

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 89

Session of  
1991

INTRODUCED BY FEE, GRUITZA, GRUPPO, SALOOM, D. R. WRIGHT,  
KOSINSKI, McNALLY, PITTS, McCALL, PERZEL, GEIST, COLE, VEON,  
PETRARCA, E. Z. TAYLOR, BARLEY, FLEAGLE, TANGRETTI, HANNA,  
LEVDANSKY, CAPPABIANCA, OLASZ, GIGLIOTTI, BUSH, VAN HORNE,  
COLAFELLA, KAISER, M. N. WRIGHT, ADOLPH, SCHULER, KRUSZEWSKI,  
RAYMOND, SAURMAN, ARMSTRONG, TELEK, PISTELLA, BILLOW, BUNT,  
DeLUCA, COHEN, BOYES, CESSAR, MIHALICH, JOHNSON, MAYERNIK,  
FAIRCHILD, STISH, ALLEN, MERRY, MELIO, PESCI, SCRIMENTI,  
GERLACH, FARMER, COY, TRELLO, TRICH, GODSHALL, CARLSON,  
HALUSKA, CORRIGAN, COLAIZZO, STEELMAN, FOX, LUCYK, RUDY,  
D. W. SNYDER, REBER, LAUGHLIN, FREEMAN, LESCOVITZ, JADLOWIEC,  
MARKOSEK, NYCE AND BROWN, JANUARY 29, 1991

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,  
JULY 3, 1991

## AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, further providing for THE POWERS AND DUTIES OF THE <—  
3 PENNSYLVANIA GAME COMMISSION AND FOR senior resident license  
4 qualifications; AUTHORIZING CERTAIN DISABLED PERSONS TO HUNT <—  
5 WITH CROSSBOWS; and deleting certain license requirements for  
6 regulated hunting grounds.

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

9 ~~Section 1. Section 2705(3) and (6) of Title 34 of the <—~~  
10 ~~Pennsylvania Consolidated Statutes, amended December 17, 1990~~  
11 ~~(P.L. 687, No. 170), are amended to read:~~

12 SECTION 1. SECTIONS 322(C)(4) AND 2322(A) OF TITLE 34 OF THE <—  
13 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

14 § 322. POWERS AND DUTIES OF COMMISSION.

1       \* \* \*

2       (C) SPECIFIC POWERS AND DUTIES.--IN ORDER TO ADMINISTRATE  
3 AND ENFORCE THIS TITLE, THE COMMISSION THROUGH PROPER ACTION  
4 SHALL:

5       \* \* \*

6       (4) DEFINE GEOGRAPHIC LIMITATIONS OR RESTRICTIONS. WHEN  
7 PROVIDING FOR EXTENDED DEER HUNTING IN DESIGNATED DEER HOT  
8 SPOTS, THE COMMISSION SHALL NOT DESIGNATE ANY AREA LESS THAN  
9 A TOWNSHIP TO BE OPEN FOR HUNTING.

10       \* \* \*

11 § 2322. PROHIBITED DEVICES AND METHODS.

12       (A) GENERAL RULE.--EXCEPT AS OTHERWISE PROVIDED IN THIS  
13 TITLE OR COMMISSION REGULATION, NO PERSON SHALL HUNT, KILL OR  
14 TAKE OR ATTEMPT, AID, ABET, ASSIST OR CONSPIRE TO HUNT, KILL OR  
15 TAKE ANY BIG GAME, EXCEPT WILD TURKEY, WITH ANY OF THE FOLLOWING  
16 DEVICES OR METHODS:

17       (1) ANY DEVICE OTHER THAN A CENTERFIRE OR MUZZLE-LOADING  
18 FIREARM OR BOW AND ARROW.

19       (2) (I) ANY AUTOMATIC OR SEMIAUTOMATIC FIREARM, EXCEPT  
20 THAT ANY SEMIAUTOMATIC FIREARM MODIFIED TO PERMIT ONE  
21 SHELL IN THE CHAMBER AND NO MORE THAN FOUR SHELLS IN A  
22 MAGAZINE OR, SUBJECT TO SUBPARAGRAPH (II), A CROSSBOW MAY  
23 BE USED BY A PERSON WHO SUFFERED AN AMPUTATION OR LOST  
24 THE TOTAL USE OF ONE OR BOTH HANDS.

