

## No. 411

## AN ACT

To amend section three hundred and two, and section twelve hundred and one as amended, of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred and fifty-nine), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," increasing the resident hunters' license fee, and restricting the use of the moneys derived from such increase.

Section 1. Be it enacted, &c., That section three hundred and two of the act, approved the twentieth-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred and fifty-nine), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," is hereby amended to read as follows:

Game, wild birds  
and wild animals.

Section 302 of act  
of May 24, 1923  
(P. L. 359),  
amended.

Section 302. Resident License Fee.—Each such resident as provided in the preceding section, upon application made, verbally, or in writing to any county treasurer within the Commonwealth, and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this article, and, in the case of naturalized foreign-born applicants, the production of such applicant's naturalization papers, and the payment to said county treasurer of [one dollar and twenty-five cents] *two dollars*, shall be entitled to the license herein designated as a Resident Hunter's License, and a tag with the number of the license thereon.

Resident license

It is unlawful for any county treasurer, or any of his representatives, to knowingly issue a resident hunter's license to any person physically or mentally unfitted to carry or use firearms.

Section 2. That section twelve hundred and one of said act, which was amended by the act, approved the fourteenth day of May, one thousand nine hundred and twenty five (Pamphlet Laws, seven hundred and forty-nine), entitled "An act to amend section one thousand two hundred and one of an act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred and fifty-nine), entitled 'An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto'" is hereby further amended to read as follows:

Section 1201 of act,  
as amended by act  
of May 14, 1925  
(P. L. 749), further  
amended.

Section 1201. Establishment of Game Fund—Appropriation.—All license fees, fines, and other moneys received and collected (a) under the provisions of any law repealed and replaced by this act, and now held in the State Treasury as a fund, or any part of a fund, separate and apart for the various purposes designated by law, or (b) that may be hereafter paid into the State Treasury

Establishment  
game fund.

Purposes for which  
fund may be used.

under the provisions of any act so repealed or replaced, or (c) that may be paid into the State Treasury under the provisions of this act, shall be placed in a separate fund to be known as "The Game Fund," and shall be held separately and apart solely for the purposes of the payment, under the supervision of the board: (a) of the traveling and other necessary expenses of the members of the board, and of the salaries, wages or other compensation and traveling and other necessary expenses of the officers of the Board of Game Commissioners, and of such deputies, directors, superintendents, bureau or division chiefs, assistant directors, assistant superintendents, assistant chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, statisticians, clerks, stenographers, bookkeepers, messengers, game protectors, laborers, and other assistants and employes as may be required for the proper conduct of the work of the board; (b) for wild bird, game, and fur-bearing animal protection and propagation; (c) for the purchase of game and fur-bearing animals for propagation and stocking purposes; (d) for feeding game and wild birds; (e) for the creation, acquisition, by lease or otherwise, maintenance and administration of hunting grounds and game refuges, and the purchase of outstanding timber and mineral rights on lands purchased or being purchased, or water rights on adjoining lands wherever the board deems such purchase desirable; (f) for the purchase of other lands and buildings, and for the erection and repair of buildings; (g) for the purchase, through the Department of Property and Supplies as purchasing agency, of such furniture, furnishings, stationery, supplies, materials, fuel, motor vehicles, horses, and other equipment as may be necessary for the conduct of the work of the board, and for the maintenance of equipment; (h) for control of vermin, the payment of bounties, and expenses in connection therewith; (i) for the payment of all, or any part of, the cost of any printing, lithographing, color process work, posters, notices, tags, badges, buttons, and such other like materials as, in the opinion of the board, may be necessary to its work, but all such printing, posters, notices, tags, badges, buttons, and other materials shall be ordered through the Department of Property and Supplies as purchasing agency; (j) for the refund of fines erroneously collected and deposited; (k) for the payment of rentals of offices, grounds, buildings, or other quarters leased for the board by the Department of Property and Supplies, and for telegrams and telephone rentals, and toll charges, and rentals on leased office or other devices; (l) for the purpose of carrying into effect the provisions of the act, approved the second day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, four hundred and eighty-nine), entitled "An act providing a method through which the Commonwealth may cooperate with individuals in building fences to protect farm crops and fruit orchards

against damage from wild deer, and making an appropriation," as amended, not exceeding, however, the sum of ten thousand dollars (\$10,000) during any one fiscal year; (m) for the purpose of carrying into effect the provisions of the act, approved the second day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, four hundred and ninety-two), entitled "An act providing for the payment of certain claims for damages done to live stock, poultry, or bees, by bear; providing a method for the ascertainment of such damage; and making an appropriation," not exceeding however the sum of three thousand dollars (\$3,000) during any one fiscal year; and (n) for the payment of any contingent, incidental, or other expenses of any kind or description reasonably necessary in carrying on the work of the board, including the actual cost of moving household effects of employes continuously in the service for a period exceeding one year when ordered by the board to change their headquarters and place of residence to a point more than ten miles distant from the former headquarters.

The sum of not less than one hundred thousand dollars (\$100,000), or so much thereof as can be used judiciously for that purpose, shall be expended each fiscal year for the purchase or propagation of game for stocking purposes, the distribution of game, and to supply feed for game, including all expenses in connection therewith.

Annual expenditure for propagation of game.

All such moneys placed in the game fund under the provisions of this section are hereby made available immediately, and are hereby specifically appropriated to the board for the purposes herein specified.

Funds available immediately.

*The sum of seventy-five cents from each resident hunter's license fee, being the increase in fees provided by this amendment, shall be used exclusively for the creation, acquisition by purchase, lease, or otherwise, and the maintenance of public hunting grounds and game refuges, and the purchase of outstanding timber and mineral rights, on the lands so acquired, or the acquisition of water rights on adjoining lands, whenever the board deems such acquisition desirable.*

Additional fee to be used in creation of game refuges.

APPROVED—The 5th day of May, A. D. 1927.

JOHN S. FISHER

No. 412

AN ACT

Authorizing and regulating the growth, sale, and distribution of forest tree seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act.

Section 1. Be it enacted, &c., That the Department of Forests and Waters is hereby authorized to grow forest

Department of Forests and Waters.