

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 944 Session of
1995

INTRODUCED BY HELFRICK, PORTERFIELD, MADIGAN, MUSTO, BRIGHTBILL,
STOUT, SHUMAKER, HECKLER, LEMMOND, WENGER, PETERSON,
ANDREZESKI, ARMSTRONG, CORMAN AND STEWART, APRIL 26, 1995

SENATOR TILGHMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED,
OCTOBER 16, 1995

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, defining "migratory game bird"; establishing a
3 migratory game bird hunting license; providing for use of
4 proceeds from the migratory game bird hunting license;
5 further providing for the date of the annual audit and report
6 to be submitted by the Pennsylvania Game Commission and the
7 Legislative Budget and Finance Committee; adding provisions
8 relating to goose hunting areas; and further providing for
9 permits.

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

12 Section 1. Section 102 of Title 34 of the Pennsylvania
13 Consolidated Statutes is amended by adding a definition to read:
14 § 102. Definitions.

15 Subject to additional definitions contained in subsequent
16 provisions of this title which are applicable to specific
17 provisions of this title, the following words and phrases when
18 used in this title shall have the meanings given to them in this
19 section unless the context clearly indicates otherwise:

20 * * *

1 "Migratory game bird." Any game bird defined in 50 CFR 20.11
2 (relating to meaning of terms), except as otherwise provided in
3 Pennsylvania Game Commission regulations.

4 * * *

5 Section 2. Sections 521(b) and 522(b) of Title 34 are
6 amended to read:

7 § 521. Establishment and use of Game Fund.

8 * * *

9 (b) Specific allocation of certain revenues.--[The following
10 sums of money are specifically allocated for the following
11 purposes:]

12 (1) A minimum of \$1.25 from each resident license for
13 which the full fee has been paid and a minimum of \$2 from
14 each antlerless deer license issued for which the full fee
15 has been paid shall be used solely for habitat improvement
16 and restoration conducive to increasing natural propagation
17 of game or wildlife on all lands under the control or
18 operation of the commission [or on lands open to public
19 hunting.

20 (2) A minimum of \$2.00 of the fee collected for the
21 issuance of antlerless deer licenses shall be used solely for
22 cutting or otherwise removing overshadowing tree growth to
23 produce underbrush, sprouts and saplings for deer food and
24 cover on lands under the control or operation of the
25 commission, including lands enrolled in commission public
26 access programs.], including lands enrolled in the
27 commission's public access programs. The moneys in this
28 account shall be used exclusively for the natural propagation
29 of wildlife by:

30 (i) Improving and maintaining any natural wildlife

1 habitat by the production, distribution and planting of
2 trees, shrubs, vines and forage crops.

3 (ii) Forest management practices.

4 (iii) Development and management of herbaceous
5 openings.

6 (iv) Construction and enhancement of wetlands and
7 riparian areas.

8 (v) Construction and maintenance of nesting
9 structures.

10 (vi) Purchase, maintenance and operation of
11 equipment, tools and materials necessary to meet the
12 habitat improvement objectives of this section.

13 The commission shall submit an annual report on all
14 expenditures from this account in the manner prescribed under
15 section 522 (relating to appropriation and audit of moneys).

16 (2) All moneys collected from the sale of the migratory
17 bird hunting license shall be used solely for the purpose of
18 migratory game bird management, habitat acquisition and
19 improvement and related program administrative costs.

20 § 522. Appropriation and audit of moneys.

21 * * *

22 (b) Audit and report.--The commission shall submit an annual
23 written and oral report to the Game and Fisheries Committees of
24 the Senate and the House of Representatives no later than
25 [November 30] February 28 of each year. The written report shall
26 include complete budgets for the current fiscal year and for the
27 fiscal year about to commence. An audit of the budget for the
28 concluding fiscal year shall be conducted by the Legislative
29 Budget and Finance Committee and shall be submitted to the Game
30 and Fisheries Committees no later than [November 30] February 28

1 of each year.

