PURSUANT TO THIS SUBSECTION. THE SALE OR
14 ATTEMPTED SALE OF EACH SUCH LICENSE SHALL CONSTITUTE A SEPARATE
15 OFFENSE.

16 (F) MUZZLELOADING FIREARMS DEER SEASON.--(1) THE COMMISSION
17 MAY, BY [RESOLUTION] REGULATION, DECLARE AN OPEN SEASON FOR
18 HUNTING DEER WITH MUZZLELOADING FIREARMS DURING ANY HUNTING
19 LICENSE YEAR WHICH SHALL HEREINAFTER BE KNOWN AND REFERRED TO AS
20 MUZZLELOADING FIREARMS DEER SEASON.

21 (2) IN ANY YEAR IN WHICH A MUZZLELOADING FIREARMS DEER
22 SEASON SHALL BE DECLARED AS HEREINBEFORE PROVIDED, THE
23 MUZZLELOADING FIREARMS DEER SEASON SHALL NOT BE ESTABLISHED
24 PRIOR TO THE CLOSE OF THE REGULAR RIFLE DEER SEASONS FOR THE
25 THEN CURRENT HUNTING LICENSE YEAR. THE COMMISSION SHALL,
26 NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT, ADOPT RULES
27 AND REGULATIONS GOVERNING THE HUNTING AND KILLING OF DEER DURING
28 SUCH MUZZLELOADING FIREARMS DEER SEASON WHICH SHALL INCLUDE BUT
29 NOT BE LIMITED TO, THE DURATION AND TIME OF SUCH DEER SEASON,
30 THE DESCRIPTION OF THE DEER WHICH MAY LAWFULLY BE KILLED, THE

1 TYPE OF MUZZLELOADING FIREARMS WHICH MAY LAWFULLY BE USED TO
2 HUNT FOR AND KILL DEER DURING SUCH SEASON, THE AREA OR AREAS
3 WITHIN THE COMMONWEALTH WHERE DEER MAY LAWFULLY BE HUNTED AND
4 KILLED, AND ANY OTHER RULES AND REGULATIONS DEEMED NECESSARY TO
5 PROPERLY REGULATE, MANAGE, AND CONTROL THE HUNTING AND KILLING
6 OF DEER DURING SUCH SEASON. FOR THE PURPOSES OF THIS SECTION, A
7 MUZZLELOADING FIREARM SHALL NOT BE LESS THAN .44 CALIBRE AND
8 SHALL NOT BE EQUIPPED WITH A TELESCOPE.

9 (3) IT SHALL BE UNLAWFUL FOR ANY PERSON TO HUNT FOR, TAKE,
10 KILL OR WOUND, OR ATTEMPT TO TAKE, OR KILL, OR FOR ANY PERSON TO
11 AID OR ASSIST IN ANY MANNER TO HUNT FOR, TAKE, KILL OR WOUND
12 DEER DURING SUCH MUZZLELOADING FIREARMS DEER SEASON WITHOUT
13 FIRST HAVING LEGALLY OBTAINED A RESIDENT[, NONRESIDENT OR ALIEN]
14 OR NONRESIDENT HUNTER'S LICENSE AS DEFINED IN SECTIONS 302 AND
15 303 OF THIS ACT AND, IN ADDITION THERETO, A MUZZLELOADING
16 FIREARMS DEER SEASON LICENSE WHICH MAY BE OBTAINED FROM THE
17 COMMISSION OR ANY AGENT DESIGNATED BY THE COMMISSION TO ISSUE
18 SUCH LICENSES, THE FEE FOR WHICH IS HEREBY FIXED AT [THREE
19 DOLLARS FIFTY CENTS (\$3.50)] FIVE DOLLARS AND FIFTY CENTS
20 (\$5.50). SUCH LICENSE SHALL BE IN SUCH FORM AS THE COMMISSION
21 SHALL PRESCRIBE AND SHALL BE VALID FROM THE FIRST DAY OF
22 SEPTEMBER OF ONE YEAR TO THE THIRTY-FIRST DAY OF AUGUST OF THE
23 YEAR NEXT FOLLOWING. THE LAWFUL HOLDER OF SUCH LICENSE SHALL
24 SIGN HIS FULL NAME IN INK DIAGONALLY ACROSS ITS FACE BEFORE
25 HUNTING DEER IN THE OPEN SEASON HEREIN PROVIDED FOR AND SHALL
26 CARRY SUCH LICENSE UPON HIS PERSON AT ALL TIMES WHILE HUNTING
27 DURING SUCH SEASON.

