

No. 1984-178

AN ACT

SB 1155

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," providing for nonlicensed hunting and trapping on detached farmlands within ten air miles of the primary farm.

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

Section 1. Section 317 of the act of June 3, 1937 (P.L.1225, No.316), known as The Game Law, amended June 24, 1981 (P.L.111, No.37), is amended to read:

Section 317. [Legal Hunting or Trapping by Residents Without License.—(a) Unless the right to procure a license or to hunt or trap anywhere within the Commonwealth has been denied under the provisions of this act, any resident of this Commonwealth who is regularly and continuously engaged in cultivating the soil for general farm crop purposes, commercial truck growing, commercial orchards or commercial nurseries, as either the owner or lessee or tenant of said lands, or as a member of the family or household or regularly hired help of such owner or lessee or tenant, shall be eligible to hunt and trap on said lands, including the woodlands connected therewith and operated as a part thereof, without a resident hunter's license or an archery or bear license, if such owner, lessee, tenant, member of the family or household or hired help resides in a dwelling situated upon the property so being cultivated and shall have continuously resided thereon and assisted in the cultivation of said land for a period of sixty or more days prior to the general open hunting or trapping season.

(b) Any of the persons enumerated above who shall be eligible to hunt or trap on certain lands without securing a resident hunter's license or an archery or bear license, also may, by and with the written consent of the owner or lessee thereof, hunt or trap upon any lands other than those publicly-owned which lie immediately adjacent and are connected with the lands upon which such persons may lawfully hunt or trap without securing a license.] Resident License and Fee Exemptions.— (a) Unless the privilege to hunt or trap game and wildlife has been denied, a person domiciled within this Commonwealth who is regularly engaged in cultivating the soil for general farm crop purposes, commercial truck growing, commercial orchards or commercial nurseries as a primary means of gaining a livelihood may hunt and trap game and wildlife on the land cultivated by him without a hunter's or trapper's license as required by this act. The person must be at least twelve years of age and, if he is a first-time hunter, he must also have attained accreditation in an approved hunter education program. Persons eligible to hunt or trap game and wildlife without a license shall include the

owner, lessee or tenant of the cultivated land, the members of his family or household and his regularly hired employes.

(b) In addition to the land cultivated by him, a person exempted from license requirements under this section shall also be eligible to hunt or trap game and wildlife without a license on the following lands:

(1) any woodlands connected to the cultivated land and operated as a part of such land;

(2) detached land which is owned or operated under written lease as a part of the same farm and is within ten air miles of the home farm; and

(3) privately owned land which lies immediately adjacent to and is connected with the cultivated land if the owner of such private land has given his written consent.

Section 2. This act shall take effect immediately.

APPROVED—The 11th day of October, A. D. 1984.

DICK THORNBURGH