

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION**



**AGENDA
HARRISBURG, PENNSYLVANIA
April 7, 2020**

Bryan Burhans

**Bryan Burhans
Executive Director**

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Commonwealth of Pennsylvania
Pennsylvania Game Commission

Agenda

The Commission Meeting of the Pennsylvania Game Commission will be held on Tuesday, April 7, 2020, at 2001 Elmerton Ave., Harrisburg, PA 17110 beginning at 8:30 a.m.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

Charlie E. Fox, President
Stanley I. Knick, Jr., Vice President
Michael F. Mitrick, Secretary
Scott H. Foradora
Dennis R. Fredericks
Brian H. Hoover
Timothy S. Layton
Kristen Schnepf-Giger

Approval of Minutes of Commission Meeting held January 25, 2020.

BUREAU OF WILDLIFE MANAGEMENT

ADOPTED RULE MAKING

A. Amend 58 Pa. Code § 139.4.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2020-2021 license year. The 2020-2021 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

Action:

ANNEX “A”

§ 139.4 Seasons and bag limits for the license year.

2020-2021 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,
FIELD POSSESSION LIMIT AND SEASON LIMIT
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED

Species	First Day	Last Day	Daily Limit	Field Possession Limit After Second Day
<i>Squirrel</i> – (Combined species) ¹ <i>Eligible Junior Hunters only</i> , with or without the required junior license	Sept. 12	Sept. 26	6	18
<i>Squirrel</i> – (Combined species) ¹	Sept. 12 and Dec. 14 and Dec. 26	Nov. 27 and Dec. 24 and Feb. 27, 2021	6	18
<i>Ruffed Grouse</i> ¹	Oct. 17 and Dec. 14	Nov. 27 and Dec. 24	2	6
<i>Rabbit, Cottontail</i> – ¹ <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 3	Oct. 17	4	12
<i>Rabbit, Cottontail</i> ¹	Oct. 17 and Dec. 14 and Dec. 26	Nov. 27 and Dec. 24 and Feb. 27, 2021	4	12
<i>Ring-necked Pheasant</i> – There is no open season for the taking of pheasants in the Franklin County Wild Pheasant Recovery Area.				
<i>Ring-necked Pheasant – Male or Female</i> ¹ <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 10	Oct. 17	2	6
Central Susquehanna Wild Pheasant Recovery Area – <i>Male only</i> ¹	As authorized by the Executive Order			
<i>Ring-necked Pheasant – Male or Female</i> ¹	Oct. 24 and Dec. 14 and Dec. 26	Nov. 27 and Dec. 24 and Feb. 27, 2021	2	6

Species	First Day	Last Day	Daily Limit	Field Possession Limit After Second Day
<i>Bobwhite Quail</i> ¹	Oct. 17 and Dec. 14 and Dec. 26	Nov. 27 Dec. 24 Feb. 27, 2021	8	24
<i>Hare (Snowshoe Rabbits) or Varying Hare</i> ¹	Dec. 26	Jan. 1, 2021	1	3
<i>Woodchuck (Groundhog)</i> ¹	No closed season except during the regular firearms deer season(s).		Unlimited	

TURKEY

Species	First Day	Last Day	Limit	Limit
<i>Turkey, Fall - Male or Female</i> ¹			1	1
WMU 2B (Shotgun, Bow & Arrow only)	Oct. 31 and Nov. 25	Nov. 20 Nov. 27		
WMU 1B	Oct. 31	Nov. 7		
WMUs 1A, 2A, 4A, 4B, 4D, and 4E	Oct. 31 and Nov. 25	Nov. 7 Nov. 27		
WMUs 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, and 4C	Oct. 31 and Nov. 25	Nov. 14 Nov. 27		
WMU 2C	Oct. 31 and Nov. 25	Nov. 20 Nov. 27		
WMU 5A	Nov. 5	Nov. 7		
WMU 5B	Nov. 3	Nov. 5		
WMUs 5C and 5D	Closed to fall turkey hunting			
<i>Turkey, Spring</i> ² <i>Bearded Bird only,</i> <i>Eligible Junior Hunters only,</i> with the required junior license	Apr. 24, 2021	Apr. 24, 2021	1	1

TURKEY – (Continued)

Species	First Day	Last Day	Daily Limit	Season Limit
<i>Turkey, Spring</i> ^{1,2} <i>Bearded Bird only</i>			1	2
	May 1, 2021	May 15, 2021	May be hunted ½ hour before sunrise to 12 noon	
	and			
	May 17, 2021	May 31, 2021	May be hunted ½ hour before sunrise to ½ hour after sunset	

MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703-712) as published in the *Federal Register* on or about February 28 of each year.
Exceptions:

(a) Hunting hours in § 141.4 (relating to hunting hours).

(b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use statewide in hunting and taking of migratory waterfowl.

(c) Hunting on Sunday not authorized. ¹

Species	First Day	Last Day	Daily Limit	Field Possession Limit After Second Day
<i>Crow</i> ³ (Hunting permitted on Friday, Saturday and Sunday only)	July 3	Apr. 11, 2021		Unlimited
<i>Starling and English Sparrow</i> ³	No closed season except during the regular firearms deer seasons.			Unlimited

FALCONRY

Species	First Day	Last Day	Daily Limit	Field Possession Limit After Second Day
<i>Squirrel</i> – (Combined species) ¹	Sept. 1	Mar. 31, 2021	6	18
<i>Quail</i> ¹	Sept. 1	Mar. 31, 2021	8	24
<i>Ruffed Grouse</i> ¹	Sept. 1	Mar. 31, 2021	2	6
<i>Cottontail Rabbits</i> ¹	Sept. 1	Mar. 31, 2021	4	12
<i>Snowshoe or Varying Hare</i> ¹	Sept. 1	Mar. 31, 2021	1	3
<i>Ring-necked Pheasant - Male</i> ¹ <i>and Female</i> - (Combined)	Sept. 1	Mar. 31, 2021	2	6

Migratory Game Bird ¹ - Seasons and bag limits shall be in accordance with Federal regulations.

WHITE-TAILED DEER

Species	First Day	Last Day	Season Limit
Deer, Archery (Antlered & Antlerless) ^{4,5} With the required archery license WMUs 2B, 5C and 5D	Sept. 19 and Sun. ³ , Nov. 15 and Nov. 16 and Dec. 26	Nov. 14 Sun. ³ , Nov. 15 Nov. 27 Jan. 23, 2021	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Archery (Antlered & Antlerless) ^{4,5} With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Oct. 3 and Sun. ³ , Nov. 15 and Dec. 26	Nov. 14 Sun. ³ , Nov. 15 Jan. 18, 2021	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Muzzleloading (Antlerless only) ¹ With the required muzzleloading license (Statewide)	Oct. 17	Oct. 24	An antlerless deer with each required antlerless license.
Deer, Special firearms (Antlerless only) Only Junior and Senior License Holders, ⁶ Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or U.S. Coast Guard (Statewide)	Oct. 22	Oct. 24	An antlerless deer with each required antlerless license.
Deer, Regular Firearms (Antlered & Antlerless) ^{4,5} (Statewide)	Nov. 28 and Sun. ³ , Nov. 29 and Nov. 30	Nov. 28 Sun. ³ , Nov. 29 Dec. 12	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) ^{1,4} With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26	Jan. 18, 2021	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) ^{1,4} With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26	Jan. 23, 2021	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) ¹ Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26	Jan. 23, 2021	An antlerless deer with each required antlerless license.
Deer, Antlerless ¹ (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

