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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No. **314** Session of  
1961

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INTRODUCED BY MESSRS. DEVLIN AND McOREESH,  
FEBRUARY 28, 1961.

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REFERRED TO COMMITTEE ON FORESTS & WATERS, GAME  
& FISH, FEBRUARY 28, 1961.

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## 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" permitting unnaturalized foreign-born residents to possess or control dogs

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

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken-through is to be omitted from bill. Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 1 Section 1003 act of June 3 1937 (P L 1225) known  
2 as "The Game Law" is amended to read

3 Section 1003 Prima Facie Evidence of Violations The possession  
4 of a shotgun or rifle or pistol or firearm of any make or kind [or of a  
5 dog of any kind] by an unnaturalized foreign-born resident shall be  
6 prima facie evidence of a violation of the provisions of this article

7 The presence of a shotgun or rifle or pistol or firearm of any  
8 make or kind [or of a dog of any kind] in a room or house or build-  
9 ing or tent or camp of any description occupied or controlled by an  
10 unnaturalized foreign-born resident shall be prima facie evidence that  
11 such firearm [or dog] is owned or controlled by the person occupying  
12 or controlling the property in which the same is found and shall render  
13 such person liable to the fines imposed by this article

14 Section 2 Section 1004 of the act amended April 14 1949 (P L  
15 434) is amended to read

16 Section 1004 Penalties Any person violating the provisions of this  
17 article shall upon conviction be sentenced to pay the following fines  
18 and costs of prosecution for each offense

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

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

3 (b) Each deer one hundred dollars (\$100)

4 (c) Each bear two hundred dollars (\$200)

5 (d) Each wild turkey ruffed grouse ringneck pheasant quail par-  
6 tridge or woodcock twenty-five dollars (\$25)

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

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

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

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

14 Upon failure of any person convicted of a first offense to immedi-  
15 ately pay the fine imposed and costs of prosecution he shall be im-  
16 prisoned one day for each dollar of fine imposed and costs of prose-  
17 cution

18 Any person convicted of a second and subsequent offense shall be  
19 liable to the fines above provided and costs of prosecution and in  
20 addition thereto shall in the discretion of the court suffer imprison-

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1 ment one day for each dollar of fine imposed

2 Section 3 Section 1005 of the act is amended to read

3 Section 1005 Forfeiture of Firearms [and Dogs] All shotguns  
4 rifles pistols and firearms [and dogs] found in possession or under  
5 control of an unmaturalized foreign-born resident shall upon the con-  
6 viction of any such person or upon his signing an acknowledgment  
7 of guilt as hereinafter provided in this act be forfeited to the Com-  
8 monwealth All such firearms shall be sold by the commission as herein-  
9 after provided [All such dogs shall be either killed in a humane man-  
10 ner or disposed of in such manner as the commission may direct]

We certify that this bill has passed the Senate and the House of  
Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor