

at least one inch in height which tag said licensee is required to attach and display on the outer garment on the back between the shoulders in such manner that all figures are plainly visible at all times while hunting or trapping. *Nothing in this section shall be construed to require any person under the age of eighteen years to display a license tag while trapping for fur-bearing animals other than beavers or while trapping for predators.* The license tag for the current year *only shall be displayed.

The tag or button issued with complimentary nonresident licenses shall be of such size and form as the commission may determine, which tag or button the licensee is required to wear in plain view on an outer garment at all times while using it in such a manner that the tag or button and the numerals thereon are plainly visible.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 182

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," changing certain penalties.

The Game Law.

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

Section 506, act of June 3, 1937, P. L. 1225, amended April 14, 1949, P. L. 434, further amended.

Section 1. Section 506, act of June 3, 1937 (P. L. 1225), known as "The Game Law," amended in part April 14, 1949 (P. L. 434), is amended to read:

Section 506. Penalties.—Any person violating any of the provisions of this article shall, upon conviction, be sentenced to pay the following fines and costs of prosecution for each offense:

For taking, killing, wounding, possessing, or transporting from one locality to another within this State, or for attempting to take, kill, or wound, contrary to this article, or any rules and regulations relative to the taking of game or fur-bearing animals adopted by the commission:

(a) Each elk, two hundred dollars (\$200), and in the discretion of the court, six months imprisonment;

(b) Each deer, one hundred dollars (\$100);

*"only" omitted in original.

(c) Each bear, two hundred dollars (\$200);

(d) Each wild turkey, ruffed grouse, ringneck pheasant, quail, partridge, or woodcock, *swan*, *wild goose*, *brant* or *wild duck*, twenty-five dollars (\$25);

(e) Each raccoon, twenty-five dollars (\$25);

(f) For each other bird or animal, ten dollars (\$10).

For violating any of the provisions of this article not above specifically provided for, or for violating any of the rules and regulations of the commission adopted under the provisions of this article, twenty-five dollars (\$25) and costs of prosecution for each offense.

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and in addition thereto shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

Section 2. Section 731 of the act, amended June 24, 1939 (P. L. 810), May 15, 1945 (P. L. 517), August 19, 1953 (P. L. 1081) and December 16, 1959 (P. L. 1873), is amended to read:

Section 731 of the act amended June 24, 1939, P. L. 810, May 15, 1945, P. L. 517, August 19, 1953, P. L. 1081, and December 16, 1959, P. L. 1873, further amended.

Section 731. Penalties.—Any person violating any of the provisions of the sections of this article shall, upon conviction, be sentenced to pay the following fines and costs of prosecution for each offense:

(a) For hunting or shooting or chasing or catching or killing any game, or attempting to shoot at or chase or catch or kill, with or without dogs, any game, upon the first day of the week, commonly called Sunday, twenty-five dollars (\$25); or for hunting for, or shooting at, or catching or killing or attempting to hunt for, or shoot at, or catch or kill, any game, (except as authorized by this act), between five o'clock *postmeridian of one day and seven o'clock antemeridian, eastern standard time, of the day following, contrary to the provisions of this article, or regulations adopted thereunder by the commission, fifteen dollars (\$15);

(b) For using a vehicle or trailer, or conveyance, or boat or craft, or permitting the same to be used contrary to the provisions of this article, fifty dollars (\$50) for each day;

(c) For taking any wild animal or wild bird contrary to the provisions of this article, or regulations adopted thereunder by the commission, ten dollars (\$10) for each trap or device so used;

* "postmeridian" in original.