BLACK BEAR

Species	First Day	Last Day	Season Limit
<i>Bear, Archery</i> ^{1,7} WMUs 2B, 5C, and 5D	Sept. 19	Nov. 27	1
<i>Bear, Archery</i> ^{1,7} WMU 5B	Oct. 3	Nov. 14	1
<i>Bear, Archery</i> ^{1,7} WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 17	Nov. 7	1
<i>Bear, Muzzleloader</i> ^{1,7} (Statewide)	Oct. 17	Oct. 24	1
<i>Bear, Special firearms</i> ⁷ Only Junior and Senior License Holders ⁶ , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or U.S. Coast Guard (Statewide)	Oct. 22	Oct. 24	1
<i>Bear, Regular Firearms</i> ^{5,7} (Statewide)	Nov. 21 and Sun. ³ , Nov. 22 and Nov. 23	Nov. 21 Sun. ³ , Nov. 22 Nov. 24	1
<i>Bear, Extended firearms</i> ^{1,7} WMUs 2B, 5B, 5C, and 5D	Nov. 28	Dec. 12	1
<i>Bear, Extended firearms</i> ^{1,7} WMUs 1B, 2C, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Nov. 28	Dec. 5	1

ELK

Species	First Day	Last Day	Season Limit
<i>Elk, Special Conservation Tag</i> ^{1,8} <i>and Special-License Tag</i> ^{1,8} (Antlered and Antlerless)	Sept. 1	Nov. 7	1
<i>Elk, Archery</i> ^{1,8}	Sept. 12	Sept. 26	1
<i>Elk, Regular</i> ⁸ (Antlered and Antlerless)	Nov. 2	Nov. 7	1
<i>Elk, Late</i> ^{1,8} (Antlerless only)	Jan. 2, 2021	Jan. 9, 2021	1

FUR TAKING - TRAPPING

Species	First Day	Last Day	Daily Limit	Season Limit
<i>Mink and Muskrat</i>	Nov. 21	Jan. 10, 2021		Unlimited
<i>Beaver</i>	Dec. 19	Mar. 31, 2021		
WMUs 1A and 1B (Combined)			20	60
WMUs 2A, 2B and 3C (Combined)			20	40
WMUs 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)			20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)			5	5
<i>Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel</i>	Oct. 25	Feb. 21, 2021		Unlimited
<i>Coyote and Fox</i> Use of cable restraint devices authorized with required certification	Dec. 26	Feb. 21, 2021		Unlimited
<i>Bobcat, with required bobcat permit</i> WMUs 2A, 2B, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 19	Jan. 10, 2021	1	1
<i>Fisher, with required fisher permit</i> WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 19	Jan. 3, 2021	1	1
<i>River Otter, with required otter permit</i> WMUs 1A, 1B, 2F, 3C and 3D	Feb. 13, 2021	Feb. 20, 2021	1	1

FUR TAKING - HUNTING

Species	First Day	Last Day	Daily Limit	Season Limit
<i>Coyote - (Outside of any big game season)</i> ³	May be taken with a hunting license or a furtaker's license.		Unlimited	
<i>Coyote - (During any big game season)</i>	May be taken while lawfully hunting big game or with a furtaker's license.		Unlimited	
<i>Opossum, Striped Skunk, Weasel</i> ¹	No closed season.			
<i>Fox</i> ³	Oct. 24	Feb. 20, 2021	Unlimited	

FUR TAKING - HUNTING – (Continued)

Species	First Day	Last Day	Daily Limit	Season Limit
<i>Raccoon</i> ¹	Oct. 24	Feb. 20, 2021		Unlimited
<i>Bobcat, with required bobcat permit</i> ¹ WMUs 2A, 2B, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Jan. 9, 2021	Feb. 3, 2021	1	1
<i>Porcupine</i> ¹	Oct. 10	Jan. 30, 2021	3	10

No open seasons on other wild birds or wild mammals.

¹ No hunting on Sunday authorized. See 34 Pa.C.S. § 2303.

² Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of 2 spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

³ Hunting on Sunday is authorized. See 34 Pa.C.S. § 2303.

⁴ Only one antlered deer (buck) may be taken during the hunting license year.

⁵ Hunting on Sunday authorized on separately delineated Sunday date only. See 34 Pa.C.S. § 2303.

⁶ Includes residents and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

⁷ Only one bear may be taken during the hunting license year with the required bear license.

⁸ Only one elk may be taken during the hunting license year with the required elk license.

B. Amend 58 Pa. Code § 141.62.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend § 141.62 to increase the number of authorized body-gripping traps to 20 in any WMU where beaver bag limits are 60 per season. Beaver trappers will still be limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any WMU with an open otter trapping season during periods when the open beaver trapping season overlaps by calendar date with the open otter trapping season.

Action:

ANNEX “A”

CHAPTER 141. HUNTING AND TRAPPING

Subchapter D. FURBEARERS

§ 141.62. Beaver and otter trapping.

* * * * *

(b) *Unlawful acts.* It is unlawful to:

* * * * *

(3) Set body_gripping traps larger than 10 inches in height by 12 inches in width.

(4) Set, tend or operate any number of traps or snares for beaver trapping in excess of the limits established by this paragraph.

(i) Beaver trappers are generally limited to a combined Statewide total of 20 traps or snares, no more than 10 of which may be traps. No more than 2 of the 10 traps may be body_gripping traps, except:

(A) In Wildlife Management Units where beaver bag limits are 40 per season, all 10 traps may be body_gripping traps.

(B) In Wildlife Management Units where beaver bag limits are 60 per season, all 20 traps or snares may be body_gripping traps.

(ii) Beaver trappers are limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any Wildlife Management Unit with an open otter trapping season. This limitation is inclusive of any otter traps or snares set under paragraph (7). This limitation is applicable during periods when the open beaver trapping season overlaps by calendar date with the open otter trapping season and shall extend for 5 additional consecutive days after the close of the otter season.

* * * * *

BUREAU OF WILDLIFE PROTECTION

ADOPTED RULE MAKING

A. Amend 58 Pa. Code §§ 141.4.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend § 141.4 to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2020-2021 hunting/trapping license year.

Action:

ANNEX “A”

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.4. Hunting hours.

Except as otherwise provided, wild birds and mammals may be hunted 1/2 hour before sunrise to 1/2 hour after sunset.

* * * * *

*(See Pennsylvania Meridian Map, Hunting Hours and
Migratory Game Bird Hunting Hours Tables)*

Appendix G. HUNTING HOURS

HUNTING HOURS TABLE FOR JUNE 28, 2020, THROUGH JULY 3, 2021					
Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
June 28 - July 4	5:08	9:03	Jan. 3 - 9	6:53	5:24
July 5 – 11	5:12	9:00	Jan. 10 – 16	6:52	5:25
July 12 – 18	5:17	8:56	Jan. 17 – 23	6:49	5:33
July 19 – 25	5:23	8:50	Jan. 24 – 30	6:45	5:41
July 26 – Aug. 1	5:30	8:44	Jan.31 - Feb. 6	6:40	5:49
Aug. 2 - 8	5:38	8:36	Feb. 7 – 13	6:33	5:57
Aug. 9 - 15	5:43	8:26	Feb. 14 – 20	6:24	6:06
Aug. 16 – 22	5:49	8:16	Feb. 21 – 27	6:15	6:14
Aug. 23 – 29	5:56	8:06	Feb. 28 - March 6	6:06	6:22
Aug. 30 -Sept. 5	6:03	7:55	March 7 – 13	5:54	7:29
Sept. 6 – 12	6:09	7:43	March 14 - 20* Begins	6:43	7:37
Sept. 13 – 19	6:16	7:32	March 21 - 27	6:32	7:44
Sept. 20 – 26	6:23	7:20	March 28 – Apr. 3	6:21	7:51
Sept. 27 – Oct. 3	6:29	7:09	April 4 - 10	6:09	7:58
Oct. 4 – 10	6:36	6:58	April 11 – 17	5:58	8:05
Oct. 11 – 17	6:44	6:47	April 18 – 24	5:48	8:12
Oct. 18 – 24	6:51	6:38	April 25 – May 1	5:38	8:19
Oct. 25 – 31	6:59	6:29	May 2 – May 8	5:29	8:27
Nov. 1 – 7 ** Ends	6:07	5:21	May 9 – 15	5:21	8:33
Nov. 8 – 14	6:15	5:15	May 16 – 22	5:14	8:40
Nov. 15 – 21	6:23	5:10	May 23 – 29	5:09	8:46
Nov. 22 – 28	6:31	5:07	May 30 – June 5	5:05	8:52
Nov. 29 - Dec. 5	6:37	5:05	June 6 – 12	5:02	8:57
Dec.6 – 12	6:43	5:06	June 13 – 19	5:02	9:00
Dec. 13 – 19	6:48	5:08	June 20 – 26	5:04	9:03
Dec. 20 – 26	6:51	5:09	June 27 – July 3	5:07	9:03
Dec. 27 – Jan. 2	6:52	5:17	Daylight Saving Time Begins* - Ends**		

