

No. 1981-55

AN ACT

HB 753

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," permitting the use of certain body gripping traps for beavers in underwater sets.

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

Section 1. The first paragraph of section 603 and subsection (c) of section 703, act of June 3, 1937 (P.L.1225, No.316), known as "The Game Law," amended February 9, 1972 (P.L.62, No.19), are amended to read:

Section 603. **Illegal Methods of Taking Fur-Bearing Animals; Exceptions.**—In the taking or killing of fur-bearing animals or predators it is unlawful to set traps closer than five feet from any hole or den which may be occupied by a fur-bearing animal or predator, except that this restriction shall not apply to underwater sets, or to take muskrats and beavers except through the use of steel or live traps and deadfalls, or to use a pole trap, snare, poison, explosives, chemicals, a steel trap with teeth on the jaws or with a jaw spread exceeding six and one-half inches, except a body gripping [ten inch by ten inch] trap *with a jaw spread not exceeding ten inches* may be used for taking beaver provided an underwater set is made, or to smoke out or dig out any den or house of any kind, except when occupied by a predator, or to cut den trees, or to use any trap or deadfall of any kind unless visited at least once every thirty-six hours except when prevented by sickness or storm: Provided, however, That it shall be lawful to use snares without springpoles for the taking of predators from the sixteenth day of December to the thirty-first day of March next following, in such counties as the commission may, by proper resolution, designate, notice of which shall be published as provided in section five hundred five of this act, so long as such snares are identified and visited in the same manner as required for traps and deadfalls.

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Section 703. **Lawful Methods of Hunting.**—It is lawful to hunt for, catch, take, wound or kill game of any kind and nongame birds only through the use of a gun, pistol, revolver, or bow and arrow or by means of falcon, of a kind the use of which is not hereinafter prohibited, except:

* * *

(c) That it is lawful to use live traps, or to use steel traps, baited or otherwise, with a spread of jaws, not exceeding six and one-half inches, provided the trap does not have teeth on the jaws: Provided further,

That it is lawful to use a body gripping [ten inch by ten inch] trap *with a jaw spread not exceeding ten inches* for taking beaver provided an underwater set is made, and it is lawful to use a deadfall, baited or otherwise, if a metallic plate or tag is attached to each trap or chain or deadfall bearing, in plain English, the name and address of the owner, for the purpose of taking predators, fur-bearing animals, and raccoons, so long as such traps or deadfalls, except underwater sets, are not set closer than five feet from any den or hole, or where any game other than raccoons may be caught, and such traps or deadfalls are visited at least once every thirty-six hours unless prevented by sickness or storm, and at the end of the trapping season all traps are sprung or removed; but it shall be unlawful to use pole traps or snares of any kind to capture wild birds or wild animals, except that snares, without springpoles, may be used for the purpose of taking predators in counties designated by the commission during the time and in the manner permitted by section six hundred and three of this act;

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Section 2. This act shall take effect in 60 days.

APPROVED—The 1st day of July, A. D. 1981.

DICK THORNBURGH