25       (II) ANY CROSSBOW PERMITTED UNDER THIS PARAGRAPH  
26 SHALL ONLY BE UTILIZED DURING THE REGULAR BIG GAME SEASON  
27 OR ARCHERY SEASON.

28       (3) ANY FIREARM PROPELLING MORE THAN ONE PROJECTILE PER  
29 DISCHARGE.

30       (4) ANY PROJECTILE WHICH IS NOT ALL LEAD OR WHICH IS NOT

DESIGNED TO EXPAND ON CONTACT.

(5) WHEN ANY BIG GAME IS SWIMMING.

(6) BY ANY OTHER METHOD OR DEVICE WHICH IS NOT SPECIFICALLY AUTHORIZED OR PERMITTED BY THIS TITLE OR COMMISSION REGULATION.

\* \* \*

SECTION 2. SECTION 2705(3) AND (6) OF TITLE 34, AMENDED DECEMBER 17, 1990 (P.L.687, NO.170), ARE AMENDED TO READ:

§ 2705. Classes of licenses.

Unless otherwise provided, any person wishing to exercise any of the privileges granted by this title shall first secure the applicable resident or nonresident hunting or furtaker license as follows:

\* \* \*

(3) Senior resident hunting licenses or, at the option of the applicant, a senior lifetime resident hunting license to residents who have reached or will reach their 65th birthday [prior to the date] in the year of the application for the license. The commission shall develop, implement and administer a system to provide tags, report cards and applications to those residents who hold a senior lifetime resident hunting license issued under this paragraph. The system shall require the applicant or license holder to pay any approved fee assessed by the issuing agent.

\* \* \*

(6) Senior resident furtaker licenses or, at the option of the applicant, a senior lifetime resident furtaker license to residents who have reached or will reach their 65th birthday [prior to the date] in the year of the application for the license.

1           \* \* \*

2           Section ~~2~~ 3. Sections 2923(b) and 2928(d) and (e) of Title       <—  
3   34 are amended to read:

4   § 2923. Disabled person permits.

5           \* \* \*

6           (b) Regulated hunting grounds.--A permit may be issued to  
7   hunt on a regulated hunting ground to any person who presents a  
8   doctor's certificate showing that the person is physically  
9   unable to walk for an extended period of time, authorizing him  
10   to hunt for, pursue and kill from an automobile or other vehicle  
11   on regulated hunting grounds those species of game authorized  
12   for release on such areas, subject to rules and regulations  
13   prescribed by the commission. The permittee shall carry the  
14   permit while hunting on regulated hunting grounds [and shall, in  
15   addition, display a current valid hunting license].

16          \* \* \*

17   § 2928. Regulated hunting grounds permits.

18          \* \* \*

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

28           (e) Seasons and bag limits.--All species of game, other than  
29   those specified, found on the premises covered by the regulated  
30   hunting grounds permit may be taken on the premises only [under]

1 by persons in possession of a valid hunting or furtaker license  
2 and only in accordance with the general provisions of this title  
3 and regulations of the commission governing seasons and bag  
4 limits. [Holders of three-day hunting licenses for regulated  
5 hunting grounds shall not be permitted to take any game or  
6 wildlife at any time other than game birds authorized for  
7 shooting and released on the regulated hunting grounds.]

8 \* \* \*

9 Section ~~3~~ 4. This act shall take effect as follows: <—

10 (1) THE AMENDMENT OF 34 PA.C.S. § 2322(A) SHALL APPLY TO <—  
11 THE LICENSE YEAR BEGINNING JULY 1, 1991, AND EACH YEAR  
12 THEREAFTER.

13 ~~(1)~~ (2) The amendment of 34 Pa.C.S. § 2705(3) and (6) <—  
14 shall take effect July 1, 1992.

15 ~~(2)~~ (3) The remainder of this act shall take effect July <—  
16 ~~1, 1991, or immediately, whichever is later.~~ IMMEDIATELY. <—