28 (4) ANY AGENT DESIGNATED BY THE COMMISSION TO ISSUE
29 MUZZLELOADING FIREARMS DEER SEASON LICENSES MAY RETAIN THE SUM
30 OF FIFTY CENTS (\$.50) OF THE HEREINBEFORE PRESCRIBED LICENSE FEE

1 FOR EACH SUCH LICENSE ISSUED AS PAYMENT FOR SERVICES RENDERED.
2 THE SEVERAL PROVISIONS OF THIS ACT GOVERNING THE ISSUANCE OF
3 HUNTING LICENSES BY ISSUING AGENTS WITH RESPECT TO KEEPING
4 RECORDS, FILING REPORTS, AND COLLECTING AND REMITTING LICENSE
5 FEES SHALL APPLY IN LIKE MANNER, FORCE AND EFFECT TO AGENTS
6 DESIGNATED BY THE COMMISSION TO ISSUE MUZZLELOADING FIREARMS
7 DEER SEASON LICENSES.

8 (5) IT SHALL BE UNLAWFUL FOR ANY PERSON TO SELL OR ATTEMPT
9 TO SELL ANY MUZZLELOADING FIREARMS DEER SEASON LICENSE FOR A
10 MONETARY FEE IN EXCESS OF THE FEES FIXED PURSUANT TO THIS
11 SUBSECTION. THE SALE OR ATTEMPTED SALE OF EACH LICENSE SHALL
12 CONSTITUTE A SEPARATE OFFENSE.

13 (6) IT SHALL BE UNLAWFUL FOR ANY PERSON TO HUNT FOR, TAKE,
14 KILL OR WOUND OR ATTEMPT TO TAKE, KILL OR WOUND, OR TO AID OR
15 ASSIST ANY PERSON IN ANY MANNER TO HUNT FOR, TAKE, KILL OR WOUND
16 DEER DURING SUCH MUZZLELOADING FIREARMS DEER SEASON CONTRARY TO
17 THE PROVISIONS OF THIS SECTION OR RULES AND REGULATIONS ADOPTED
18 BY THE COMMISSION AS HEREINBEFORE PROVIDED.

19 (7) ANY PERSON WHO SHALL VIOLATE ANY OF THE PROVISIONS OF
20 THIS SECTION OR ANY RULES AND REGULATIONS ADOPTED BY THE
21 COMMISSION PURSUANT THERETO, SHALL, UPON CONVICTION, BE
22 SENTENCED TO PAY THE PENALTIES PRESCRIBED IN SECTION 506 OF THIS
23 ACT.

24 (G) BEAR HUNTING SEASON AND LICENSING REQUIREMENTS.

25 (1) WHEN THE COMMISSION, BY [RESOLUTION] REGULATION,
26 DECLARES AN OPEN SEASON FOR HUNTING AND TAKING BEAR, IT SHALL BE
27 UNLAWFUL FOR ANY PERSON OTHER THAN PERSONS EXCEPTED UNDER
28 SECTION 317, TO HUNT FOR, TAKE, KILL OR WOUND OR ATTEMPT TO
29 TAKE, KILL OR WOUND BEAR, OR TO AID OR ASSIST ANY PERSON IN ANY
30 MANNER TO HUNT FOR, TAKE, KILL OR WOUND BEAR WITHOUT FIRST

