

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 420 Session of 2009

INTRODUCED BY BAKER, PICKETT, CAUSER, STERN, BEYER, BOBACK,  
BOYD, EVERETT, FLECK, GEIST, GIBBONS, GINGRICH, GODSHALL,  
GOODMAN, HARHAI, HESS, KAUFFMAN, M. KELLER, LEVDANSKY,  
MARKOSEK, MILLARD, MOUL, MURT, PHILLIPS, PYLE, QUINN, RAPP,  
READSHAW, REICHLEY, ROAE, ROHRER, STABACK AND VULAKOVICH,  
FEBRUARY 13, 2009

REFERRED TO COMMITTEE ON GAME AND FISHERIES, FEBRUARY 13, 2009

AN ACT

1 Providing for recreational hunting on lands managed by the  
2 Department of Conservation and Natural Resources.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Hunting  
7 Heritage Protection Act.

8 Section 2. Findings.

9 The General Assembly finds as follows:

10 (1) Recreational hunting is an important and traditional  
11 recreational activity in which 14,000,000 Americans 16 years  
12 of age and older participate.

13 (2) Hunters have been and continue to be among the  
14 foremost supporters of sound wildlife management and  
15 conservation practices in the United States.

16 (3) Persons who hunt, and organizations related to

1 hunting, provide direct assistance to wildlife managers and  
2 enforcement officers of Federal, State and local governments.

3 (4) Purchases of hunting licenses, permits and stamps  
4 and payment of excise taxes on goods used by hunters have  
5 generated billions of dollars for wildlife conservation,  
6 research and management.

7 (5) Recreational hunting is an essential component of  
8 effective wildlife management, in that it is an important  
9 tool for reducing conflicts between people and wildlife and  
10 provides incentives for the conservation of wildlife,  
11 habitats and ecosystems on which wildlife depend.

12 (6) Recreational hunting is an environmentally  
13 acceptable activity that occurs and can be provided for on  
14 department-managed lands without adverse effects on other  
15 uses of that land.

#### 16 Section 3. Definitions.

17 The following words and phrases when used in this act shall  
18 have the meanings given to them in this section unless the  
19 context clearly indicates otherwise:

20 "Department." The Department of Conservation and Natural  
21 Resources of the Commonwealth.

22 "Department-managed lands." Those lands that the Department  
23 of Conservation and Natural Resources owns or those lands over  
24 which the department holds management authority.

25 "Hunting." The term shall have the same meaning given to it  
26 under 34 Pa.C.S. § 102 (relating to definitions).

27 "Secretary." The Secretary of Conservation and Natural  
28 Resources of the Commonwealth.

#### 29 Section 4. Recreational hunting.

30 (a) General rule.--Subject to valid existing rights,

1 department-managed lands shall be open to access and use for  
2 recreational hunting except as limited by the department for  
3 reasons of public safety, fish or wildlife management, homeland  
4 security or as otherwise limited by law.

5 (b) Department efforts.--The department shall exercise its  
6 authority, consistent with subsection (a), in a manner to  
7 support, promote and enhance recreational hunting opportunities,  
8 to the extent authorized by State law. The department shall not  
9 be required to give preference to hunting over other uses of  
10 department-managed lands or over land or water management  
11 priorities established by department regulations or State law.

12 (c) Limitation on department efforts.--Department land  
13 management decisions and actions may not, to the greatest  
14 practical extent, result in any net loss of land acreage  
15 available for hunting opportunities on department-managed lands  
16 that exists on the effective date of this section.

17 (d) Report to General Assembly.--By October 1 of each year,  
18 the secretary shall submit to the General Assembly a written  
19 report describing:

20 (1) The acreage administered by the department that has  
21 been closed during the previous year to recreational hunting  
22 and the reasons for the closures.

23 (2) The acreage administered by the department that, in  
24 order to comply with subsection (c), was opened to  
25 recreational hunting to compensate for acreage closed under  
26 paragraph (1).

27 Section 20. Effective date.

28 This act shall take effect in 60 days.