

No. 47

AN ACT

HB 927

Amending the act of June 3, 1937 (P.L.1225, No.316), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," further restricting the selling of raccoon.

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

Section 1. Section 716, act of June 3, 1937 (P.L.1225, No.316), known as "The Game Law," amended May 6, 1943 (P.L.195, No.99) and September 28, 1965 (P.L.551, No.285), is amended to read:

Section 716. Buying and Selling Game.—Except as otherwise provided by this act, it is unlawful for any person, at any time, to buy, sell, or barter, or offer for sale or barter, or have in possession for sale or barter, any game, or parts thereof, no matter where such game has been killed, excepting deer or rabbits killed in another state or nation, or the **[carcasses or]** skins of raccoons and the skins of bears, no matter where killed, and other game legally killed and imported from another state or nation when tagged as herein required.

Except as otherwise provided by this act, it is unlawful for any person, at any time, to sell or barter, or offer for sale or barter, **[for human consumption,]** any species of game, or parts thereof, protected by this act or similar thereto, imported either dead or alive from another state or nation, except deer or rabbits, **[or raccoons]** unless the carton containing such birds or animals, or the individual carcasses, shall have attached a tag identifying the birds or animals in plain English, and giving the state or nation from which originally shipped. Before any such game may be offered for sale, there shall first have been attached to each bird or animal, by a representative of the commission, a metal seal, the cost of which is hereby fixed at five cents, which seal shall remain attached until the carcass is prepared, or finally cut up, for consumption.

Nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating permit in this Commonwealth and properly tagged; or the **[purchase or]** sale of live raccoons **[legally possessed, for release within the Commonwealth]** *by the trapper who legally caught the same within this Commonwealth who shall be known as the first party, to any person within the Commonwealth who shall be known as the second party and who shall be required to possess a current resident hunter's license legally issued to him, for the sole purpose of the second party to release such purchased raccoons into a wild state within this Commonwealth for restocking purposes only. The second party shall be required to release all such purchased raccoons into the wild within*

a period of not more than ten days from the date of purchase from the first party. It shall be unlawful for the second party to sell or barter, or have in possession for sale or barter, any raccoon purchased from the first party under any circumstances, or for any person to sell, or offer for sale, any raccoon, living or dead, which was taken in this Commonwealth for any other purpose other than as provided herein; or the purchase or sale, or introduction into this State, at any time, of live birds or animals for propagation, liberation, or for any other purpose that has been inspected and legally passed in accordance with the conditions hereinafter stipulated; or to prevent, at any time, the sale within the State, or the shipment out of the State, without a license of any kind, of any animal raised in captivity and not found in a wild state in this Commonwealth; or the purchase or sale of the tanned, cured, or mounted heads or skins, or parts thereof, of any game not killed in a wild state in this Commonwealth, or the sale or purchase of deer hides or any part thereof from animals lawfully killed, if such hides are disposed of by the original owner within ninety days after the close of the previous open season, but this provision shall not be construed to permit any individual or agency other than the commission to sell the skins of deer killed as a protection to crops.

Section 2. This act shall take effect immediately.

APPROVED—The 14th day of April, A. D. 1976.

MILTON J. SHAPP