1 HAVING LEGALLY OBTAINED A CURRENT RESIDENT OR NONRESIDENT
2 HUNTER'S LICENSE AS DEFINED IN THIS ACT AND IN ADDITION THERETO,
3 A CURRENT BEAR HUNTING LICENSE WHICH SHALL BE OBTAINED FROM THE
4 COMMISSION AT A FEE OF [FIVE DOLLARS (\$5)] TEN DOLLARS (\$10.00)
5 FOR A RESIDENT AND [FIFTEEN DOLLARS (\$15)] TWENTY-FIVE DOLLARS
6 (\$25.00) FOR A NONRESIDENT. THE LICENSE SHALL BE IN SUCH FORM AS
7 THE COMMISSION SHALL DETERMINE AND SHALL BE DISPLAYED WHILE
8 HUNTING BEAR BY THE LAWFUL HOLDER OF SUCH LICENSE IN SUCH MANNER
9 AS THE COMMISSION SHALL PRESCRIBE. BEFORE THE BEAR LICENSE SHALL
10 BE LEGAL FOR USE IN HUNTING, THE LAWFUL HOLDER OF SUCH LICENSE
11 SHALL SIGN HIS FIRST NAME, MIDDLE INITIAL AND LAST NAME IN INK
12 ACROSS THE FACE OF THE LICENSE.

13 (2) WHEN THE COMMISSION DECLARES AN OPEN SEASON FOR HUNTING
14 AND TAKING BEAR, IN ADDITION TO THE STATUTORY REQUIREMENTS OF
15 THIS SECTION, THE COMMISSION, IN ORDER TO PROPERLY MANAGE THE
16 RESOURCE, SHALL HAVE AUTHORITY TO ADOPT ANY RULES AND
17 REGULATIONS DEEMED NECESSARY TO REGULATE THE HUNTING, TAKING,
18 KILLING, POSSESSION OR TRANSPORTATION OF SUCH SPECIES. SUCH
19 RULES AND REGULATIONS MAY INCLUDE BUT NOT BE LIMITED TO THE
20 ESTABLISHMENT OF BEAR MANAGEMENT UNITS, LIMIT THE NUMBER OF
21 HUNTERS WHO MAY HUNT FOR BEAR IN SUCH MANAGEMENT UNITS, REGULATE
22 THE NUMBER OF BEAR LICENSES WHICH MAY BE ISSUED AND PRESCRIBE
23 THE METHOD AND PROCEDURE FOR MAKING APPLICATION FOR SUCH LICENSE
24 AND THE ISSUANCE THEREOF. THE NUMBER OF BEAR LICENSES WHICH
25 SHALL BE MADE AVAILABLE TO NONRESIDENTS OF THE COMMONWEALTH
26 SHALL NOT EXCEED THREE PERCENT (3%) OF THE TOTAL NUMBER OF BEAR
27 LICENSES TO BE ISSUED AS DETERMINED BY THE COMMISSION.

28 (3) EACH PERSON KILLING A BEAR OF ANY DESCRIPTION DURING ANY
29 OPEN BEAR SEASON SHALL, WITHIN TWENTY-FOUR HOURS FROM TIME OF
30 KILLING, DELIVER THE BEAR TO A BEAR CHECK STATION DESIGNATED BY

1 THE COMMISSION FOR EXAMINATION. EACH PERSON DELIVERING SUCH BEAR
2 TO A DESIGNATED BEAR CHECK STATION SHALL FURNISH TO OFFICERS OF
3 THE COMMISSION INFORMATION CONCERNING THE KILLING OF SUCH BEAR.
4 FOLLOWING EXAMINATION OF THE BEAR, THE OFFICER OF THE COMMISSION
5 SHALL ATTACH A METAL TAG SUPPLIED BY THE COMMISSION TO THE HEAD
6 OF EACH LEGALLY KILLED BEAR. SUCH METAL TAG SHALL REMAIN
7 PERMANENTLY ATTACHED TO THE HEAD OF THE BEAR OR UNTIL IT HAS
8 BEEN MOUNTED OR TANNED.

9 (4) IT SHALL BE UNLAWFUL FOR ANY PERSON TO HUNT FOR, TAKE,
10 KILL, WOUND, POSSESS, CONCEAL, TRANSPORT OR ATTEMPT TO TAKE,
11 KILL OR WOUND, OR TO AID OR ASSIST ANY PERSON IN ANY MANNER TO
12 HUNT FOR, TAKE, KILL, WOUND, POSSESS, CONCEAL OR TRANSPORT ANY
13 BEAR CONTRARY TO THE PROVISIONS OF THIS SUBSECTION OR RULES AND
14 REGULATIONS ADOPTED BY THE COMMISSION. IT SHALL BE UNLAWFUL FOR
15 ANY PERSON TO LEND A BEAR LICENSE TO ANOTHER PERSON OR FOR ANY
16 PERSON TO USE A BEAR LICENSE ISSUED TO ANOTHER PERSON, OR TO
17 ALTER A BEAR LICENSE IN ANY MANNER. IT SHALL BE UNLAWFUL FOR ANY
18 PERSON KILLING A BEAR OF ANY DESCRIPTION TO FAIL TO DELIVER SUCH
19 BEAR TO A DESIGNATED BEAR CHECK STATION AS HEREIN REQUIRED, OR
20 FOR ANY PERSON TO REMOVE THE METAL TAG ATTACHED TO ANY BEAR BY
21 AN OFFICER OF THE COMMISSION CONTRARY TO THE PROVISIONS OF THIS
22 ARTICLE.

23 (5) ANY PERSON WHO SHALL VIOLATE ANY OF THE PROVISIONS OF
24 THIS SUBSECTION OR ANY RULES AND REGULATIONS ADOPTED BY THE
25 COMMISSION SHALL, UPON CONVICTION, BE SENTENCED TO PAY THE
26 PENALTIES PRESCRIBED IN SECTION 506.

27 SECTION 14. SECTION 505 OF THE ACT, AMENDED MAY 6, 1981
28 (P.L.47, NO.15), IS AMENDED TO READ:

29 SECTION 505. NOTIFICATION OF ACTION OF COMMISSION.--(A) THE
30 COMMISSION SHALL MAKE AVAILABLE TO EACH [HUNTER] LICENSEE A

1 SUMMARY OF THE SEASONS AND BAG LIMITS, AND DESIGNATE ANY
2 COUNTIES THAT MAY BE CLOSED, AND NAME THE SPECIES OF GAME BIRDS
3 AND GAME ANIMALS OR FUR-BEARING ANIMALS FOR WHICH THERE IS NO
4 OPEN SEASON, AND SHALL PREPARE AND DISTRIBUTE SUCH ADDITIONAL
5 NOTICES AS IN ITS JUDGMENT MAY BE NECESSARY.

6 (B) IT IS UNLAWFUL FOR ANY PERSON TO VIOLATE ANY OF THE
7 RULES AND REGULATIONS ADOPTED BY THE COMMISSION FOR THE
8 PRESERVATION OF GAME BIRDS, GAME ANIMALS, FUR-BEARING ANIMALS,
9 NONGAME BIRDS AND ALL OTHER WILD BIRDS AND WILD ANIMALS; OR TO
10 TAKE, OR BE POSSESSED OF, SUCH BIRDS OR ANIMALS AT A TIME, OR IN
11 ANY NUMBER OR MANNER, OR OF ANY KIND OR SEX, CONTRARY TO SUCH
12 RULES AND REGULATIONS.

13 SECTION 15. SECTION 604(A) OF THE ACT, AMENDED MAY 15, 1945
14 (P.L.519, NO.202), IS AMENDED TO READ:

15 SECTION 604. (A) SPECIAL REGULATIONS RELATIVE TO BEAVERS.--
16 [IN ADDITION TO COMPLYING WITH REQUIREMENTS OF THIS ACT RELATIVE
17 TO TAKING FUR-BEARING ANIMALS, THE TRAPPING OF BEAVERS SHALL BE
18 RESTRICTED TO BONA FIDE RESIDENTS OF PENNSYLVANIA HOLDING A
19 LAWFULLY ISSUED RESIDENT HUNTER'S LICENSE.] OWNERS AND LESSEES
20 OF LAND, AND MEMBERS OF THEIR FAMILIES, ACTUALLY RESIDING
21 THEREON AND CULTIVATING SUCH LAND, MAY TRAP BEAVERS THEREON IF
22 OPEN TO PUBLIC TRAPPING, BUT NOT ON ANY ADJACENT OR OTHER LANDS,
23 WITHOUT FIRST SECURING A RESIDENT [HUNTER'S] FURTAKER'S LICENSE.