**MIGRATORY GAME BIRD HUNTING HOURS TABLE
2020-2021**

Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
June 28 - July 4	5:08	8:33	Jan. 3 - 9	6:53	4:54
July 5 - 11	5:12	8:30	Jan. 10 - 16	6:52	4:55
July 12 - 18	5:17	8:26	Jan. 17 - 23	6:49	5:03
July 19 - 25	5:23	8:20	Jan. 24 - 30	6:45	5:11
July 26 - Aug. 1	5:30	8:14	Jan. 31 - Feb. 6	6:40	5:19
Aug. 2 - 8	5:38	8:06	Feb. 7 - 13	6:33	5:27
Aug. 9 - 15	5:43	7:56	Feb. 14 - 20	6:24	5:36
Aug. 16 - 22	5:49	7:46	Feb. 21 - 27	6:15	5:44
Aug. 23 - 29	5:56	7:36	Feb. 28 - March 6	6:06	5:52
Aug. 30 - Sept. 5	6:03	7:25	March 7 - 13	6:54	6:59
Sept. 6 - 12	6:09	7:13	March 14 - 20 * Begins	6:43	7:07
Sept. 13 - 19	6:16	7:02	March 21 - 27	6:32	7:14
Sept. 20 - 26	6:23	6:50	March 28 - April 3	6:21	7:21
Sept. 27 - Oct. 3	6:29	6:39	April 4 - 10	6:09	7:28
Oct. 4 - 10	6:36	6:28	April 11 - 17	5:58	7:35
Oct. 11 - 17	6:44	6:17	April 18 - 24	5:48	7:42
Oct. 18 - 24	6:51	6:08	April 25 - May 1	5:38	7:49
Oct. 25 - 31	6:59	5:59	May 2 - 8	5:29	7:57
Nov. 1 - 7 ** Ends	6:07	4:51	May 9 - 15	5:21	8:03
Nov. 8 - 14	6:15	4:45	May 16 - 22	5:14	8:10
Nov. 15 - 21	6:23	4:40	May 23 - 29	5:09	8:16
Nov. 22 - 28	6:31	4:37	May 30 - June 5	5:05	8:22
Nov. 29 - Dec. 5	6:37	4:35	June 6 - 12	5:02	8:27
Dec. 6 - 12	6:43	4:36	June 13 - 19	5:02	8:30
Dec. 13 - 19	6:48	4:38	June 20 - 26	5:04	8:33
Dec. 20 - 26	6:51	4:39	June 27 - July 3	5:07	8:33
Dec. 27 - Jan. 2	6:52	4:47	Daylight Saving Time Begins* Ends**		

B. Amend 58 Pa. Code § 141.29.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend § 141.29 to eliminate the September 15 crop or feed manipulation cutoff date for managed dove fields.

Action:

ANNEX “A”

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.29. Hunting mourning doves over managed fields.

(a) *Limited hunting authorized.* In accordance with the authorization in 50 CFR 20.21 (relating to what hunting methods are illegal), it is lawful to hunt mourning doves on or over lands or areas that are not otherwise baited areas, and where grain or other feed has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, or solely as the result of a normal agricultural operation.

(b) *Nonapplication.* This section shall not be construed to authorize the hunting of any other species of wildlife in an area where grain or other feed has been distributed or scattered as the result of manipulation of an agricultural crop or other feed.

(c) *Definition.* For the purposes of this section, “manipulation” means the alteration of natural vegetation or agricultural crops by activities that include mowing, shredding, discing, rolling, chopping, trampling, flattening, burning or herbicide treatments. The term manipulation does not include the distributing or scattering of grain, seed or other feed after removal from or storage on the field where grown.

C. Amend 58 Pa. Code § 141.41.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend § 141.41 to eliminate the requirement that hunters lawfully tag each successive deer that they have harvested before lawfully harvesting a subsequent deer within their season limits.

Action:

ANNEX “A”

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.41. General.

It is unlawful to:

(1) Fail, within 10 days of the kill, to complete the report card supplied with the hunting license for reporting big game killed and mail the report card to the Commission in Harrisburg or by any other method designated by the Director.

(2) Receive a DMAP permit without reporting in the manner prescribed on the permit.

(3) <(Reserved)>

(4) Possess an expired, fulfilled, revoked, suspended or invalid big game harvest tag or hunting license while engaged in hunting or trapping activities.

D. Amend 58 Pa. Code § 147.674.

Commentary:

To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend § 147.674 to increase the number of DMAP harvest permits that a person may receive for each DMAP unit or area from two to four, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person. The Commission intends to designate DMAP units within large land areas that are sold over the counter and without coupons as the units that will remain at a maximum of two harvest permits per person. This includes State game lands and State forest lands and certain large tracts of private lands.

Action:

ANNEX "A"

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

§ 147.674. Issuance of DMAP harvest permits.

(a) DMAP harvest permits will be made available without regard to quota limitations and will be issued through the Commission's PALS.

(b) Four harvest permits for the DMAP area may be issued each license year to persons who possess a valid Pennsylvania hunting license, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person.

(c) Coupon holders shall submit the completed coupons and remittance as determined by the Director. The fee for the harvest permit is \$10 for residents and \$35 for nonresidents. A fee of \$6 will be assessed for the replacement of any DMAP harvest permit.

(d) While hunting deer, the DMAP harvest permit shall be possessed by the hunter at all times.

(e) In DMAP areas designated by the Director, applicants may apply for DMAP harvest permits without possessing a coupon as long as harvest permits remain available for that area.

E. Amend 58 Pa. Code § 147.804.

Commentary:

To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend § 147.804 to: 1) combine the species eligibility list for mentored youth and mentored adults to one list; 2) issue all applicable harvest tags to mentored adults and mentored youth 7 years of age or older in a manner consistent with the purchase of a hunting license; 3) expand the ability for certain mentored hunter age classes to make direct application for antlerless deer licenses and Deer Management Assistance Program (DMAP) harvest permits for mentored adults and mentored youth 7 years of age or older; and 4) expand the ability for all mentored hunter age classes to make direct application for migratory bird licenses and pheasant permits within the eligibility standards and limitations of these programs.

Action:

ANNEX “A”

CHAPTER 147. SPECIAL PERMITS

Subchapter X. MENTORED HUNTING PROGRAM PERMIT

§ 147.804. General.

(a) *License required.* A mentor shall possess a valid Pennsylvania hunting license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) prior to engaging in any mentored hunting activities.

(b) *Permit required.* A mentored youth or mentored adult shall possess a valid applicable mentored hunting permit prior to engaging in any mentored hunting activities. Purchase of a hunting license by an eligible mentored youth or mentored adult shall automatically invalidate any mentored permit and associated harvest tags held by same.

(c) *Species limitation.* A mentored youth's or mentored adult's hunting eligibility is restricted to the following species: rabbit, hare, ruffed grouse, mourning dove, bobwhite quail, pheasant, crow, squirrel, porcupine, woodchuck, coyote, deer and wild turkey.

