
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 944 Session of
1995

INTRODUCED BY HELFRICK, PORTERFIELD, MADIGAN, MUSTO, BRIGHTBILL,
STOUT, SHUMAKER, HECKLER, LEMMOND, WENGER, PETERSON,
ANDREZESKI, ARMSTRONG, CORMAN AND STEWART, APRIL 26, 1995

SENATE AMENDMENTS TO HOUSE AMENDMENTS, MARCH 12, 1996

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, defining "migratory game bird"; establishing a
3 migratory game bird hunting license; providing for use of
4 proceeds from the migratory game bird hunting license;
5 further providing for the date of the annual audit and report
6 to be submitted by the Pennsylvania Game Commission and the
7 Legislative Budget and Finance Committee; adding provisions
8 relating to goose hunting areas; and further providing for
9 permits.

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

12 Section 1. Section 102 of Title 34 of the Pennsylvania
13 Consolidated Statutes is amended by adding a definition to read:
14 § 102. Definitions.

15 Subject to additional definitions contained in subsequent
16 provisions of this title which are applicable to specific
17 provisions of this title, the following words and phrases when
18 used in this title shall have the meanings given to them in this
19 section unless the context clearly indicates otherwise:

20 * * *

1 "Migratory game bird." Any game bird defined in 50 CFR 20.11
2 (relating to meaning of terms), except as otherwise provided in
3 Pennsylvania Game Commission regulations.

4 * * *

5 Section 2. Sections 521(b) and 522(b) of Title 34 are
6 amended to read:

7 § 521. Establishment and use of Game Fund.

8 * * *

9 (b) Specific allocation of certain revenues.--[The following
10 sums of money are specifically allocated for the following
11 purposes:]

12 (1) A minimum of \$1.25 from each resident license for
13 which the full fee has been paid and a minimum of \$2 from
14 each antlerless deer license issued for which the full fee
15 has been paid shall be used solely for habitat improvement
16 and restoration conducive to increasing natural propagation
17 of game or wildlife on all lands under the control or
18 operation of the commission [or on lands open to public
19 hunting.

20 (2) A minimum of \$2.00 of the fee collected for the
21 issuance of antlerless deer licenses shall be used solely for
22 cutting or otherwise removing overshadowing tree growth to
23 produce underbrush, sprouts and saplings for deer food and
24 cover on lands under the control or operation of the
25 commission, including lands enrolled in commission public
26 access programs.], including lands enrolled in the
27 commission's public access programs. The moneys collected
28 under this paragraph shall be deposited into two separate
29 accounts and shall be used exclusively for the natural
30 propagation of wildlife by:

1 (i) Improving and maintaining any natural wildlife
2 habitat by the production, distribution and planting of
3 trees, shrubs, vines and forage crops.

4 (ii) Forest management practices related to the
5 creation and development of food and cover.

6 (iii) Development and management of food and cover
7 openings.

8 (iv) Purchase, construction and enhancement of
9 wetlands and riparian areas.

10 (v) Construction and maintenance of nesting
11 structures.

12 (vi) The prorated cost for the purchase, maintenance
13 and operation of equipment, tools and materials necessary
14 to meet the habitat improvement objectives of this
15 section. No moneys in these accounts shall be used for
16 capital purchases under this subparagraph.

17 The commission shall submit an annual report on all
18 expenditures from this account in the manner prescribed under
19 section 522 (relating to appropriation and audit of moneys).

20 (2) Any moneys collected by or for the commission from
21 the sale of the migratory bird hunting license shall be used
22 solely for the purpose of migratory game bird management,
23 habitat acquisition and improvement and related program
24 administrative costs.

25 § 522. Appropriation and audit of moneys.

26 * * *

27 (b) Audit and report.--The commission shall submit an annual
28 written and oral report to the Game and Fisheries Committees of
29 the Senate and the House of Representatives no later than
30 [November 30] ~~February 28~~ MARCH 31 of each year. The written

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1 report shall include complete budgets for the current fiscal
2 year and for the fiscal year about to commence. An audit of the
3 budget for the concluding fiscal year shall be conducted by the
4 Legislative Budget and Finance Committee and shall be submitted
5 to the Game and Fisheries Committees no later than [November 30]
6 February 28 of each year.

7 * * *

8 Section 3. Title 34 is amended by adding a section to read:
9 § 730. Controlled goose hunting areas.

10 Applications are available in and must be submitted from the
11 current edition of Digest of Pennsylvania Hunting and Trapping
12 Regulations supplied with each hunting license. Applications
13 shall contain requested information, including the applicant's
14 current valid hunting license back tag number, including letter,
15 and the number that appears on the Pennsylvania Migratory Game
16 Bird Hunting License, which is required for application. All
17 other procedures shall be established by regulations promulgated
18 by the commission.

19 Section 4. Sections 2705 and 2709(a) of Title 34 are amended
20 by adding paragraphs to read:

21 § 2705. Classes of licenses.

22 Unless otherwise provided, any person wishing to exercise any
23 of the privileges granted by this title shall first secure the
24 applicable resident or nonresident hunting or furtaker license
25 as follows:

26 * * *

27 (14) Migratory game bird licenses for hunting all migratory
28 game birds to eligible persons, subject to the regulations,
29 requirements and conditions which the commission shall
30 establish. Any such license shall be made available to residents

1 serving on active duty in the armed forces of the United States
2 or in the United States Coast Guard without regard to quota
3 limitations or application deadlines.

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 (20) Migratory game bird hunting license - issuing agent
11 fee only.

12 * * *

13 Section 5. Section 2901(a) of Title 34 is amended to read:

14 § 2901. Authority to issue permits.

15 (a) General rule.--The commission may issue permits as
16 specified in this chapter. Except as otherwise provided, permits
17 shall be issued only to persons who are residents of this
18 Commonwealth and 18 years of age or older. Wildlife menagerie
19 permits and special use permits may be issued to persons who are
20 residents of the United States and 18 years of age or older.

21 * * *

22 Section 6. The amendment or addition of 34 Pa.C.S. §§
23 521(b), 2705(14) and 2709(a)(20) shall apply to the license year
24 beginning July 1, 1996, and each license year thereafter.

25 Section 7. This act shall take effect immediately.