

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1652 Session of  
1987

INTRODUCED BY SEMMEL, MORRIS, NOYE, BELARDI, D. W. SNYDER,  
CESSAR, TRELLO, VROON, CIMINI, MICOZZIE, ANGSTADT, FOX, ARTY,  
CLYMER, R. C. WRIGHT, RAYMOND, LEH, STAIRS, ITKIN, KENNEY,  
McHALE, CARLSON AND LETTERMAN, JULY 1, 1987

SENATOR RHOADES, GAME AND FISHERIES, IN SENATE, AS AMENDED,  
MARCH 15, 1988

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, further defining "safety zone" to include  
3 playground areas; FURTHER PROVIDING FOR RESIDENCY OF MEMBERS <—  
4 OF THE ARMED FORCES OF THE UNITED STATES AND OF THE UNITED  
5 STATES COAST GUARD AND FOR THE ISSUANCE OF LICENSES TO SUCH  
6 PERSONS; FURTHER PROVIDING FOR THE COST AND DURATION OF A  
7 DISABLED PERSON'S PERMIT; AND REQUIRING THE GAME COMMISSION  
8 TO MAKE CERTAIN REFUNDS.

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

11 Section 1. ~~Section 2505(e)~~ SECTIONS 2505(C), 2702(B) AND <—  
12 (C), 2704(B), 2705(13), 2903 AND 2904(3) of Title 34 of the  
13 Pennsylvania Consolidated Statutes ~~is~~ ARE amended to read: <—

14 § 2505. Safety zones.

15 \* \* \*

16 (c) Definition.--As used in this section the term "safety  
17 zone" means the area within 150 yards around and that area which  
18 is below the highest point of any occupied dwelling house,  
19 residence, or other building or camp occupied by human beings,

1 or any barn, stable, or other building used in connection  
2 therewith or any attached or detached playground of any school,  
3 nursery school or day-care center.

4 § 2702. RESIDENTS. <—

5 \* \* \*

6 (B) COMMONWEALTH RESIDENTS IN ARMED FORCES.--NOTHING IN THIS  
7 CHAPTER SHALL DENY ANY QUALIFIED [RESIDENT OF THIS COMMONWEALTH  
8 SERVING IN THE ARMED FORCES OF THE UNITED STATES AS A RESULT OF  
9 A FIRST ENLISTMENT OR CONSCRIPTION] SERVICEMAN OR SERVICEWOMAN  
10 DOMICILED IN BUT RESIDING OUTSIDE THIS COMMONWEALTH WHILE  
11 SERVING ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES  
12 OR IN THE UNITED STATES COAST GUARD, OR ANY FAMILY MEMBER LIVING  
13 IN HIS OR HER HOME AND [DOMICILED] RESIDING OUTSIDE THIS  
14 COMMONWEALTH TO MEET MILITARY REQUIREMENTS, FROM ELIGIBILITY TO  
15 PROCURE A RESIDENT HUNTER'S LICENSE OR OTHER LICENSE WHEN  
16 DOMICILE WITHIN THIS COMMONWEALTH IS A REQUIREMENT. PROOF THAT A  
17 SERVICEMAN'S OR SERVICEWOMAN'S MILITARY HOME OF RECORD IS IN  
18 PENNSYLVANIA SHALL BE SUFFICIENT TO ESTABLISH DOMICILE IN THIS  
19 COMMONWEALTH.

20 (C) MILITARY PERSONNEL STATIONED IN COMMONWEALTH.--ANY  
21 PERSON REGULARLY ENROLLED IN ANY BRANCH OF THE ARMED FORCES OF  
22 THE UNITED STATES OR IN THE UNITED STATES COAST GUARD AND  
23 OFFICIALLY STATIONED AND QUARTERED WITHIN THIS COMMONWEALTH [60]  
24 30 OR MORE DAYS PRECEDING THE DATE OF APPLICATION SHALL BE A  
25 RESIDENT FOR THE PURPOSE OF THIS TITLE.

26 \* \* \*

27 § 2704. ELIGIBILITY FOR LICENSE.

28 \* \* \*

29 (B) HUNTER EDUCATION.--PERSONS WHO HAVE NOT HELD A HUNTING  
30 LICENSE LAWFULLY ISSUED TO THEM IN THIS COMMONWEALTH OR ANOTHER

1 STATE OR NATION OR HAVE NOT HUNTED UNDER THE EXCEPTIONS IN  
2 SECTION 2706 (RELATING TO RESIDENT LICENSE AND FEE EXEMPTIONS)  
3 OR DO NOT POSSESS A CERTIFICATE OF TRAINING APPROVED BY THE  
4 DIRECTOR PRIOR TO THE ENACTMENT OF THIS TITLE SHALL BE REQUIRED  
5 TO ATTAIN ACCREDITATION IN A HUNTER EDUCATION PROGRAM APPROVED  
6 BY THE DIRECTOR BEFORE A HUNTING LICENSE IS ISSUED TO THEM. THE  
7 PROVISIONS OF THIS SUBSECTION SHALL NOT APPLY TO A PERSON WHO  
8 PRESENTS:

9 (1) EVIDENCE OF SERVICE IN THE ARMED FORCES OF THE  
10 UNITED STATES OR IN THE UNITED STATES COAST GUARD AND  
11 DISCHARGE OR SEPARATION UNDER HONORABLE CONDITIONS WITHIN SIX  
12 MONTHS OF THE DATE OF APPLICATION.