(d) *Seasons and bag limits.* A mentored youth's and mentored adult's hunting eligibility is further constrained by applicable hunting seasons, daily limits, field possession limits and season limits provided in § 139.4 (relating to seasons and bag limits for the license year).

(e) *Applicability of junior seasons and antler restrictions.* A mentored youth is eligible to hunt during any special youth hunting seasons that apply to any species specified in subsection (c) and are subject to the same antler restrictions that apply to junior license holders in § 131.2 (relating to definitions).

(f) *Tagging requirements.* Mentored youth and mentored adults shall tag and report all big game harvested in the manner provided in section 2323 of the act (relating to tagging and reporting big game kills).

(g) *Transfer of an antlerless license.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act (relating to unlawful acts concerning licenses), mentors are authorized to transfer antlerless licenses issued to them to an eligible mentored youth who was under 7 years of age at the time of application. The antlerless license shall be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the antlerless license may not occur until after the mentored youth has harvested the antlerless deer, but before tagging the carcass. A mentored youth may receive by transfer no more than one antlerless deer license each license year. Mentored youth who are under 7 years of age at the time of application are ineligible to make direct application for an antlerless license.

(h) *Transfer of a fall turkey tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer fall turkey tags issued to them to an eligible mentored youth who was under 7 years of age at the time of application. The fall turkey

tag shall be valid and in the possession of the mentor at all times while hunting fall turkey. The transfer of the fall turkey tag may not occur until after the mentored youth has harvested the fall turkey, but before tagging the carcass. A mentored youth may not receive by transfer more than one fall turkey tag each license year. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(i) *Transfer of a Deer Management Assistance Program harvest permit.* Notwithstanding the prohibitions in § 147.676(2) and (3) (relating to unlawful acts), mentors are authorized to transfer Deer Management Assistance Program (DMAP) harvest permits issued to them to an eligible mentored youth who was under 7 years of age at the time of application. The DMAP harvest permit must be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the DMAP harvest permit may not occur until after the mentored youth has harvested the antlerless deer, but before tagging the carcass. A mentored youth may not receive by transfer more than one DMAP harvest permit each license year. Mentored youth who are under 7 years of age at the time of application are ineligible to make direct application for a DMAP harvest permit. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(j) *Transfer of an antlered deer harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer antlered deer harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The antlered deer harvest tag shall be valid and in the possession of the mentor at all times while hunting antlered deer. The transfer of the antlered deer harvest tag may not occur until after the mentored youth has harvested the antlered deer, but before tagging the carcass. A mentored youth may not receive by transfer more than one antlered deer harvest tag each license year. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(k) *Transfer of a spring turkey harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer spring turkey harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The spring turkey harvest tag shall be valid and in the possession of the mentor at all times while hunting spring turkey. The transfer of the spring turkey harvest tag may not occur until after the mentored youth has harvested the spring turkey, but before tagging the carcass. A mentored youth may not receive by transfer more than one spring turkey harvest tag each license year. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(l) *Application for and issuance of big game harvest tags.* Except as provided below, mentored youth and mentored adult hunting permits will be issued with an antlered deer, fall turkey and spring turkey harvest tag. No harvest tags will be issued with a mentored youth permit where the applicant is under 7 years of age at the time of application. Mentored youth over 7 years of age at the time of application and mentored adults are additionally eligible to make application for one antlerless deer license and as many DMAP harvest permits that are within the eligibility standards and limitations of these programs.

(m) *Application for and issuance of add-on licenses and permits.* Mentored youth and mentored adults are exempt from requirements to obtain archery and muzzleloader add-on licenses or stamps applicable to hunting archery or muzzleloader seasons for any species listed in subsection (c). Unless otherwise exempted by existing program standards, all mentored youth and mentored adults are required to obtain migratory bird licenses and pheasant permits to participate in hunting during applicable seasons for any associated species listed in subsection (c).

F. Amend 58 Pa. Code § 135.53.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend § 135.53 to expand ATV eligibility for use as mobility devices by including ATVs registered with the Department of Transportation as neighborhood electric vehicles that properly display the valid registration plate and the required “25 MPH Vehicle” decal.

Action:

ANNEX “A”

CHAPTER 135. LANDS AND BUILDINGS

Subchapter C. STATE GAME LANDS

§ 135.53. Operation of mobility devices and motor vehicles on designated routes.

Persons with a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) may operate mobility devices and motor vehicles on designated routes subject to all of the following conditions:

* * * * *

(3) *ATVs and snowmobiles as mobility devices.* An ATV or snowmobile used as a mobility device on a designated route must be registered with either:

(i) The Department of Conservation and Natural Resources and display the valid registration plate or registration decal as required under 75 Pa.C.S. §§ 7711.1 and 7711.2 (relating to registration of snowmobile or ATV; and limited registration of snowmobile or ATV); or

(ii) The Department of Transportation as a neighborhood electric vehicle and display the valid registration plate and “25 MPH Vehicle” decal as required under 75 Pa.C.S. §§ 3592 and 3594 (relating to required equipment; and same treatment as passenger cars. Vehicles registered with the Department of Transportation as neighborhood electric vehicles or NEVs.

(4) *Spark arrestors required.* Mobility devices powered by an internal combustion engine must be equipped with a fully functional spark arrestor while operation on a designated route.

* * * * *

G. Amend 58 Pa. Code §§ 141.43, 141.44 and 141.47.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend §§ 141.43, 141.44 and 141.47 to expand the list of lawful devices authorized for applicable deer, bear and elk seasons during periods of overlap. The Commission also proposed to amend § 141.47 to provide specific arms and ammunition listings for the archery elk season and the elk seasons established for the Special Conservation License and the Special License established under 34 Pa.C.S. § 2706.2 (relating to elk hunting licenses).

Action:

ANNEX “A”

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.43. Deer seasons.

(a) *Archery deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the archery deer season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 35 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(2) *Prohibitions.* While hunting deer during the archery deer season, it is unlawful to:

(i) Use or possess a firearm. Exceptions:

(A) A person may possess certain firearms during the archery deer season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the early archery and muzzleloader deer seasons and the late archery and flintlock muzzleloading deer seasons if that person is in possession of both a valid archery deer license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the early archery deer season and muzzleloader bear season if that person is in possession of both a valid archery deer license and a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(b) *Flintlock muzzleloading deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the flintlock muzzleloading deer season with any of the following devices:

(i) A flintlock muzzleloading firearm. The firearm must be an original or similar reproduction of muzzleloading firearm manufactured prior to 1800. The firearm's ignition mechanism must consist of a hammer containing a naturally occurring stone that is spring propelled onto an iron or steel frizzen which, in turn, creates sparks to ignite a priming powder. The firearm must have open or aperture sights and be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(ii) A bow and arrow as permitted under subsection (a)(1)(i).

(iii) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting deer during the flintlock muzzleloading deer season, it is unlawful to:

(i) Use manmade materials attached to the hammer or frizzen to create sparks.

(ii) Use telescopic sights.

(iii) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act.

(iv) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(c) *Muzzleloading deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the muzzleloading deer season with any of the following devices:

(i) A muzzleloading firearm. The firearm must be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(ii) A bow and arrow as permitted under subsection (a)(1)(i).

(iii) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting deer during the muzzleloading deer season, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act, except as authorized under section 2525 of the act.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

* * * * *

§ 141.44. Bear seasons.

(a) *Archery bear season.*

(1) *Permitted devices.* It is lawful to hunt bear during the archery bear season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 35 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(2) *Prohibitions.* While hunting bear during the archery bear season, it is unlawful to:

(i) Use or possess a firearm. Exceptions:

(A) A person may possess certain firearms during the archery bear season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery and muzzleloader bear seasons if that person is in possession of a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery bear season and muzzleloader deer season if that person is in possession of both a valid bear license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Disturb, wound or kill a bear in a den.

(iv) Assist, conspire or use a device to locate a bear to which a transmitter has been attached.

