

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION

AGENDA

HARRISBURG, PENNSYLVANIA  
April 18, 2006

A handwritten signature in black ink, appearing to read 'Carl G. Roe', is centered on the page. The signature is written in a cursive style with a large, stylized 'C' and 'R'.

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Carl G. Roe  
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 18, 2006, at 2001 Elmerton Avenue, Harrisburg, Pennsylvania beginning at 8:30 a.m.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

Thomas E. Boop, President  
Roxane S. Palone, Vice President  
Gregory J. Isabella, Secretary  
Russell E. Schleiden  
John J. Riley  
Stephen L. Mohr  
H. Daniel Hill  
David W. Schreffler

Approval of Minutes of Meeting held January 23, 2006

**ADOPTED RULE MAKING**

A. Adoption of proposed amendment to §139.4.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 4, 2005 meeting, proposed the following change:

Amend §139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2006-2007 hunting license year.

This proposed amendment was published at Pa. Bulletin, Vol. 36, No. 1, January 7, 2006.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of this amendment to 58 Pa. Code as shown on EXHIBIT "A."

Action:

**EXHIBIT "A"**

**(SEASONS AND BAG LIMITS TABLE)**

**2006-2007 OPEN HUNTING AND FUR TAKING SEASONS, DAILY LIMIT,  
FIELD POSSESSION LIMIT AND SEASON LIMIT  
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<b>Species First Day</b>	<b>Field First Day</b>	<b>Field Last Day</b>	<b>Possession Daily Limit After Limit</b>
Squirrels – (Combined species) 12 Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 7	Oct. 13	6
Squirrels – (Combined species) 12	Oct. 14	Nov. 25	6
	Dec. 11	and Dec. 23	
	Dec. 26	and Feb. 3, 2007	
Ruffed Grouse - (Statewide) 4	Oct. 14	Nov. 25	2
	Dec. 11	and Dec. 23	
	Dec. 26	and Jan. 27, 2007	
Ruffed Grouse - There is no open season for taking ruffed grouse in that portion of State Game Lands No. 176 in Centre County which is posted "RESEARCH AREA - NO GROUSE HUNTING"			
Rabbits, Cottontail 8	Oct. 21	Nov. 25	4
	Dec. 11	and Dec. 23	
	Dec. 26	and Feb. 3, 2007	

Ringneck Pheasant - Male only 4 in Wildlife Management Units 2A, 2B, 2C, 4C, 4E, 5A, 5B, 5C & 5D Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 7	Oct. 13	2
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Species First Day	Field		Possession Daily Limit After Limit
	First Day	Last Day	
Ringneck Pheasant - Male or female 4 combined in Wildlife Management Units 1A, 1B, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B & 4D Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 7	Oct. 13	2
Ringneck Pheasant - Male only 4 in Wildlife Management Units 2A, 2B, 2C, 4C, 4E, 5A, 5B, 5C & 5D	Oct. 21	Nov. 25	2
Ringneck Pheasant - Male or female 4 combined in Wildlife Management Units 1A, 1B, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B & 4D	Oct. 21  Dec. 11  Dec. 26	Nov. 25  and Dec. 23  and Feb. 3, 2007	2

Species First Day	Field		Possession Daily Limit After Limit
	First Day	Last Day	
Bobwhite Quail - The hunting 8 and taking of bobwhite quail is permitted in all Wildlife Management Units except in Wildlife Management Units 4A, 4B, 5A, 5B, 5C & 5D where the season is closed.	Oct. 21	Nov. 25	4
Hares (Snowshoe Rabbits) or 2 Varying Hares	Dec. 26	Jan. 1, 2007	1

Woodchucks (Groundhog)

No closed season except during the regular firearms deer seasons and until noon daily during the spring gobbler turkey season.