13 (2) EVIDENCE THAT THE PERSON IS CURRENTLY SERVING IN THE  
14 ARMED FORCES OF THE UNITED STATES OR IN THE UNITED STATES  
15 COAST GUARD.

16 \* \* \*

17 § 2705. CLASSES OF LICENSES.

18 UNLESS OTHERWISE PROVIDED, ANY PERSON WISHING TO EXERCISE ANY  
19 OF THE PRIVILEGES GRANTED BY THIS TITLE SHALL FIRST SECURE THE  
20 APPLICABLE RESIDENT OR NONRESIDENT HUNTING OR FURTAKING LICENSE  
21 AS FOLLOWS:

22 \* \* \*

23 (13) ANTLERLESS DEER LICENSES, BEAR LICENSES, ARCHERY  
24 LICENSES, MUZZLE-LOADER LICENSES AND ANY OTHER LICENSE  
25 REQUIRED TO INSURE JUST AND PROPER ADMINISTRATION OF THIS  
26 TITLE AND SOUND GAME OR WILDLIFE CONSERVATION TO ELIGIBLE  
27 PERSONS, SUBJECT TO THE REGULATIONS, REQUIREMENTS AND  
28 CONDITIONS WHICH THE COMMISSION SHALL ESTABLISH. ANY SUCH  
29 LICENSE SHALL BE MADE AVAILABLE TO RESIDENTS SERVING ON  
30 ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES OR IN

1     THE UNITED STATES COAST GUARD WITHOUT REGARD TO QUOTA  
2     LIMITATIONS OR APPLICATION DEADLINES. THE NUMBER OF BEAR  
3     LICENSES WHICH SHALL BE MADE AVAILABLE TO NONRESIDENTS SHALL  
4     NOT EXCEED 3% OF THE TOTAL NUMBER OF BEAR LICENSES TO BE  
5     ISSUED BY THE COMMISSION.

6     § 2903. PERMIT YEAR.

7     EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, ALL PERMITS SHALL  
8     BE ISSUED FOR THE TIME DESIGNATED AS THE FISCAL YEAR FOR THE  
9     COMMONWEALTH. THE PERMIT FOR A DISABLED PERSON TO HUNT FROM A  
10    VEHICLE SHALL [COVER THE SAME PERIOD AS THE HUNTING LICENSE] BE  
11    VALID FOR THE LIFETIME OF THE DISABLED PERSON. THERE WILL BE NO  
12    REDUCED FEES FOR A PERMIT ISSUED FOR LESS THAN A YEAR.

13    § 2904. PERMIT FEES.

14    THE ANNUAL FEE FOR PERMITS PROVIDED FOR IN THIS CHAPTER SHALL  
15    BE AS FOLLOWS:

16           \* \* \*

17           (3) DISABLED PERSON - \$5 [FOR TWO YEARS (EXPIRES EVERY  
18    EVEN YEAR)] FOR THE LIFETIME OF THE DISABLED PERSON.

19           \* \* \*

20    SECTION 2. THE GAME COMMISSION SHALL REFUND TO ELIGIBLE  
21    MEMBERS OF THE ARMED FORCES OR THE UNITED STATES COAST GUARD ALL  
22    FINES AND PENALTIES COLLECTED BY COURT ACTION OR ACKNOWLEDGMENT  
23    OF GUILT FOR VIOLATIONS OF SECTION 2702(B) AND (C) AND ALSO THE  
24    DIFFERENCE BETWEEN THE COSTS OF A RESIDENT LICENSE AND A  
25    NONRESIDENT LICENSE FOR THOSE QUALIFIED MEMBERS OF THE ARMED  
26    FORCES OR THE UNITED STATES COAST GUARD WHO PURCHASED A  
27    NONRESIDENT LICENSE. THESE REFUNDS SHALL BE PAID NO LATER THAN  
28    JUNE 30, 1990.

29    SECTION 3. THE PROVISIONS OF SECTION 2702(B) AND (C) SHALL  
30    BE RETROACTIVE TO JULY 1, 1987.

1       Section 2 4.   This act shall take effect ~~July 1, 1987, or~~  
2   ~~immediately, whichever is later~~ IMMEDIATELY.

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