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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

No. **291** Session of  
1961

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MESSRS. SESLER AND HAYS, IN PLACE,  
FEBRUARY 27, 1961.

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AS AMENDED ON SECOND READING, APRIL 5, 1961.

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**AN ACT**

Amending the act of June 3 1937 (P L 1225) entitled "An act concern-  
ing game and other wild birds and wild animals and amending  
revising consolidating and changing the law relating thereto"  
further regulating the issuance of hunting licenses for antlerless  
deer season and providing a penalty

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

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

1 Section 1 Subsection (c) and the first paragraph of subsection (e)  
2 of section 501 act of June 3 1937 (P L 1225) known as "The Game  
3 Law" subsection (c) amended January 14 1952 (P L 2023) subsection (c)  
4 amended June 14 1957 (P L 307) and June 28 1957 (P L 398) are  
5 amended to read

6 Section 501 Open Seasons After investigation or information  
7 otherwise obtained by the commission as to the annual game supply  
8 the commission may by appropriate rules and regulations a summary of  
9 which shall be published as hereinafter specified fix seasons shooting  
10 hours and daily season and possession limits or remove protection and  
11 declare an open season or increase reduce or close seasons or increase or  
12 reduce bag limits for all species of game birds and game animals through-  
13 out the Commonwealth or in any part thereof or limit the number of  
14 hunters in any designated area and prescribe the methods of hunting  
15 therein when in its opinion such action is necessary to assure the main-  
16 tenance of an adequate supply of such species or when an unbalanced  
17 sex ratio exists which in its opinion should be corrected or when in  
18 the opinion of the commission such additional open season will not  
19 jeopardize the future supply of game

1 (c) Resident and Nonresident Hunters' Licenses and Tags for  
2 Antlerless Deer If in any year the commission by resolution declares  
3 an open season for antlerless deer it shall issue resident and nonresident  
4 hunters' licenses and tags for antlerless deer to hunt for or kill such  
5 deer at a fee of one dollar fifteen cents under such rules and regulations  
6 governing the issuance of such licenses and tags as it may deem neces-  
7 sary to limit the number of persons who may hunt for such deer in any  
8 county of the Commonwealth provided public notice of such action is  
9 given as hereinafter required And provided however That no applica-  
10 tions for antlerless deer licenses received from nonresidents shall be  
11 approved or licenses issued [except during a period of thirty (30) days  
12 immediately preceding the opening date] in advance of thirty days prior  
13 to the opening date of such antlerless deer season Such licenses and tags  
14 may be issued only to holders of resident or nonresident hunting licenses  
15 Resident and nonresident hunters' licenses and tags for antlerless  
16 deer shall be issued only by the county treasurers in counties where  
17 such deer may be hunted and killed who for that purpose are hereby  
18 made agents of the Department of Revenue  
19 For services rendered in collecting and paying over fees and issuing

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1 licenses and tags by mail or otherwise such agents may retain the sum  
2 of fifteen cents from the amount paid by each licensee which amount  
3 shall be paid into the county treasury except that such agents may  
4 retain therefrom any amounts necessary to reimburse them for any  
5 expenses including compensation of employes incurred in collecting  
6 such fees and issuing such licenses and tags

7       When such licenses are issued to restrict the number of persons  
8 who may hunt antlerless deer in any county of the Commonwealth any  
9 citizen of the United States residing within the Commonwealth who  
10 is a bona fide owner or lessee of lands which lie within the county  
11 declared open to the hunting of said deer or any member of the family  
12 or household or regularly hired help of such owner or lessee if such  
13 person is a citizen of the United States actually residing upon and  
14 cultivating such lands is hereby declared eligible to hunt antlerless deer  
15 without a resident hunters' license for antlerless deer upon said property  
16 and by and with the consent of the owner thereof upon the lands immedi-  
17 ately adjacent and connected with his own lands other than lands owned  
18 by or under the control of the Commonwealth

19       The terms "antlerless deer" and "deer without visible antlers" as  
20 used in this subsection or any other provision of the Game Law which

1 this act amends are hereby defined to mean a deer without an antler  
2 sometimes called horn the term "antler" as herein used or in any  
3 other provision of the Game Law which this act amends meaning the  
4 bony growth on the head of a deer regardless of its size or develop-  
5 ment

6 When the commission adopts and promulgates such rules and  
7 regulations relative to resident and nonresident hunters' licenses and  
8 tags for antlerless deer it is unlawful for any person other than a land-  
9 owner or lessee of the county or a member of his household as herein-  
10 before enumerated to hunt for antlerless deer without a resident or  
11 nonresident hunters' license and tag for antlerless deer or to take such  
12 deer contrary to the rules and regulations adopted by the commission

13 The tag issued with an antlerless deer license shall be displayed  
14 on the outer garment immediately below the regular resident or non-  
15 resident hunting license tag Any person who fails to display the tag  
16 herein provided shall upon conviction be sentenced to pay a fine of ten  
17 dollars (\$10) and costs of prosecution provided it shall be determined  
18 the person has purchased a license otherwise a penalty of twenty dol-  
19 lars (\$20) and costs of prosecution shall be imposed

20 \* \* \*

1 (e) Open Season For Hunting Deer with Bows and Arrows In  
2 each year in which there is an open season for hunting deer there ~~shall~~  
3 may in addition be an open season for hunting deer [of both sexes]  
4 with bows and arrows exclusively unless otherwise declared by resolution  
5 of the commission and the provisions of subsection (c) of this section  
6 shall not apply thereto The duration and time of such additional open  
7 season together with the description of the deer which may be law-  
8 fully killed shall each year be fixed by the commission During any such  
9 additional open season it shall be unlawful to hunt for kill or attempt  
10 to kill any deer without a license as hereinafter prescribed or with any  
11 weapon other than a bow and arrow or with any bow other than a  
12 long bow controlled without aid of mechanical means or with any  
13 arrow with any explosive in the head or shaft

14 \* \* \*

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