(d) For failure to maintain, post, or produce, upon demand by an officer, the roster or record of a hunting party as required by the provisions of this article, twenty-five dollars (\$25);

(f) For failure to tag or mark any big game animal as required by the provisions of this article, ten dollars (\$10); for failing to tag and for removing or transporting in any manner any big game animal which has not been tagged, as required by the provisions of this article, twenty-five dollars (\$25); for failure to report the killing of a big game animal *taken during the open season* as required by the provisions of this article, [two] *five* dollars (\$5);

(g) For shipping, transporting, carrying, or conveying parts of large game in any package, container, or baggage of any description without having a card or marker attached as provided by this article, twenty-five dollars (\$25);

(h) For a common carrier, or his or its agent, to transport game from one point to another in this Commonwealth, contrary to the provisions of this article, twenty-five dollars (\$25);

(i) For violating any of the provisions of this article relating to living birds and the eggs thereof, and living animals imported or brought into or released within this Commonwealth, twenty-five dollars (\$25) for each bird or egg or animal imported or sold or released, contrary to said provisions;

(j) For interfering with or destroying the nest or egg or young found therein of any game bird contrary to the provisions of this article, fifty dollars (\$50) for each nest, and twenty-five dollars (\$25) for each young;

(k) For interfering with or destroying the nest or egg or young found therein of a protected bird contrary to the provisions of this article, ten dollars (\$10) for each nest or young;

(l) For shooting at or wounding or taking or killing or possessing any protected bird contrary to the provisions of this article, ten dollars (\$10);

(m) For selling or offering for sale or possessing for the purpose of sale, or transporting or shipping or attempting to transport or ship, any protected bird or any bird that may have been brought into this Commonwealth which belongs to the same family, or the skins or plumage of any such bird, twenty dollars (\$20);

(n) For making use of, or taking advantage of, any vehicle, trailer, conveyance, headlight, or spotlight, or artificial light or battery or other contrivance or device to spot or locate or hunt for, or catch or take or kill or wound, any elk, deer or bear, or for setting, laying, or preparing for use, or using, any set-gun for the purpose,

or evident purpose, of taking, killing, or wounding, or attempting to take, kill, or wound, any elk, deer, bear, or other wild bird or wild animal, contrary to the provisions of this article, one hundred dollars (\$100) for each person concerned; and the forfeiture of such vehicle, trailer, headlight, spotlight, or other contrivance and all paraphernalia used;

(o) For failure or refusing to stop any vehicle or conveyance being operated upon any public highway within this Commonwealth, upon request or signal of any officer in full uniform whose duty it is to enforce the game law, contrary to the provisions of this article, twenty-five dollars (\$25);

(p) For turning off any or all lights on a vehicle or conveyance for the purpose of avoiding identification or arrest, contrary to the provisions of this article, fifty dollars (\$50);

(q) Except as otherwise herein provided, for hunting, or chasing, or catching, or taking, or killing, or wounding, or receiving, or delivering, or transporting, or shipping or using or concealing or assisting to conceal, or having in possession, or attempting to hunt for, catch, take, kill, wound, or transport contrary to this article, or regulations adopted thereunder by the commission, or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth, or relating to the buying or selling or bartering of the whole, or any substantial part or parts of:

I. Each elk, two hundred dollars (\$200), and in the discretion of the court six months' imprisonment.

II. Each deer, one hundred dollars (\$100) during any deer season; at any other time, for the first offense, one hundred dollars (\$100) and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, for a period of three years; and for the second and each subsequent offense, two hundred dollars (\$200) and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, for a period of three years. When the convicted person has been denied the right to hunt or trap anywhere in this Commonwealth for a period of one year, the commission upon good cause shown may grant the right to hunt or trap anywhere in this Commonwealth to the person convicted.

III. Each bear, two hundred dollars (\$200) during any bear season; at any other time, two hundred dollars (\$200) and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, for a period of five years.

IV. Each wild turkey, ruffed grouse, pheasant, quail, partridge, or woodcock, *swan, wild goose, brant, or wild duck*, twenty-five dollars (\$25).

V. Each raccoon, twenty-five dollars (\$25).

VI. Each other wild bird or wild animal, ten dollars (\$10).

(r) *For failure to report the killing of game destroying property as required by the provision of section 724 of this article, twenty-five dollars (\$25) for each big game animal, and ten dollars (\$10) for each small game, bird or animal.*

In any case where any game bird or game animal was legally taken and held in possession after the time permitted by this article, the fine shall be one-half of the fine above prescribed.

