

## No. 2001-98

## AN ACT

## HB 212

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for the possession of shed antlers; and further providing for the time periods of permits, for permit fees, for records, for reports and for disabled person permits.

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

Section 1. Sections 2307(d), 2903, 2904, 2906, 2907 and 2923(a)(1) of Title 34 of the Pennsylvania Consolidated Statutes are amended to read:

§ 2307. Unlawful taking or possession of game or wildlife.

\* \* \*

(d) Exceptions.—This section shall not apply to [authorized]:

(1) *Authorized* individuals who euthanize critically injured game or wildlife, which shall be permitted when it is reasonable to believe that the chance of survival of the injured game or wildlife is minimal or the injured game or wildlife poses a threat to human safety.

(2) *Individuals who find and retain for their own use any deer or elk antler which is shed through natural causes. This paragraph shall not be construed to permit any individual possessing a shed antler to sell, barter or trade or to offer to sell, barter or trade any shed antler.*

\* \* \*

§ 2903. Permit year.

Except as otherwise provided in this title, all permits shall be issued for [the time designated as the fiscal year for the Commonwealth.] *a one-year, two-year or three-year time period selected by the applicant for the permit based on the fiscal year for the Commonwealth. Fees under section 2904 (relating to permit fees) shall be multiplied by the time period selected by the applicant and remitted at the time of application for the permit. Except when an application for a permit is rejected, all fees shall be nonrefundable.* The permit for a disabled person to hunt from a vehicle shall be valid for the lifetime of the disabled person. There will be no reduced fees for a permit issued for less than a year.

§ 2904. Permit fees.

(a) *Annual fees.*—The annual fee for permits provided for in this chapter shall be as follows:

- (1) Bird banding - \$25.
- (2) Collecting - \$25.
- (3) [Disabled person - \$5 for the lifetime of the disabled person.]
- (3.1) Temporary permit for disabled person - \$5 for the license year.
- (4) Dog training area - \$50.
- (5) Dog trials (three consecutive days):

- (i) Field trials - \$25 per day.
- (ii) Raccoon trials - \$25 per day.
- (iii) Retriever trials - \$25.
- (6) Endangered or threatened species:
  - (i) Native - \$300.
  - (ii) Non-native - free with necessary Federal permit.
- (7) Falconry - \$25 for each raptor held.
- (8) Fox chasing - \$150.
- (9) Fur dealers:
  - (i) Resident - \$100.
  - (ii) Nonresident - \$300.
- (10) Regulated hunting grounds:
  - (i) Commercial - \$100 for first 100 acres and \$25 for each additional 100 acres, or part thereof.
  - (ii) Noncommercial - \$38 for first 100 acres and \$8 for each additional 100 acres, or part thereof.
- (11) Retriever training area - \$50.
- (12) Taxidermy - \$100.
- (13) Wildlife (exotic) dealer - \$200.
- (14) Wildlife menagerie - \$100.
- (15) Wildlife (exotic) possession - \$50 per animal.
- (16) Wildlife propagation - \$25 for one species and \$10 for each additional species.
- (17) Commercial wildlife pest control - \$50.

**(b) Disabled permit fees.**—*The disabled permit fee for a disabled person shall be a one-time fee of \$5, which is valid for the lifetime of the disabled person.*

**[(18)] (c) Other fees.**—The commission shall set a reasonable fee for any permit required by this title which is not specifically set forth in this section.

#### § 2906. Records.

Each permit holder shall keep accurate records of all transactions carried out under authority of the permit issued and any other information required by the director. The records *for each year of a permit* must be kept for a period of three years and shall be open to inspection by any officer of the commission during normal business hours and shall be the basis of any reports required by the commission.

#### § 2907. Reports.

The director may require reports from any permit holder, except that no report may be required with respect to species of fox not indigenous to this Commonwealth. Annual reports shall be due within 30 days after expiration of the permit. *For multiple-year permits, reports shall be submitted by July 30 of each year that the permit is in effect.* The director may designate other times for reports if information is needed by the commission for its operations.

**§ 2923. Disabled person permits.****(a) Use of vehicle as a blind.—**

(1) Unless further restricted by commission regulation, a *lifetime* permit to hunt from a stationary vehicle may be issued to a person with permanent disabilities who qualified for a hunting license pursuant to Chapter 27 (relating to hunting and furtaking licenses) or who possesses a junior resident license under section 2705(2) (relating to classes of licenses) and who meets any of the following requirements:

(i) Has paraplegia and has permanent paralysis of both legs and lower parts of the body.

(ii) Has hemiplegia and has permanent paralysis of one leg and one arm on either side of the body.

(iii) Has both feet or one hand and one foot amputated.

(iv) Is permanently confined to a wheelchair or must use crutches or a walker as a means of support to pursue daily activities.

(v) Presents an affidavit and doctor's certificate stating the applicant is physically unable to walk 25 yards off the roadway.

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Section 2. Any provision of 58 Pa. Code is abrogated insofar as that provision is contrary to the provisions of 34 Pa.C.S. § 2307(d)(2).

Section 3. This act shall take effect immediately.

APPROVED—The 13th day of December, A.D. 2001.

MARK S. SCHWEIKER