24 * * *

25 SECTION 16. SECTION 702 OF THE ACT, AMENDED MARCH 22, 1974
26 (P.L.201, NO.41), IS AMENDED TO READ:

27 SECTION 702. HUNTING ON SUNDAY AND AT NIGHT.--(A) IT IS
28 UNLAWFUL FOR ANY PERSON TO HUNT FOR, SHOOT AT, CHASE, CATCH OR
29 KILL, OR ATTEMPT TO SHOOT AT, CHASE, CATCH, OR KILL, WITH OR
30 WITHOUT DOGS, ANY GAME OR RACCOON, EXCEPT IN DEFENSE OF PERSON

1 OR PROPERTY, UPON THE FIRST DAY OF THE WEEK COMMONLY CALLED
2 SUNDAY, EXCEPT FOR DOG TRAINING OR TRIAL PURPOSES AS HEREINAFTER
3 PROVIDED; OR TO HUNT FOR, SHOOT AT, CATCH OR KILL, OR ATTEMPT TO
4 HUNT FOR, SHOOT AT, CATCH OR KILL, NONGAME BIRDS OR ANY GAME
5 BETWEEN THE CLOSING HOUR OF ONE DAY AND THE OPENING HOUR OF THE
6 DAY FOLLOWING AS SET BY RESOLUTIONS OF THE COMMISSION, EXCEPT
7 THAT RACCOONS MAY BE HUNTED FOR AND KILLED ANY TIME DURING THE
8 OPEN SEASON, DAY OR NIGHT. THIS SECTION SHALL NOT PROHIBIT THE
9 REMOVAL OF RACCOONS OR FUR-BEARING ANIMALS FROM TRAPS OR
10 DEADFALLS ON SUNDAY WHEN LAWFULLY CAUGHT.

11 (B) ANY PERSON VIOLATING ANY OF THE PROVISIONS OF THIS
12 SECTION SHALL BE LIABLE TO THE FINE HEREINAFTER PROVIDED.

13 SECTION 17. SECTION 1401(Z.1) OF THE ACT, AMENDED JULY 27,
14 1973 (P.L.83, NO.36), IS AMENDED TO READ:

15 SECTION 1401. CONTINUANCE OF GAME FUND; APPROPRIATION.--ALL
16 LICENSE FEES, FINES, PERMIT FEES, AND OTHER MONEYS RECEIVED AND
17 COLLECTED (A) UNDER THE PROVISIONS OF ANY LAW REPEALED AND
18 REPLACED BY THIS ACT, AND NOW HELD IN THE STATE TREASURY AS THE
19 GAME FUND, OR (B) THAT MAY BE HEREAFTER PAID INTO THE STATE
20 TREASURY UNDER THE PROVISIONS OF ANY ACT SO REPEALED OR
21 REPLACED, OR (C) THAT MAY BE PAID INTO THE STATE TREASURY UNDER
22 THE PROVISIONS OF THIS ACT, SHALL BE PLACED IN THE SEPARATE FUND
23 KNOWN AS "THE GAME FUND," AND SHALL BE HELD SEPARATELY AND APART
24 SOLELY FOR THE FOLLOWING PURPOSES:

25 * * *

26 (Z.1) THE SUM OF [ONE DOLLAR] TWO DOLLARS OF THE FEE
27 COLLECTED FOR ISSUING RESIDENT AND NONRESIDENT HUNTERS' LICENSES
28 AND TAGS FOR ANTLERLESS DEER, SHALL BE USED SOLELY FOR CUTTING
29 OR OTHERWISE REMOVING OVERSHADOWING TREE GROWTH, TO PRODUCE
30 UNDERBRUSH SPROUTS AND SAPLINGS FOR DEER FOOD AND COVER ON GAME

1 LAND.

2 * * *

3 SECTION 18. WHENEVER, IN LAW, ANY REFERENCE IS MADE TO THE
4 RACCOON AS A GAME ANIMAL, SUCH REFERENCE SHALL BE DEEMED TO
5 REFER TO THE RACCOON AS A FURBEARING ANIMAL.

6 SECTION 19. THIS ACT APPLIES TO THE LICENSE YEAR BEGINNING
7 SEPTEMBER 1, 1985, AND EACH YEAR THEREAFTER.

8 SECTION 20. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.