

sequent to December 1, 1962, who was not a member or member-elect of the General Assembly on December 1, 1962, and who desires to become a member of Class D-2, shall so elect by written notice prior to December 1 of the year following his election to the General Assembly, and shall agree in such notice to make contributions at the rate specified in section 301 subsection (1) paragraph (d.2) retroactive to December 1 of the year of his most recent election to the General Assembly.

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Section 3. This act shall take effect immediately.

APPROVED—The 23d day of July, A. D. 1965.

WILLIAM W. SCRANTON

No. 136

AN ACT

HB 709

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," further defining the term "antlerless deer" to include deer with antlers less than three inches long.

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

Section 1. The introductory paragraphs and subsection (c) of section 501, act of June 3, 1937 (P. L. 1225), known as "The Game Law," amended June 24, 1939 (P. L. 810) and subsection (c) amended June 14, 1961 (P. L. 358), are amended to read:

Section 501. Open Seasons.—After investigation, or information otherwise obtained by the commission, as to the annual game supply, the commission may, by appropriate rules and regulations, a summary of which shall be published as hereinafter specified, fix seasons, shooting hours, and daily, season and possession limits, or remove protection and declare an open season, or increase, reduce or close seasons, or increase or reduce bag limits, for all species of game birds and game animals throughout the Commonwealth, or in any part thereof, or limit the number of hunters in any designated area and prescribe the methods of hunting therein, when in its opinion, such action is necessary to assure the maintenance of an adequate supply of such species, or when an unbalanced sex ratio exists which in its opinion should be corrected, or when, in the opinion of the commission, such additional open season will not jeopardize the future supply of game.

If in any year the commission fails to establish such seasons or bag limits, the open seasons and bag limits for game, Sundays excepted, unless otherwise provided by this act, shall be as below indicated:

Kind of Game	Open Season
Raccoon	October 15th to December 31st, except as to trapping, which shall be from November 15th to December 31st, where trapping is lawful upon resolution of the commission.
Wild turkey, ruffed grouse, male pheasant, bobwhite quail, gambel quail, valley quail, grackles, commonly known as blackbirds, rabbit, hare, and gray, black, and fox squirrel	November 1st to November 30th.
Hungarian partridge and Chukar partridge	No open season, except as fixed by resolution of the commission.
Red squirrel	November 1st to August 15th next following.
Woodchuck, commonly known as groundhog	July 1st to September 30th next following.
Bear over one year old	November 10th to November 25th.
Male deer, with two or more points to one antler <u>or with one antler three or more inches long</u> ..	December 1st to December 15th.
Antlerless deer	No open season except as fixed by resolution of the commission.
Elk	No open season except as fixed by resolution of the commission.

It is unlawful for any person to kill or attempt to kill, or to hunt for, or take, or have in possession any game bird or game animal at any time of the year other than the open season, fixed by resolution of the commission in the manner above provided, or as set forth in this section, except as elsewhere provided in this act.

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(c) Resident and Nonresident Hunters' Licenses and Tags for Antlerless Deer.—If in any year the commission, by resolution, declares an open season for antlerless deer, it shall issue resident and nonresident

hunters' licenses and tags for antlerless deer to hunt for or kill such deer, at a fee of one dollar fifteen cents under such rules and regulations governing the issuance of such licenses and tags as it may deem necessary to limit the number of persons who may hunt for such deer in any county of the Commonwealth, provided public notice of such action is given as hereinafter required: And provided, however, That no applications, for antlerless deer licenses received from nonresidents shall be approved or licenses issued in advance of thirty days prior to the opening date of such antlerless deer season. Such licenses and tags may be issued only to holders of resident or nonresident hunting licenses.

Resident and nonresident hunters' licenses and tags for antlerless deer shall be issued only by the county treasurers in counties where such deer may be hunted and killed, who, for that purpose, are hereby made agents of the Department of Revenue.

For services rendered in collecting and paying over fees and issuing licenses and tags, by mail or otherwise, such agents may retain the sum of fifteen cents from the amount paid by each licensee, which amount shall be paid into the county treasury, except that such agents may retain therefrom any amounts necessary to reimburse them for any expenses, including compensation of employes, incurred in collecting such fees and issuing such licenses and tags.

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

The terms "antlerless deer" and "deer without visible antlers," as used in this subsection or any other provision of the Game Law which this act amends, are hereby defined to mean a deer without an antler sometimes called horn, or a deer with antlers both of which are less than three inches long, the term "antler," as herein used or in any other provision of the Game Law which this act amends, meaning the bony growth on the head of a deer regardless of its size or development.

When the commission adopts and promulgates such rules and regulations relative to resident and nonresident hunters' licenses and tags for antlerless deer, it is unlawful for any person other than a landowner or lessee of the county or a member of his household, as hereinbefore enumerated, to hunt for antlerless deer without a resident or nonresident hunters' license and tag for antlerless deer, or to take such deer contrary to the rules and regulations adopted by the commission.

The tag issued with an antlerless deer license shall be displayed on the outer garment immediately below the regular resident or nonresident hunting license tag. Any person who fails to display the tag herein provided shall, upon conviction, be sentenced to pay a fine of ten dollars (\$10) and costs of prosecution, provided it shall be determined the person has purchased a license; otherwise, a penalty of twenty dollars (\$20) and costs of prosecution shall be imposed.

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APPROVED—The 23d day of July, A. D. 1965.

WILLIAM W. SCRANTON

No. 137

AN ACT

HB 725

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," increasing the number of permits which may be issued for special dog training areas in counties of the second class.

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

Section 1. Subsection (a) of section 938, act of June 3, 1937 (P. L. 1225), known as "The Game Law," amended June 24, 1959 (P. L. 476), is amended to read:

Section 938. Special Dog Training Areas.—(a) Upon application of any club or organization having twenty or more members who are citizens of this Commonwealth, or upon the application of twenty or more citizens of this Commonwealth and the payment of a registration fee of ten dollars (\$10), the commission may issue a permit authorizing the establishment and maintenance by such club, organization or citizens on land owned by them, or over which they have legal control, of a special dog training area wherein and whereon dogs may be trained