(b) *Muzzleloading bear season.*

(1) *Permitted devices.* It is lawful to hunt bear during the muzzleloading bear season with any of the following devices:

(i) A muzzleloading firearm. The firearm must be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(ii) A bow and arrow as permitted under subsection (a)(1)(i).

(iii) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting bear during the muzzleloading bear season, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Disturb, wound or kill a bear in a den.

(iv) Assist, conspire or use a device to locate a bear to which a transmitter has been attached.

* * * * *

§ 141.47. Elk seasons.

(a) *Archery elk season.*

(1) *Permitted devices.* It is lawful to hunt elk during the archery elk season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 45 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 1 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 1 inch and may not exceed 3.25 inches in length.

(2) *Prohibitions.* While hunting elk during the archery elk season, it is unlawful to:

(i) Use or possess a firearm. Exceptions:

(A) A person may possess certain firearms during the archery elk season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery elk season and muzzleloader deer season if that person is in possession of both a valid elk license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery elk season and muzzleloader bear season if that person is in possession of both a valid elk license and a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Fail to mark the kill site after lawful harvest in accordance with Commission instructions provided during the elk season orientation.

(iv) Drive or herd elk.

(v) Hunt within the Hick's Run no hunt zone, the area immediately adjacent to and north of Route 555, between Hick's Run Road and Huston Hill Road and within 0.3 mile of Route 555.

(b) Regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License.

(1) *Permitted devices.* It is lawful to hunt elk during the regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License with any of the following devices:

(i) A manually operated, centerfire rifle or handgun. The firearm must be a .26 caliber or larger firearm that propels single-projectile ammunition 120 grains or larger.

(ii) A manually operated or semiautomatic, centerfire shotgun. The firearm must be a 12 gauge or larger firearm that propels single-projectile ammunition.

(iii) A muzzleloading firearm. The firearm must be .50 caliber or larger single-barrel firearm that propels single-projectile ammunition 210 grains or larger.

(iv) A bow and arrow as permitted under subsection (a)(1)(i).

(v) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) Prohibitions. While hunting elk during the regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than that required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act (relating to possession of firearm for protection of self or others).

(ii) Use or possess a device or ammunition not provided for in the act or in this section, except as authorized under section 2525 of the act.

(iii) Fail to mark the kill site after lawful harvest in accordance with Commission instructions provided during the elk season orientation.

(iv) Drive or herd elk.

(v) Hunt within the Hick's Run no hunt zone, the area immediately adjacent to and north of Route 555, between Hick's Run Road and Huston Hill Road and within 0.3 mile of Route 555.

H. Amend 58 Pa. Code §§ 147.901 – 147.905 and create 58 Pa. Code § 147.904.1.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend §§ 147.901 – 147.905 and create 147.904.1 to restructure the application requirements for commercial and noncommercial guiding permits, create a noncommercial elk guiding permit, create new guide permit fee structures for commercial and noncommercial elk guiding permits, create recordkeeping and reporting requirements for commercial guides and address other minor housekeeping items.

Action:

ANNEX “A”

CHAPTER 147. SPECIAL PERMITS

Subchapter Y. GUIDING PERMIT

§ 147.901. Purpose and scope.

The purpose of this subchapter is to provide for the issuance of guiding permits to authorize eligible applicants to serve as guides for persons hunting, trapping or otherwise taking certain designated species of game or wildlife.

§ 147.902. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Commercial guiding activity--Any guiding activity provided by any person to another person for any fee, remuneration or other economic gain, including bartered goods or services.

Guide--A person who assists another person in any manner to hunt, trap or otherwise take certain designated species of game or wildlife.

Guiding activity--

(i) The act of assisting or conspiring to assist another person in any manner to hunt, trap or otherwise take certain designated species of game or wildlife by locating, calling or directing another person to the quarry.

(ii) The term is not intended to include or authorize any assistance taking the form of any overt act directly connected with harvesting game or wildlife by the guide discharging a firearm, bow or crossbow or setting or resetting a trap or cable restraints.

Non-commercial guiding activity--Any guiding activity provided by any person to another person for the species Elk, where there is no fee, remuneration or economic gain to the guide including bartered goods or services.

§ 147.903. Application for commercial and noncommercial guiding permits.

(a) Applications for commercial and noncommercial guiding permits issued under this subchapter shall be made through the applicable Commission regional office local to the applicant on the appropriate form provided by the Commission.

(b) Applications for commercial and noncommercial guiding permits shall include the name, address, telephone number, customer identification number and date of birth of

the primary applicant and each sub-permittee, if applicable, as well as the specific eligible species of wildlife sought to be covered by the permit.

(c) Applications for commercial and noncommercial guiding permits will only be accepted if the applicant and each listed subpermittee possesses a valid hunting or furtaking license, whichever is applicable to the single species or multiple species designated on the permit application. Applicants for a noncommercial elk guiding permit must also possess a valid elk license.

(d) Applications for commercial and noncommercial guiding permits will only be accepted if the applicant and each listed subpermittee have no documented prior record of game or wildlife violations of the act or this title or related license revocations within the previous 10 years. This subsection shall not be construed to apply to the permittee listed on the application for a noncommercial elk guiding permit, but this provision remains effective for each subpermittee listed the permittee's application.

(e) The fee for a commercial or noncommercial guiding permit will be:

(1) Except as provided in paragraphs (2) and (3) for elk guiding permits, \$25 for residents and \$50 for nonresidents for each respective eligible species of wildlife to be covered by the permit.

(2) \$500 for residents and nonresidents for commercial elk guiding permits. This fee also covers up to four sub-permittees at no additional cost. Additional sub-permittees beyond the first four may be added for an additional \$50.00 per additional sub-permittee.

(3) No cost for a noncommercial elk guiding permits. This no cost fee also covers up to four sub-permittees at no additional cost. Additional sub-permittees beyond the first four may be added for an additional \$25.00 per additional sub-permittee.

§ 147.904. Permit.

(a) *General rule.* A guiding permit issued under this subchapter is required for any person to engage in any commercial or noncommercial guiding activity anywhere within the Commonwealth for the following designated species of wildlife: elk and bobcat. A guiding permit is also required for any person to engage in any commercial guiding activity for coyotes on any lands designated as State game lands.

(b) *Additional permits.* Possession of a commercial or noncommercial guiding permit issued under this subchapter does not diminish an individual's obligation to obtain any other applicable Federal, State or local permits concerning the guiding activities.

(c) *Guiding on State game lands.* Notwithstanding the general prohibitions of § 135.41 (relating to state game lands), a commercial guiding permit issued pursuant to this subchapter authorizes its holder to engage in commercial guiding activities on lands designated as State game lands for each species of game wildlife designated on the commercial guiding permit.

This subsection shall not be construed to require a commercial or noncommercial guiding permit for noncommercial guiding activities occurring on lands designated as State game lands.

(d) *Licenses, permits and stamps required.* A commercial or noncommercial guide shall maintain valid licenses, permits and stamps applicable to each species for which they are conducting commercial or noncommercial guiding activities, excepting only elk licenses, if applicable. A guide shall carry these licenses, permits and stamps required by this subsection on their person while engaged any commercial or noncommercial guiding activities and shall produce same, upon demand, to any officer whose duty it is to enforce the title.

§ 147.904.1. Records and reports of commercial guides.

(a) *Records.* A commercial guide shall maintain legible, accurate and complete field records of all commercial guiding activities conducted under the authority of a commercial guiding permit on a form supplied by the Commission. These field records shall be maintained and made available for inspection in accordance with section 2906 of the act (relating to records). A commercial guide shall complete the field records form according to the instructions on the form and must contain the following information for each commercial guiding activity:

- (1) Name, address and customer identification number for each client.
- (2) Date of guided activity.
- (3) Quantity and species of game or wildlife harvested by each client.
- (4) Name and guide permit number of any accompanying guide permit holder for each guided activity.