Unlimited

Species	First Day Limit	Last Day	Daily Season Limit	
Turkey - Male or Female 1			1	
Wildlife Management Units 1A & 1B (Shotgun, Bow & Arrow only)	Oct. 28	Nov. 11		
Wildlife Management Units 2A & 2B (Shotgun, Bow & Arrow only)	Oct. 28	Nov. 18		
Wildlife Management Units 2C, 2E, 4A, 4B & 4D	Oct. 28	Nov. 11		
Wildlife Management Units 2D, 2F, 2G, 3A, 3B, 3C, 3D, 4C & 4E	Oct. 28	Nov. 18		
Wildlife Management Units 5A & 5B	Closed to fall turkey hunting			
Wildlife Management Units 5C & 5D (Shotgun, Bow & Arrow only)	Oct. 28	Nov. 3		
Turkey (Spring Gobbler) Statewide <sup>5</sup> Bearded Bird only	April 28, 2007	May 26, 2007	1	2
Turkey (Spring Gobbler) Statewide Youth Hunt <sup>5</sup> 1 Bearded Bird only Eligible junior hunters only with the required license and when properly accompanied	April 21, 2007	April 21, 2007	1	

#### 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. §§ 703-711) as published in the Federal Register on or about August 27 and September 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.

Species First Day	Field		Possession Daily Limit After Limit
	First Day	Last Day	
Crows (Hunting permitted on Friday, Saturday and Sunday only)	July 1 and Dec. 29	Nov. 25  April 1, 2007	Unlimited
Starlings and English Sparrows	No closed season except during the regular firearms deer seasons and until noon daily during the spring gobbler turkey season		Unlimited

Species First Day	Field		Possession Daily Limit After Limit
	First Day	Last Day	

**FALCONRY**

Squirrels – (Combined species) 12	Sept. 1	Mar. 31, 2007	6
Quail 8	Sept. 1	Mar. 31, 2007	4
Ruffed Grouse 4	Sept. 1	Mar. 31, 2007	2
Cottontail Rabbits 8	Sept. 1	Mar. 31, 2007	4
Snowshoe or Varying Hare 2	Sept. 1	Mar. 31, 2007	1
Ringneck Pheasant - Male 4 and Female - (Combined)	Sept. 1	Mar. 31, 2007	2

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

**DEER**

**Season**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Limit</b>
Deer, Antlered & Antlerless - (Statewide) <sup>1</sup> and (Archery - Bows and Arrows Only) deer	Sept. 30	Nov. 11	One antlered an antlerless
Crossbows may be used in Wildlife required Management Units 2B, 5C and 5D license.	Dec. 26	Jan. 12, 2007	with each antlerless

**DEER - (Continued)**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
Deer, Regular Antlered & Antlerless - (Statewide) <sup>1</sup>	Nov. 27	Dec. 9	One antlered, and An antlerless deer with each required antlerless license.
Deer, Antlerless only - (Statewide) Only Junior and Senior License Holders, <sup>2</sup> PGC Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the U.S. Armed Forces, or in the U.S. Coast Guard, with required antlerless license	Oct. 19	Oct. 21	An antlerless deer with each required antlerless license.
Deer, Antlerless only - (Statewide) (Muzzleloading season)	Oct. 14	Oct. 21	An antlerless deer with each required antlerless license.
Deer, Antlered or Antlerless - (Statewide) <sup>1</sup> (Flintlock Muzzleloading season)  antlerless  required	Dec. 26	Jan. 13, 2007	One antlered, or one antlerless-plus an additional  deer with each  antlerless license.
Deer, Antlerless Wildlife Management Unit 2B	Dec. 26	Jan. 13, 2007	An antlerless deer with each required antlerless license.
Deer, Antlerless Wildlife Management Units 5C & 5D	Dec. 11  Dec. 26	Dec. 23 and Jan. 27, 2007	An antlerless deer with each required antlerless license.
Deer, Antlerless (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.

**BEAR**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Season Limit</b>	<b>Limit</b>
Bear, any age - (Bows and Arrows only) <sup>4</sup> 1 Wildlife Management Units 2C, 2D, 2E, 2F, 2G, 3A, 4A, 4B & 4D	Nov. 15	Nov. 16	1	
Bear, any age - (Statewide) <sup>4</sup> 1	Nov. 20	Nov. 22	1	
Bear, any age <sup>4</sup> 1 Wildlife Management Units 3B, 3C, 3D, 4C & 4E	Nov. 27	Dec. 2	1	
Bear, any age <sup>4</sup> 1 Rockview Prison	Nov. 27	Dec. 2	1	

**ELK**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Season Limit</b>	<b>Limit</b>
Elk, Antlered & Antlerless <sup>6</sup> 1 (With each required license)	Nov. 6	Nov. 11	1	
Elk, Antlered & Antlerless <sup>6</sup> 1 (With each required license)	Sept. 17, 2007	Sept. 22, 2007	1	

**FUR TAKING - TRAPPING**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Season Limit</b>	<b>Limit</b>
Minks and Muskrats - (Statewide)	Nov. 18	Jan. 6, 2007		Unlimited
Beaver - (Statewide)	Dec. 26	Mar. 31, 2007		
Wildlife Management Units 2E, 2F & 2G (Combined) 20			20	

Wildlife Management Units 1A, 1B, 3A, 3B, 3C & 3D (Combined) 40	20
Wildlife Management Units 2A, 2B, 2C, 2D, 4A, 4B, 4C, 4D, 4E, 5A, 5B, 5C & 5D (Combined) 10	10

**FUR TAKING – TRAPPING (Continued)**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
Coyotes, Foxes, Opossums, Raccoons, Skunks, Weasels - (Statewide)	Oct. 22	Feb. 17, 2007		Unlimited
Coyotes & Foxes - (Statewide) (Cable restraint devices may be used)	Jan. 1	Feb. 17, 2007		Unlimited
Bobcat <sup>3</sup> Wildlife Management Units 2C, 2E, 2F, 2G, 3A, 3B, 3C & 3D	Oct. 22	Feb. 17, 2007	1	1

**FUR TAKING - HUNTING**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
Coyotes - (Statewide)				Unlimited
Coyotes - (During any archery deer season)				Outside of any deer or bear season may be taken with a hunting license or a furtaker's license and without wearing orange.
Coyotes - (During the regular firearms deer season and any bear season)				May be taken while lawfully hunting deer or with a furtaker's license.
Coyotes - (During the spring gobbler turkey season)				May be taken while lawfully hunting deer or bear or with a furtaker's license while wearing 250 square inches of daylight fluorescent orange-colored material in a 360 degree arc.
Opossums, Skunks, Weasels <sup>7</sup> (Statewide)				May be taken by persons who have a valid tag and meet fluorescent orange and shot size requirements.
Raccoons and Foxes - (Statewide) <sup>7</sup>	Oct. 21	Feb. 17, 2007		Unlimited
Bobcat <sup>3</sup> Wildlife Management Units 2C, 2E, 2F, 2G, 3A, 3B, 3C & 3D	Oct. 21	Feb. 17, 2007	1	1

No open seasons on other wild birds or wild mammals.

<sup>1</sup>Only one antlered deer (buck) may be taken during the hunting license year.

<sup>2</sup>Includes persons 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).

<sup>3</sup>Bobcat may only be taken by furtakers in possession of a Bobcat Hunting-Trapping Permit and may not be taken during the regular antlered and antlerless deer season from 1/2 hour before sunrise to sunset.

<sup>4</sup>Only one bear may be taken during the hunting license year.

<sup>5</sup>Second spring gobbler may only be taken by persons who possess a valid special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees).

<sup>6</sup>Only one elk may be taken during the hunting license year.

<sup>7</sup>May not be taken during the regular antlered and antlerless deer season from 1/2 hour before sunrise to sunset.

B. Adoption of proposed amendments to §§147.552-147.554.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its January 24 2006, meeting, proposed the following changes:

Amend §§147.552-147.554 (relating to application; permit; and subpermit) to modify the public access, signage posting and subpermit issuance requirements for Agricultural Deer Control Permit permittees in Wildlife Management Units 5C & 5D.

These proposed amendments were published at Pa. Bulletin, Vol. 36, No. 12, March 25, 2006.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of these amendments to 58 Pa. Code as shown on EXHIBIT "B."

Action:

**EXHIBIT "B"**

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

AGRICULTURE

§147.552. Application.

\* \* \* \* \*

(b) Except in wildlife management units 5C and 5D, applications will only be accepted from persons who have been enrolled in one of the Commission public access programs (Farm Game Project or Safety Zone – P.1-2-3) for a minimum of 2 years and are currently enrolled in the Program.

\* \* \* \* \*

§147.553. Permit.

The deer control permit authorizes the permittee to enlist the aid of a limited number of subpermits. The maximum number of subpermits issued will be no more than one for every 5 acres of land that is under cultivation unless the wildlife conservation officer recommends an increase in the number due to warranted circumstances.

