

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 865

Session of
1987

INTRODUCED BY HELFRICK, WENGER, STAPLETON, O'PAKE, HESS, KELLEY,
SALVATORE, PECORA, RHOADES, MADIGAN, MOORE, ARMSTRONG,
SHAFFER, BODACK, PETERSON AND STEWART, JUNE 1, 1987

SENATOR RHOADES, GAME AND FISHERIES, AS AMENDED, APRIL 13, 1988

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, providing for the issuance of free REDUCED FEE <—
3 hunting licenses to certain parties who open land to public
4 hunting; AND PROVIDING FOR REIMBURSEMENT TO THE GAME FUND. <—

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

7 Section 1. Section 2706 of Title 34 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subsection to read:
9 § 2706. Resident license and fee exemptions.

10 * * *

11 ~~(d) Owners or possessors of land open to public hunting. An <—~~
12 ~~owner or possessor of land which would otherwise qualify for~~
13 ~~preferential assessment under the act of December 19, 1974~~
14 ~~(P.L.973, No.319), known as the Pennsylvania Farmland and Forest~~
15 ~~Land Assessment Act of 1974, shall, if he permits public hunting~~
16 ~~on such land, upon application to the county treasurer of the~~
17 ~~county in which such land is primarily located be entitled to~~
18 ~~receive annually up to two regular hunting licenses without~~

1 ~~payment of license fees: Provided, however, That no more than~~
2 ~~two free hunting licenses shall be annually issued for each~~
3 ~~tract of land eligible for license issue nor shall any person be~~
4 ~~entitled to receive more than two free licenses annually under~~
5 ~~this subsection: And provided further, That where possession of~~
6 ~~the land tract differs from ownership, possession shall~~
7 ~~determine the eligibility of persons entitled to the benefits~~
8 ~~provided in this subsection unless otherwise agreed between the~~
9 ~~owner and the possessor. The licenses shall be issued to the~~
10 ~~owner or possessor and an immediate family member so designated~~
11 ~~by such owner or possessor in the case of a single owner or~~
12 ~~possessor, and to such owners or possessors and an immediate~~
13 ~~family member of such owners or possessors so agreed to and~~
14 ~~designated in the case of more than one owner or possessor. No~~
15 ~~person shall be issued a hunting license under this subsection~~
16 ~~unless such person is at least 12 years of age, has met the~~
17 ~~requirements prescribed in section 2704 (relating to eligibility~~
18 ~~for license), and has not been denied the privilege to hunt. A~~
19 ~~person entitled to receive hunting licenses under this~~
20 ~~subsection shall certify to the commission in the form and~~
21 ~~manner prescribed by the commission that the land tract he owns~~
22 ~~or possesses is open to public hunting. Upon determination that~~
23 ~~such person is entitled to receive hunting licenses pursuant to~~
24 ~~this subsection, the commission shall signify such, in writing,~~
25 ~~to such person and such writing shall be presented to the county~~
26 ~~treasurer at the time of license application. Where two free~~
27 ~~licenses are intended to be issued pursuant to this subsection,~~
28 ~~such licenses shall be applied for and processed simultaneously.~~

29 (D) OWNERS OR POSSESSORS OF LAND OPEN TO PUBLIC HUNTING.--A <—
30 RESIDENT OWNER OR POSSESSOR OF LAND, COMPRISING GREATER THAN 80

1 CONTIGUOUS ACRES FARMED UNDER A CONSERVATION PLAN WHICH DOES NOT
2 CONFLICT WITH THE ACT OF JUNE 22, 1937 (P.L.1987, NO.394), KNOWN
3 AS THE CLEAN STREAMS LAW, AND WHICH MEETS THE REQUIREMENTS OF 25
4 PA. CODE CH. 102 (RELATING TO EROSION CONTROL), SHALL, IF HE
5 PERMITS PUBLIC HUNTING AS EVIDENCED BY ENROLLMENT IN A
6 COOPERATIVE PUBLIC ACCESS PROGRAM, BE ENTITLED TO PURCHASE A
7 LANDOWNERS HUNTING LICENSE AT THE COST OF \$3 PLUS THE CURRENT
8 ISSUING FEE. THE 80 ACRE REQUIREMENT SHALL BE EXCLUSIVE OF
9 SAFETY ZONES IN EXCESS OF 20% OF THE TOTAL ACREAGE. THE LICENSE
10 SHALL BE ISSUED TO THE OWNER OR POSSESSOR OR AN IMMEDIATE FAMILY
11 MEMBER OF EITHER THE OWNER OR POSSESSOR LIVING IN THE SAME
12 HOUSEHOLD SO DESIGNATED BY THE OWNER OR POSSESSOR IN THE CASE OF
13 A SINGLE OWNER OR POSSESSOR, AND TO THE INDIVIDUAL SO DESIGNATED
14 IN THE CASE OF MORE THAN ONE OWNER OR POSSESSOR. NO PERSON SHALL
15 BE ISSUED A HUNTING LICENSE UNDER THIS SUBSECTION UNLESS SUCH
16 PERSON IS 12 YEARS OF AGE OR OLDER, HAS MET THE REQUIREMENTS
17 PRESCRIBED IN SECTION 2704 (RELATING TO ELIGIBILITY FOR
18 LICENSE), AND HAS NOT BEEN DENIED THE PRIVILEGE TO HUNT. A
19 PERSON ENTITLED TO RECEIVE A HUNTING LICENSE UNDER THIS
20 SUBSECTION SHALL CERTIFY TO THE COMMISSION IN THE FORM AND
21 MANNER PRESCRIBED BY THE COMMISSION THAT THE LAND TRACT HE OWNS
22 OR POSSESSES IS PRESENTLY IN HIS OWNERSHIP OR POSSESSION.

23 Section 2. Section 2709(a) of Title 34 is amended by adding
24 a paragraph to read:

25 § 2709. License costs and fees.

26 (a) License costs.--Any person who qualifies under the
27 provisions of this chapter shall be issued the applicable
28 license upon payment of the following costs and the issuing
29 agent's fee:

30 * * *

1 (19) Owners or possessors of land open to public hunting
2 under section 2706(d) (relating to owners or possessors of
3 land open to public hunting) - ~~no cost.~~ \$3. ALL HUNTING <—
4 LICENSES ISSUED UNDER SECTION 2706(D) SHALL BE RECORDED BY
5 THE COMMISSION. THE COMMISSION ANNUALLY SHALL CERTIFY TO THE
6 GENERAL ASSEMBLY THE DIFFERENCE BETWEEN \$3 AND THE FEE FOR A
7 RESIDENT HUNTING LICENSE FOR ALL LICENSES SO ISSUED AND THE
8 GENERAL ASSEMBLY SHALL CAUSE THAT AMOUNT ANNUALLY TO BE
9 APPROPRIATED AND CREDITED TO THE GAME FUND.

10 * * *

11 Section 3. This act shall take effect July 1, ~~1987, or~~ <—
12 ~~immediately, whichever is later~~ 1989.