(b) *Reports.* All field records shall be submitted to the Commission annually in accordance with section 2907 of the act (relating to reports).

§ 147.905. Violations.

Violations of this subchapter will be prosecuted under section 2908 of the act (relating to violations). The Director may deny, revoke or suspend any permit for any violation of the act or this subchapter by the permittee or any subpermittee, upon written notice to the permittee.

PROPOSED RULE MAKING

I. Amend 58 Pa. Code § 131.2.

Commentary: As the nature of its name implies, a muzzleloading firearm is by definition a firearm designed have its loose ammunition components loaded from the muzzle. In this instance, the ammunition components refer to the combination of the loose or pelletized black powder or black powder substitute and the projectile or projectiles. Recent developments in the firearms industry have generated muzzleloading firearms that can accommodate the loading of a captured powder charge similar to a cartridge, casing or shell that is loaded from the breech, with the projectile or projectiles remaining to be loaded from the muzzle. Current regulations specifically prohibit muzzleloaders that accept cartridge ammunition. However, this restriction was originally intended to restrict modern firearms that are loaded by a cartridge or casing that contains both the powder and the projectile. The Commission does not intend or desire for this restriction to apply to the above described muzzleloaders. The Commission is proposing to amend § 131.2 (relating to definitions) to provide clarity that muzzleloading firearms that allow a cartridge of loose or pelletized black powder or black powder substitute to be loaded from the breech, while the projectile remains loaded from the muzzle are lawful for use as a muzzleloading firearm.

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.2. Definitions.

In addition to the definitions contained in section 102 of the act (relating to definitions), the following words and terms, when used in this part or in the act, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Muzzleloading firearm--

(i) A firearm designed and manufactured to be loaded with loose ammunition components (projectile and propellant charge) from the muzzle or forward, open end of the firearm's barrel.

(ii) The term includes full or partial breech-loading rifles and handguns that fire loose ammunition components comparable to a muzzleloading firearm.

(iii) The term does not authorize a firearm that accepts cartridge ammunition that contains both the projectile and propellant charge.

* * * * *

Action:

BUREAU OF WILDLIFE HABITAT MANAGEMENT

ADOPTED RULE MAKING

A. Amend 58 Pa. Code §§ 131.2, 135.2 and 135.41.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission, at its January 25, 2020 meeting, proposed to amend §§ 131.2, 135.2 and 135.41 to define and allow use of Class I & Class II e-bikes on State game lands in the same manner as traditional bicycles. It is important to note that these amendments do not eliminate current statutory restrictions prohibiting the possession of loaded firearms in, on or against vehicles propelled by mechanical power under section 2503 of the act.

Action:

ANNEX “A”

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.2. Definitions.

In addition to the definitions contained in section 102 of the act (relating to definitions), the following words and terms, when used in this part or in the act, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Broadhead-A fixed or mechanical tip affixed to the fore end of an arrow or bolt having sharpened cutting edges consisting of metal or naturally occurring stone.

Class I electric bicycle—A two-wheeled bicycle equipped with fully operable pedals and an electric motor of 750 watts (1 horsepower) or less that provides assistance only when the rider is actively pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. This term does not include any device that is equipped with a throttle or that provides any degree of assistance from an electric motor when the rider is not actively pedaling.

Closed season-Periods of the calendar year and hours during which it is unlawful to take game or wildlife.

* * * * *

CHAPTER 135. LANDS AND BUILDINGS

Subchapter A. GENERAL PROVISIONS

§ 135.2. Unlawful actions.

In addition to the prohibitions in the act on lands, waters or buildings under Commission ownership, lease, agreement, control or jurisdiction, it is unlawful, except with the permission of the person in charge of the lands, or the written permission of the Director to:

- (1) Camp or use campsites.
- (2) Plant, gather, cut, dig, remove or otherwise injure plants or parts thereof, including trees, shrubs, vines, flowering plants, cultivated crops, mushrooms and fruits of berry-producing plants.
- (3) Travel on lands by means of vehicle or conveyance propelled by motorized power. This provision is not intended to restrict travel by Class I or Class II electric bicycles and

certain devices used for persons with mobility disabilities as specifically authorized under Subchapter C (relating to State game lands).

* * * * *

Subchapter C. STATE GAME LANDS

§ 135.41. State game lands.

* * * * *

(c) Additional prohibitions. In addition to the prohibitions contained in the act pertaining to State game lands and § 135.2, except with the written permission of the Director, it is unlawful to:

(1) Contaminate, pollute or degrade groundwaters or surface waters or any waterways.

(2) Graze or permit the grazing of livestock, place or maintain beehives or beekeeping apparatus.

(3) Solicit, or place advertisements, signs, or posters.

(4) Ride a nonmotorized vehicle, conveyance, Class I or Class II electric bicycle or animal, except on roads normally open to public travel, or designated routes as posted, or while lawfully engaged in hunting, trapping or fishing.

(5) Ride a nonmotorized vehicle, conveyance, Class I or Class II electric bicycle or animal from the last Saturday in September until the third Saturday in January, and before 1 p.m. from the second Saturday in April through the last Saturday in May inclusive, except on Sundays or while lawfully engaged in hunting, trapping or fishing.

(6) Ride a nonmotorized vehicle, conveyance, Class I or Class II electric bicycle or animal on roads open to foot travel only.

* * * * *

PROPOSED RULE MAKING

B. Amend 58 Pa. Code § 135.41.

Commentary: On February 25, 2019, the Act of November 27, 2019 (P.L. 739, No. 107. § 4) became effective. Among other things, the final legislation amended the § 2303 to allow the Commission to authorize three designated days of hunting on Sunday in addition to existing authorizations. All three of the Sunday dates selected by the Commission fall within the date range found in § 135.41(c)(21), which requires persons entering State game lands that are not hunting or trapping to wear fluorescent orange colored material for their safety during the overlapping big game seasons. Entries on Sunday have previously been exempted from the requirement since no big game hunting typically occurred on these days. With the passage of Act 107 this will no longer be the case. The Commission is proposing to amend § 135.41 (relating to State game lands) to eliminate the Sunday exemption from the fluorescent orange wearing requirement.

CHAPTER 135. LANDS AND BUILDINGS

Subchapter C. STATE GAME LANDS

§ 135.41.

* * * * *

(c) *Additional prohibitions.* In addition to the prohibitions contained in the act pertaining to State game lands and § 135.2, except with the written permission of the Director, it is unlawful to:

* * * * *

(21) ~~[Except on Sundays, be]~~ Be present on State game lands from November 15 through December 15 inclusive when not engaged in lawful hunting or trapping and fail to wear a minimum of 250 square inches of daylight fluorescent orange-colored material on the head, chest and back combined or, in lieu thereof, a hat of the same colored material. The material shall be worn so it is visible in a 360° arc. Persons using shooting ranges are exempted from this requirement.

* * * * *

Action:

REAL ESTATE

C. Donation

Contract No. L-3762, State Game Land No. 42, Somerset County

Commentary: Marion Leonard on behalf of Leonard's Land Preservation, LLC is offering to donate 222+/- acres of land in Jenner Township, Somerset County, adjoining State Game Land No. 42 (Exhibit RED 1). Access is from Roaring Run Road.

Action:

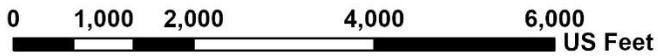


Exhibit RED 1
State Game Land No. 42
 Donation
 L-3762
 Leonard's Land Preservation, LLC Tracts
 222+/- Acres

Jenner Township
 Somerset County
 Southwest Region

Contract No. L-3763, State Game Land No. 156, Lebanon County

Commentary: Patricia E. Krall is offering to donate 6+/- acres of land in Heidelberg Township, Lebanon County, adjoining State Game Land No. 156 (Exhibit RED 2). Access is through existing State Game Land No. 156.