\* \* \* \* \*

(3) Posting. Except in wildlife management units 5C and 5D, deer control permit signs provided by the Commission shall be conspicuously posted on the boundary of and along all public roadways traversing the property by the landowner/cooperator on all contiguous acres of the farm under agreement. Posting shall be completed prior to February 1.

\* \* \* \* \*

§147.554. Subpermit.

The permittee may acquire from the Commission subpermits, not to exceed the number provided for in §147.553 (relating to permit), to be issued to qualified individuals of the permittee's choosing for the purpose of removing deer from the permittee's property by shooting. There is no fee charged for the subpermit. Qualifications are as follows:

\* \* \* \* \*

(3) A permittee may not issue more than one subpermit to a person to take deer on the permittee's land enrolled in the Agricultural Deer Control Program, except in wildlife management units 5C and 5D, where a permittee may not issue more than two subpermits to a person.

C. Adoption of proposed amendment to §141.18.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its January 24, 2006 meeting, proposed the following change:

Amend §141.18 (relating to permitted devices) to specifically permit the use of electronic devices used for locating dogs while hunting or training, including such devices as e-collars, radio-telemetry dog tracking systems and beeper collars.

This proposed amendment was published at Pa. Bulletin, Vol. 36, No. 12, March 25, 2006.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of this amendment to 58 Pa. Code as shown on EXHIBIT "C."

Action:

**EXHIBIT "C"**

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§141.18. Permitted devices.

The following devices may be used to hunt or take wildlife:

\* \* \* \* \*

(3) Electronic devices used for locating dogs while training or hunting, including such devices as e-collars, radio-telemetry dog tracking systems and beeper collars.

D. Adoption of proposed amendments to §§131.2 and 141.41.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its January 24, 2006 meeting, proposed the following changes:

Amend §§131.2 and 141.41 (relating to definitions; and general) to define and implement the use of the atlatl and dart during any firearms deer season.

These proposed amendments were published at Pa. Bulletin, Vol. 36, No. 14, April 1, 2006.

Recommendation: The Executive Director and staff do not recommend FINAL ADOPTION of these amendments to 58 Pa. Code as shown on EXHIBIT "D."

Action:

**EXHIBIT "D"**

**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:

\* \* \* \* \*

Atlatl – A 15 to 30 inch board or rod-like device with a handle at the aft end and a projection (as a hook or thong to hold a dart in place until released) at the fore end, used for propelling a dart by increasing the mechanical advantage of the user’s forward arm motion. This device derives its propulsive energy solely from the forward motion of the user’s arm and the bending and recovery of the dart. The energy used to propel the dart may not be derived from any other source.

\* \* \* \* \*

Dart – A flexible projectile propelled by an atlatl with an overall length between 5 and 8 feet, fletching at the aft end (designed only for guidance) and a broadhead mounted at the fore end. No electronic device may be part of or attached to the dart. No device, material or system capable of causing damage or injury to the animal in excess of that inflicted by the cutting edges of the broadhead may be part of or attached to any dart.

\* \* \* \* \*

**CHAPTER 141. HUNTING AND TRAPPING**

**Subchapter C. BIG GAME**

§141.41. General.

- (a) Permitted acts. It is lawful to take:

\* \* \* \* \*

- (4) Deer with an atlatl and dart during any firearms season for deer.

\* \* \* \* \*

## PROPOSED RULE MAKING

E. Amend 58 Pa. Code, Chapter 141, by adding Subchapter M, §§143.241-143.247.

Commentary:

Due to today's complex society, family structure changes and the competing interests youths have to choose from, it is difficult for our sporting men and women to introduce youngsters to the joys of hunting. On December 22, 2005, Governor Rendell signed into law House Bill 1690 to provide a way to better combat these challenges. In effect, this statutory amendment authorized the Pennsylvania Game Commission to create, define and implement a concept aptly named the Mentored Youth Hunting Program (MYHP).

The mission of the MYHP is simple and clear...create expanded youth hunting opportunities while maintaining safety afield. The MYHP provides youngsters a chance to develop the love of hunting early and allow that passion to grow as they do. The MYHP promotes the culture and development of the type of one-on-one training, and hands on experience that will help protect our hunting future as well as increase hunting safety through the intimate counseling provided by dedicated Mentors. Youths who might otherwise never experience hunting will now have the chance to taste the thrills of past generations as they carry this Commonwealth's hunting heritage into our future. The MYHP may not benefit all youths, however, it does provide a vehicle into the hunting fraternity for many youngsters whose parent(s) feel are mentally, emotionally and physically ready for the rigors of hunting.

