

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in special licenses and permits, further providing
3 for regulated hunting grounds permits.

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

6 Section 1. Section 2928(a), (b), (d), (f) and (g) of Title
7 34 of the Pennsylvania Consolidated Statutes are amended and the
8 section is amended by adding subsections to read:

9 § 2928. Regulated hunting grounds permits.

10 (a) [Eligibility] General rule.--[Regulated] Subject to the
11 specific requirements under subsection (a.1), the following
12 shall apply:

13 (1) Regulated hunting grounds require a minimum [of 100
14 acres] acreage of land, or land and water combined, on which
15 the permittee must release [one of the following] a species
16 of domestically produced game birds[: namely, ringneck
17 pheasants, bobwhite quail or mallard ducks. Any of the listed
18 species and chukar partridges] under subsection (a.1)(1),

1 chukar partridges or pigeons.

2 (2) The species of domestically produced game birds,
3 chukar partridges or pigeons may be released only if they are
4 listed on the permit application and propagated by the
5 permittee or received from a legal source.

6 (3) At least 100 of each species listed on the permit
7 shall be released.

8 (a.1) Acreage and release requirements.--The following shall
9 apply:

10 (1) For a permit issued under subsection (b) (1) or (2),
11 the regulated hunting grounds must have a minimum of 100
12 acres of land, or land and water combined, on which a
13 permittee must release one of the following species of
14 domestically released game birds:

15 (i) Ringneck pheasants.

16 (ii) Bobwhite quail.

17 (iii) Mallard ducks.

18 (2) For a permit issued under subsection (b) (3), the
19 regulated hunting grounds must have a minimum of ten acres of
20 land, or land and water combined, on which a permittee must
21 release pigeons.

22 (b) Classes of permits.--The following shall be the classes
23 of permits:

24 (1) Commercial - open to the public for a fee or other
25 charge.

26 (2) Noncommercial - used by permittee only or guests
27 with no fee or any charge for the use of the area or the
28 birds.

29 (3) Limited - used by the permittee only or guests and
30 subject to the requirements under subsection (b.1).

1 (b.1) Limited license permit.--The following shall apply to
2 a limited permit under subsection (b) (3):

3 (1) The following provisions relate to discharge of a
4 firearm:

5 (i) Discharge of firearms shall be limited to
6 manually operated or semiautomatic shotguns loaded with
7 not more than three rounds of birdshot not larger than
8 number four pellet, fitted to eliminate greater capacity
9 than three rounds.

10 (ii) The direction of discharge of the shotguns
11 shall be limited to a 120-degree arc from a designated
12 firing position or positions, 60 degrees to either side
13 of the firing position, and each firing position shall be
14 located on a firing line, as near to the center of the
15 line as is practical.

16 (iii) The firing line or lines shall be the point at
17 or beyond which an individual must be positioned before
18 discharging a shotgun, and the discharge shall be from a
19 designated firing position.

20 (iv) A firearm may be discharged within 150 yards of
21 an occupied building if the discharge is not in the
22 direction of the building as defined by a straight line
23 drawn from the muzzle of the firearm to the building.

24 (2) The following provisions relate to dispatch of
25 wildlife:

26 (i) Reasonable steps to ensure the swift and humane
27 dispatch of wildlife shall be implemented.

28 (ii) Wildlife taken shall be promptly dispatched by
29 an adult using a method approved by the American
30 Veterinary Medical Association.

1 (iii) A thorough effort to locate and dispatch all
2 wildlife released on a particular day at intervals not
3 greater than eight hours shall be conducted. This
4 subparagraph does not require a permittee to knowingly
5 trespass or allow dogs to trespass onto the property of
6 another who has prohibited the trespass.

7 (3) The following provisions relate to fees and
8 issuance:

9 (i) The fee for a permit under this subsection may
10 not exceed the fee for a permit under subsection (b) (2).

11 (ii) An application for a permit under this
12 subsection shall not be denied if the applicant
13 demonstrates compliance with the requirements under
14 subsection (a.1) (2) and all other conditions set forth
15 under this subsection.

16 (b.2) Combination uses.--Regulated hunting grounds operating
17 under a permit issued under subsection (b) (1) or (2) may operate
18 as if a permit were also issued under subsection (b) (3),
19 notwithstanding that a permit under subsection (b) (3) was not
20 issued and no fee for the permit was paid.???

21 * * *

22 (d) Hunting regulations.--Permittees and their guests may
23 shoot the game birds released by them during the regulated
24 hunting grounds season which shall be set each year by the
25 commission without regard to the general Statewide season.
26 Persons hunting or taking game birds released under authority of
27 the permit on regulated hunting grounds are not required to have
28 and display a hunting license, as required by this title, but
29 the methods of hunting and taking these game birds shall be in
30 compliance with provisions of this title. A permittee or quest

1 taking pigeons on grounds operating under a limited permit shall
2 not require users to comply with regulations related to
3 clothing.

4 * * *

5 (f) Tagging killed birds.--Before any released bird killed
6 under the provisions of a regulated hunting grounds permit is
7 consumed on the premises or removed from the premises, the
8 permittee shall attach a tag to each bird killed. The tags shall
9 be numbered consecutively and supplied by the commission at
10 reasonable cost and shall contain such information as the
11 commission may require. No game bird killed on a regulated
12 hunting ground shall have the right foot removed until a
13 regulated hunting ground tag for the current season is attached
14 to the bird. The tags shall remain attached to the individual
15 birds until prepared for consumption and shall not be used more
16 than once. This subsection shall not apply to grounds operating
17 under a limited permit.

18 (g) Dog training and trials.--Dogs may be trained or field
19 trials may be held at any time of the year upon the premises
20 covered by a regulated hunting grounds permit, and retriever
21 trials may be conducted thereon. All birds killed shall be
22 included in the reported kill. Except during the open season for
23 shooting, no game birds shall be killed while training dogs or
24 conducting field trials. The special permit required in this
25 title shall first be obtained to conduct a retriever trial
26 thereon at any other period. This subsection shall not apply to
27 grounds operating under a limited permit.

28 (g.1) Release.--Use of mechanical or electronic release
29 devices or manual release is permitted under this title provided
30 the devices do not impede the flight abilities of the released

1 game birds or wildlife. It shall be conclusively presumed that a
2 game bird or wildlife which flies after being released from a
3 mechanical or electronic release device or which has been
4 manually released has not had its flight abilities impeded.

5 * * *

6 (h.1) Authority.--The following shall apply:

7 (1) The taking of wildlife in the form of a pigeon or
8 chukar partridge through the use of a shotgun shall be
9 subject to the exclusive regulatory and enforcement authority
10 of the commission. The commission may not issue a regulation
11 which imposes a closed season for the taking of a pigeon or
12 imposes a limitation of the number of pigeons which can be
13 taken by an individual measured in a day, week, month or
14 year.

15 (2) It shall be presumed that individuals or regulated
16 hunting grounds in possession of a feral pigeon or pigeons
17 obtained the pigeons from a legal source. The presumption
18 shall be rebuttable by competent evidence in a court of
19 competent jurisdiction.

20 (3) Nothing under this subsection shall be construed to
21 alter existing laws and practices governing the removal and
22 extermination of a pigeon by State or local government, a
23 private pest control company, property owner, tenant or
24 another authorized person.

25 * * *

26 Section 2. This act shall take effect in 60 days.