In addition to the fine above prescribed, any person who shall make use of or have in possession or under control a ferret or fitch, contrary to the provisions of this article, shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25) for each ferret or fitch and costs of prosecution.

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and, in addition thereto, shall in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

Subsections (c), (e) and (h), section 943 and section 1004 of the act, subsection (h), section 943 and section 1004, amended April 14, 1949, P. L. 434, further amended.

Section 3. Subsections (c), (e) and (h) of section 943 and section 1004 of the act, subsection (h) of section 943 and section 1004, amended April 14, 1949 (P. L. 434), are amended to read:

Section 943. Penalties.—Any person violating any of the provisions of this article shall, upon conviction, be sentenced to pay the following fines and costs of prosecution for each offense:

* * * * *

(c) For violating any of the provisions of paragraph (a) of section 942 of this article, twenty-five dollars (\$25.00); [for each tree or shrub or part thereof, or other damage committed; and shall pay double the value of each tree or shrub cut down or felled and treble the value] in case such tree or shrub is removed from the land where grown *such damage shall be paid for as determined [or estimated by the commission's employes] by the court having jurisdiction thereof;*

* * * * *

(e) For violating any of the provisions of paragraph (c) of section 942 of this article, twenty-five dollars (\$25.00), and in addition thereto the value of such materials, as [estimated by the commission's employes] *established by the court having jurisdiction thereof.*

* * * * *

(h) Except as otherwise herein provided, for hunting, or trapping, or catching, or killing, or wounding, or driving, or molesting, or removing, or attempting to hunt for, or trap, or catch, or kill, or wound, or drive, or molest, or remove any wild birds or wild animals within the limits of a State Game Refuge, or an Auxiliary State Game Refuge, or a State Game Farm, or a State Game Propagation area, or a special preserve contrary to the provisions of this article, or for violating any of the provisions of this article not hereinbefore specifically provided, for:

- I. Each elk, two hundred dollars (\$200);
- II. Each deer, one hundred dollars (\$100);
- III. Each bear, two hundred dollars (\$200);
- IV. Each wild turkey, ruffed grouse, ringneck pheasant, quail, partridge, or woodcock, *swan, wild goose, brant, or wild duck*, twenty-five dollars (\$25);
- V. Each raccoon, twenty-five dollars (\$25);
- VI. Each other wild bird or wild animal, ten dollars (\$10).

* * * * *

Upon failure of * any person convicted of a first offense under the provisions of this article to immediately pay in full the fine imposed and costs of prosecution and any damages assessed, he shall be subject to imprisonment one day for each dollar of fine imposed and costs of prosecution and damages assessed remaining unpaid.

Any person convicted of a second or subsequent offense shall be liable to double the fines herein provided and costs of prosecution, and, in addition thereto, shall in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

Section 1004. Penalties.—Any person violating the provisions of this article shall, upon conviction, be sentenced to pay the following fines and costs of prosecution for each offense:

For the capturing or killing, or aiding in the capturing or killing, contrary to the provisions of this article, any wild bird or animal,

* "or" in original.

(a) Each elk, two hundred dollars (\$200), and, in the discretion of the court, six months' imprisonment.

(b) Each deer, one hundred dollars (\$100).

(c) Each bear, two hundred dollars (\$200).

(d) Each wild turkey, ruffed grouse, ringneck pheasant, quail, partridge, or woodcock, *swan, wild goose, brant, or wild duck*, twenty-five dollars (\$25).

(e) Each raccoon, twenty-five dollars (\$25).

(f) Each other bird or animal, ten dollars (\$10).

For hunting in any manner, or for owning or possessing a shotgun or rifle or pistol or firearm, contrary to the provisions of this article, twenty-five dollars (\$25) and costs of prosecution.

[For owning or possessing a dog, contrary to the provisions of this article, fifteen dollars and costs of prosecution.]

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second and subsequent offense shall be liable to the fines above provided and costs of prosecution, and in addition thereto, shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 183

AN ACT

Amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Public Welfare to promote local social welfare programs and to disburse Federal and State funds in connection therewith.