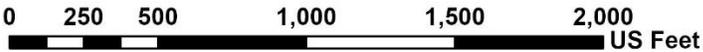
Action:



**Exhibit RED 2
State Game Land No. 156**

**Donation
L-3763
Patricia E. Krall Tract
6+/- Acres**

**Heidelberg Township
Lebanon County
Southeast Region**

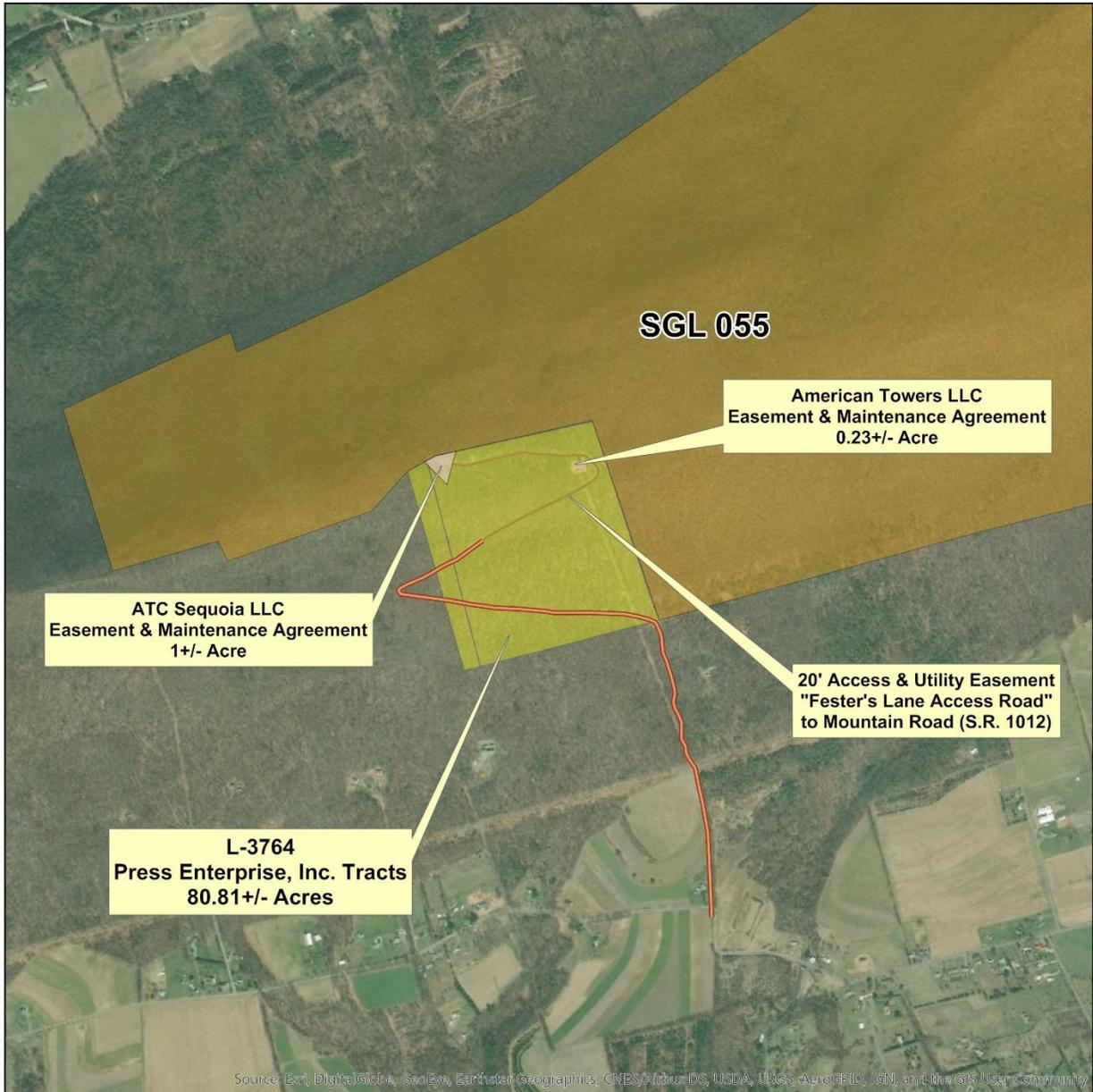


D. Acquisition

Contract No. L-3764, State Game Land No. 55, Columbia County

Commentary: Press Enterprise, Inc. is offering 80.81+/- acres of land in North Centre Township, Columbia County, adjoining State Game Land No. 55 (Exhibit RED 3). The option price is \$80,000 lump sum to be paid with funds from the Game Fund. The tract provides critical access from the south into the western portion of State Game Land No. 55; therefore, the Commission may exceed \$400 per acre under Section 705(b) of the Game and Wildlife Code. The property is subject to a reciprocal easement and maintenance agreement with G. Robbins, and easements and assignments with American Towers LLC and ATC Sequoia LLC. Access is from S.R. 1012, Mountain Road.

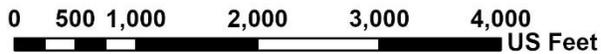
Action:



**Exhibit RED 3
State Game Land No. 55**

**L-3764
Press Enterprise, Inc. Tracts
80.81+/- Acres**

**North Centre Township
Columbia County
Northeast Region**



E. Exchange

Contract No. L-3765, State Game Land No. 46/State Game Land No. 156, Lancaster County and Auxiliary Administration Office Building, Huntingdon County

Commentary:

Ken and Christa Boone of Alabaster House are offering to participate in an exchange of 392.3+/- acres of land in Elizabeth Township, Lancaster County, adjoining and connecting State Game Land Nos. 46 and 156 (Exhibit RED 4) for 9.36+/- acres in Brady Township, Huntingdon County (Exhibit RED 5). The 9.36+/- acre property was acquired from the Huntingdon Area School District in April 2014 with the intent of renovating the existing vacant 27,000 square feet Brady Henderson Elementary School into future office space for the Commission's Southcentral Region Office (SCRO). After reevaluation and careful consideration, the Commission has determined not to relocate the SCRO to the Brady Henderson Elementary School site.

Based on an appraisal of the 9.36+/- acre property, Alabaster House will provide \$200,000 towards the acquisition of the 392.3+/- acres. The Commission will provide an additional \$241,679 lump sum to be paid with other cost sharing funds from third party commitments for compensation of habitat and recreational losses which occurred on State Game Lands from previously approved projects. The acquisition of the 392.3+/- acres of land is made possible through the efforts of Natural Lands Trust, Inc. who was successful in receiving supplementary funding through partnership grants provided by the Pennsylvania Department of Conservation and Natural Resources and the U.S. Fish and Wildlife Service through the Highlands Conservation Act. Covenants, conditions, and restrictions associated with these funding sources will be required to accept the property. Access is from PA Route 501. Staff has determined the portion of the 392.3+/- acres to be conveyed to the Commission by Alabaster House is of equal value to the land to be conveyed to Alabaster House and that the proposed exchange is in the best interests of the Commission.

