

No. 1978-213

AN ACT

HB 1841

Amending the act of June 3, 1937 (P.L. 1225, No. 316), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," further providing for nonresident license and license fees and increasing certain penalties.

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

Section 1. Sections 303 and 610, act of June 3, 1937 (P.L. 1225, No. 316), known as "The Game Law," section 303 amended October 21, 1975 (P.L. 431, No. 122), are amended to read:

Section 303. Nonresident Hunting License Fees.—Every nonresident of this Commonwealth, upon application made, in writing, to any agent authorized to issue such licenses, or to the commission, unless any such person has been disqualified for a license in the manner hereinafter specified, *or is a resident of a state which does not issue like licenses to residents of this Commonwealth*, and upon payment to said agent or commission of **[forty dollars and thirty-five cents (\$40.35)] *fifty dollars and fifty cents (\$50.50) for the license year beginning in 1979 and sixty dollars and fifty cents (\$60.50) for the license year beginning in 1980 and each year thereafter*** shall be entitled to the license herein designated as a Nonresident Hunter's License and a tag with the number of the license thereon, which shall entitle the holder to hunt for all wild birds and wild animals which may legally be hunted in this Commonwealth, until the close of the license year. Other licenses valid for use by nonresidents shall be as follows:

Nonresident trapper's license which shall be issued only upon application to the Commission in Harrisburg and which shall be effective for the same period as hunters' licenses shall entitle the holder to take through the use of traps or deadfalls only wild birds and wild animals which may legally be trapped in this Commonwealth, except beavers, **[forty dollars (\$40)] *three hundred fifty dollars (\$350)***. Nothing in this clause shall be construed to prohibit the holder of a nonresident trapper's license from using a sidearm or a rifle not larger than a .22 rimfire caliber to kill legally caught birds and animals.

Section 610. Penalties.—Any person killing or capturing, or possessing, or attempting to kill or capture, any beaver or otter, or destroying or disturbing or interfering with beaver or otter dams or houses or dens, or killing, capturing, possessing or disposing of any beaver, contrary to the provisions of this article or the regulations of the commission, shall, upon conviction, be sentenced to pay a fine of **[fifty] *two hundred*** dollars and costs of prosecution for each offense.

Any person violating any rule or regulation of the commission relative to the taking of fur-bearing animals not covered in the preceding paragraph, *or stealing the traps of another*, or disturbing the traps of another, or removing a fur-bearing animal, or raccoon or predator from the traps of another, without specific authority from the owner, shall, upon conviction, be sentenced to pay a fine of [twenty-five] *two hundred* dollars for each offense.

Any person violating any of the provisions of this article, except as otherwise provided for, shall, upon conviction, be sentenced to pay a fine of ten dollars and costs of prosecution for each offense:

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and, in addition thereto, shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

Section 2. This act shall take effect September 1, 1979.

APPROVED—The 4th day of October, A. D. 1978.

MILTON J. SHAPP