

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 932

Session of
1975

INTRODUCED BY GEORGE, NOYE, SHELHAMER, HALVERSON, PITTS,
GIAMMARCO, THOMAS, COLE, LETTERMAN, MCINTYRE, E. H. SMITH
AND RENWICK, APRIL 7, 1975

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 8, 1975

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," adding the term "resident" and
5 specifying the meaning of the term for the purpose of the
6 act.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 101, act of June 3, 1937 (P.L.1225,
10 No.316), known as "The Game Law," is amended by adding a
11 definition to read:

12 Section 101. Definitions.--* * *

13 The term "resident" as used throughout this act shall mean
14 permanently domiciled within this Commonwealth, the place where
15 one has his permanent home and to which he has the intention of
16 returning whenever he is absent, the fixed place of abode which
17 is permanent rather than transitory. The place where any person
18 has voluntarily fixed the habitation of himself or herself and
19 his or her family, not for a mere special or limited purpose,

1 but with the express intention of making a permanent home and to
2 remain there until such time as an event occurs to induce him or
3 her to adopt some other permanent home. The place where one is
4 legally obligated by law as a resident of the Commonwealth, to
5 pay any income tax, wage tax, occupation tax, per capita tax or
6 personal tax, State or local, which may be imposed. The burden
7 of proof that he or she is a resident of this Commonwealth as
8 herein defined for any purpose of this act shall be the
9 responsibility of the person asserting the same.

10 * * *

11 Section 2. Section 301 of the act is amended to read:

12 Section 301. Residents of State.--For the purpose of this
13 article any person who has been a [bonafide] resident of this
14 Commonwealth as defined in section 101 for a period of not less
15 than sixty days preceding his application for a hunter's
16 license, and was born in the United States of America, or was
17 fully naturalized under the laws of the United States, or who is
18 a citizen of the United States of America and regularly enrolled
19 in the United States Army, the United States Navy, or the United
20 States Marine Corps and officially stationed within the
21 Commonwealth thirty or more days next preceding his application,
22 shall be entitled to the license herein referred to as the
23 resident hunter's license, upon the further fulfillment of the
24 requirements of this article.

25 Section 3. The first paragraph of section 302 of the act,
26 amended June 27, 1973 (No.36), is amended to read:

27 Section 302. Resident License Fees.--Each such resident as
28 [provided in the preceding section] defined in sections 101 and
29 301, upon application made, in writing, to an agent authorized
30 to issue such licenses within the Commonwealth, [the] and upon

1 presentation of proof by the applicant that he or she is a
2 citizen of the United States and a [bonafide] resident of this
3 Commonwealth [under the requirements of this article] as
4 previously defined in this act, and the establishment of his or
5 her identity to the satisfaction of the authority issuing the
6 license, or to the satisfaction of the justice of the peace,
7 magistrate, or notary public, or any agent designated to receive
8 applications for licenses, when taking such applications as
9 hereinafter authorized, by producing a bank book, letters, lodge
10 cards, police cards, a motor vehicle driver's license, or some
11 other positive means of identification, and, in the case of
12 naturalized foreign-born applicants, the production of such
13 applicant's naturalization papers, unless any such person has
14 been disqualified for a license in the manner hereinafter
15 specified, and the payment to said agent or the commission of
16 eight dollars and twenty-five cents (\$8.25) except as
17 hereinafter provided for certain minors and older persons, shall
18 be entitled to a resident hunter's license and a tag with the
19 number of the license thereon, which shall entitle the holder to
20 hunt or trap for all wild birds and wild animals which may
21 legally be hunted or trapped in this Commonwealth. Residents
22 with the above qualifications, who are between the ages of
23 twelve and sixteen inclusive or who are sixty-five years of age
24 or more at the time of application, shall be entitled to a
25 resident hunter's license and tag upon payment to said agent or
26 the commission of, in the case of persons sixty-five years of
27 age or more, five dollars and twenty-five cents (\$5.25) and, in
28 the case of persons between the ages of twelve and sixteen, five
29 dollars and twenty-five cents (\$5.25). The application for the
30 issuance of a license in such cases shall, in addition to the

1 other information required, give the date of birth of the
2 applicant.

3 * * *

4 Section 4. This act shall take effect immediately.