2 * * *

3 Section 3. Title 34 is amended by adding a section to read:

4 ~~§ 730. Registration for controlled~~ CONTROLLED goose hunting <—
5 ~~areas.~~

6 ~~The following apply to reservations for controlled goose~~ <—
7 ~~hunting areas:~~

8 ~~(1) Applications are available in and must be submitted~~
9 ~~from the current edition of Digest of Pennsylvania Hunting~~
10 ~~and Trapping Regulations supplied with each hunting license.~~

11 ~~(2) Reservation requests on official application forms~~ <—
12 ~~shall be submitted by mail. Applications will be available~~
13 ~~and accepted after July 1 of each year. Applications received~~
14 ~~later than September 10 will be rejected. Applications shall~~
15 ~~contain requested information, including the applicant's~~
16 ~~current valid hunting license back tag number, including~~
17 ~~letter, and the number that appears on the Pennsylvania~~
18 ~~Migratory Game Bird Hunting License, which is required for~~
19 ~~application.~~

20 ~~(3) One official application per person to hunt on one~~ <—
21 ~~controlled goose hunting area in this Commonwealth may be~~
22 ~~submitted. Anyone submitting more than one application for a~~
23 ~~reservation will have all applications rejected.~~

24 ~~(4) Selections of mailed application forms will be made~~
25 ~~by random drawing from eligible applications submitted. The~~
26 ~~drawing will be held on the first Saturday following~~
27 ~~September 10 at the registration center and shall be open to~~
28 ~~the public. The director will establish, no later than 20~~
29 ~~days prior to the drawing, the number of applications to be~~
30 ~~drawn.~~

~~(5) A reservation is not transferable. The successful applicant and the three guests whose names appear on the reservation shall present the reservation in person at the wildlife management area registration center designated. If the successful applicant is unable to attend, the three guests whose names appear on the reservation can use the reservation.~~

~~(6) An individual may hunt one day per season on one controlled goose hunting area as a reservation holder or a guest of a reservation holder or by applying for unclaimed reservations. An individual filing more than one application or hunting more than one time per season on a controlled goose hunting area in this Commonwealth shall be denied the privilege of hunting on these areas for three years.~~

~~(7) A reservation for one day is valid only up to one half hour before the daily shooting time.~~

~~(8) Blinds will be assigned, by drawing, to reservation holders on the morning of the designated shooting day. Blinds which are unclaimed will be assigned by drawing to persons present and making an application for the unclaimed blinds on the morning of each shooting day, one half hour prior to shooting time.~~ ALL OTHER PROCEDURES SHALL BE ESTABLISHED BY REGULATIONS PROMULGATED BY THE COMMISSION. <—

Section 4. Sections 2705 and 2709(a) of Title 34 are amended by adding paragraphs 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:

1 * * *

2 (14) Migratory game bird licenses for hunting all migratory
3 game birds to eligible persons, subject to the regulations,
4 requirements and conditions which the commission shall
5 establish. Any such license shall be made available to residents
6 serving on active duty in the armed forces of the United States
7 or in the United States Coast Guard without regard to quota
8 limitations or application deadlines.

9 § 2709. License costs and fees.

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

14 * * *

15 (20) Migratory game bird hunting license - \$2.

16 * * *

17 Section 5. Section 2901(a) of Title 34 is amended to read:

18 § 2901. Authority to issue permits.

19 (a) General rule.--The commission may issue permits as
20 specified in this chapter. Except as otherwise provided, permits
21 shall be issued only to persons who are {residents of this <—
22 Commonwealth and 18 years of age or ~~older~~} ~~otherwise qualified~~ <—
23 ~~for any privileges under this title.~~ OLDER. WILDLIFE MENAGERIE <—
24 PERMITS AND SPECIAL USE PERMITS MAY BE ISSUED TO PERSONS WHO ARE
25 RESIDENTS OF THE UNITED STATES AND 18 YEARS OF AGE OR OLDER.

26 * * *

27 Section 6. The amendment or addition of 34 Pa.C.S. §§
28 521(b), 2705(14) and 2709(a)(20) shall apply to the license year
29 beginning July 1, 1996, and each license year thereafter.

30 Section 7. This act shall take effect immediately.