Action:

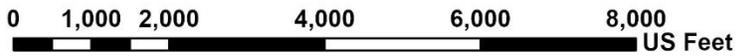
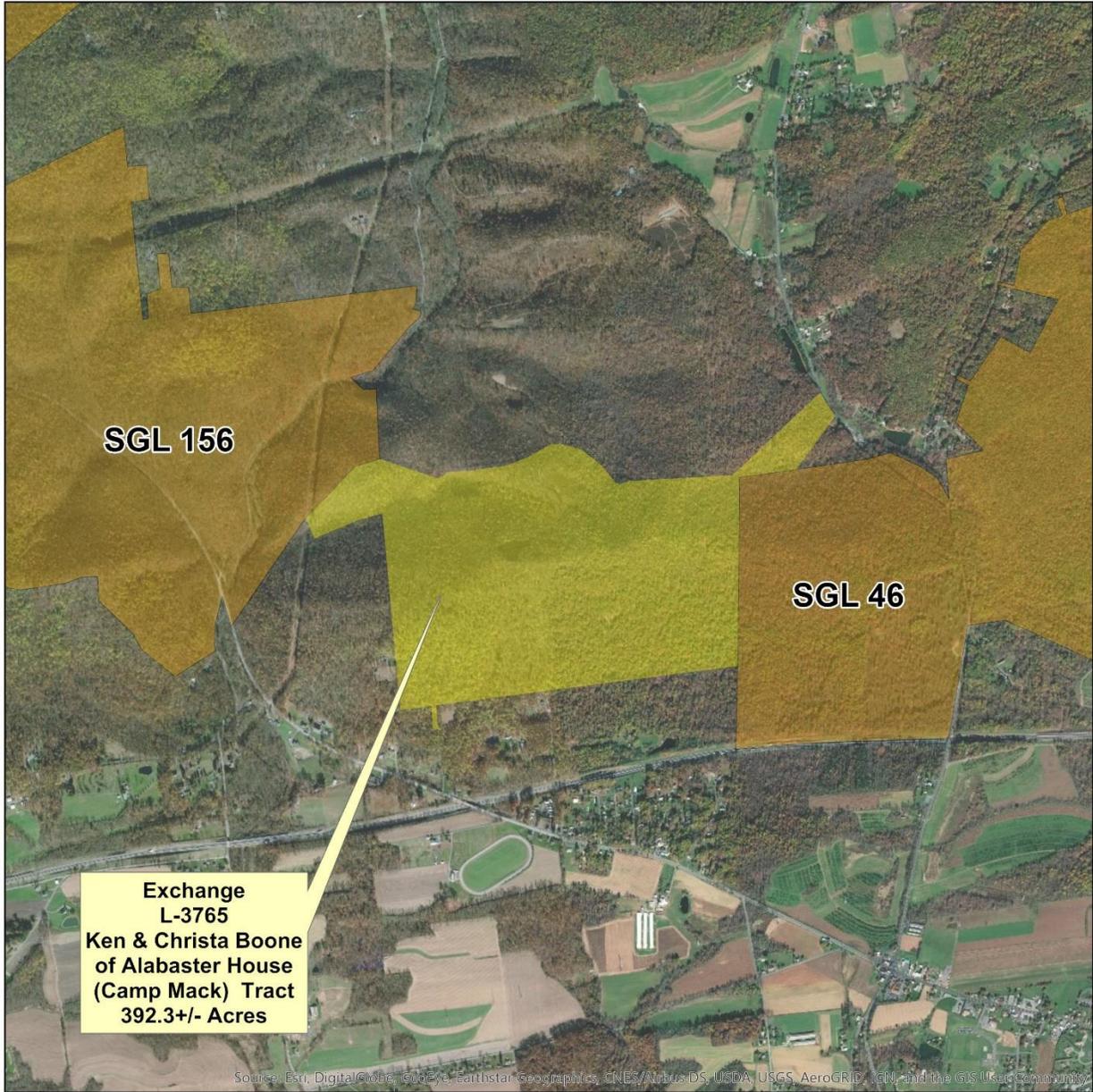


Exhibit RED 4
State Game Land No. 46 & 156

**Exchange
 L-3765
 Ken & Christa Boone
 of Alabaster House
 (Camp Mack) Tract
 392.3+/- Acres**

**Elizabeth Township
 Lancaster County
 Southeast Region**

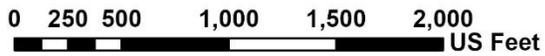
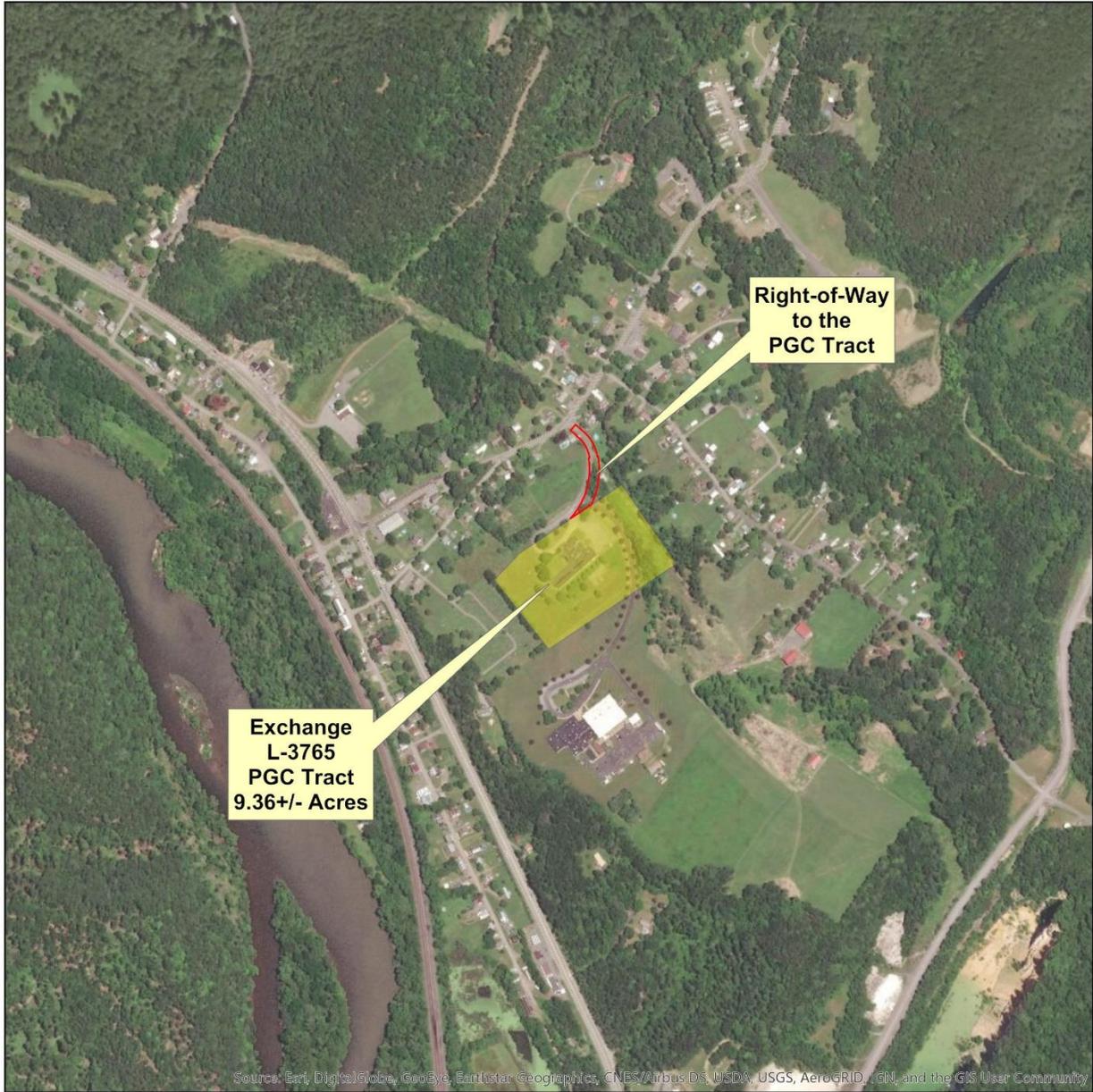


Exhibit RED 5
Auxiliary Administration Office Building

Exchange
 L-3765
 PGC Tract
 9.36+/- Acres

Brady Township
 Huntingdon County
 Southcentral Region

OTHER NEW BUSINESS

Next Commission Meeting – July 24-25, 2020 in Harrisburg, PA.

Executive Session, if necessary, will be held immediately following the close of the Commission Meeting.

Adjournment