It was only with the dedicated assistance of various sportsmen's organizations that the MYHP was even possible. Indeed, the MYHP concept was initially developed and promoted by the determination of organizations such as the National Wild Turkey Federation, Pennsylvania Federation of Sportsmen's Clubs, United Bowhunters of Pennsylvania, Central Counties Concerned Sportsmen, National Rifle Association, Quality Deer Management Association, Rocky Mountain Elk Foundation, Big Bothers/Big Sisters Pass It On Program and U.S. Sportsmen's Alliance.

In a world in which everyone seems to have less and less time, and we never seem to place the proper value on the truly important things, there can be no greater way to instill values, provide the ideal time and place to teach conservation, respect, ethics and responsibilities that that we all have as caretakers of our streams and forests, than by adopting the MYHP in Pennsylvania.

CHAPTER 141. HUNTING AND FURTKER LICENSES

Subchapter M. MENTORED YOUTH HUNTING PROGRAM LICENSE  
EXEMPTION

Sec.

143.241. Purpose and scope.

143.242. Definitions.

143.243. General.

143.244. Safety.

143.245. Liability.

143.246. Unlawful acts.

143.247. Penalties.

§143.241.          Purpose and scope.

(a)          The purpose of this subchapter is to define and implement the Mentored Youth Hunting Program.

(b)          The Mentored Youth Hunting Program is intended to provide mentors who are dedicated to promoting and sharing Pennsylvania's hunting heritage with interested youths, the opportunity to provide these younger unlicensed youths with one-on-one, hands-on experience and in-field training on the mechanical, ethical, safety, responsibility and enjoyment aspects of the hunting experience.

§143.242.          Definitions.

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

         Lawful hunting device – Any firearm or implement that is lawful to be possessed during the current season and used to harvest the particular species hunted.

         Mentor – A licensed person, 21 years of age or older who is serving as a trusted counselor to a mentored youth while engaged in hunting or related activities.

         Mentored youth – An unlicensed person, less than 12 years of age who is accompanied by a mentor while engaged in hunting or related activities.

         Stationary – The state or condition where a person is still, fixed in place or static, indicated by a cessation of all forward, backward or lateral movement, whether in the standing, kneeling, sitting or prone position.

§143.243. General.

(a) A mentor must 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 youth hunting activities.

(b) A mentored youth's hunting eligibility is restricted to the following species: squirrel, woodchuck and wild turkey (spring gobbler season only).

(c) A mentored youth's hunting eligibility is further constrained by all 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).

(d) A mentored youth is eligible to hunt during any special youth hunting seasons that apply to any species specified in paragraph (b) above.

(e) A mentored youth must tag and report all big game harvested in the manner provided for in section 2323(b) of the act (relating to killings by persons without license).

§143.244. Safety.

While engaged in mentored youth hunting activities:

(1) A mentored youth must be stationary and within arms reach of the mentor (subject to his or her immediate control) at all times while in possession of any lawful hunting device.

(2) A mentor may not accompany more than one youth (including junior hunters) at any given time.

(3) A mentor and mentored youth may not collectively possess more than one lawful hunting device at any given time.

(4) A mentor and mentored youth shall both comply with section 2524 of the act (relating to protective material required) and with any regulations promulgated by the Commission relating to protective material.

§143.245. Liability.

A mentor is responsible and accountable for all actions of the mentored youth occurring while engaged in mentored youth hunting activities. A mentor who causes or allows a mentored youth to engage in an unlawful act shall be punishable as the principal offender as provided in section 924 of the act (relating to liability for actions of others) or with any regulations promulgated by the Commission.

§143.246. Unlawful acts.

It is unlawful while engaged in mentored youth hunting activities for:

(1) A mentor not to 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).

(2) A mentor to permit a mentored youth to possess any lawful hunting device except while in a stationary position and within arms reach of the mentor.

(3) A mentor to permit a mentored youth to take or attempt to take any species of game or wildlife not otherwise authorized by this subchapter.

(4) A mentor to accompany more than one youth (including junior hunters) at any given time.

(5) A mentor or mentored youth to collectively possess more than one lawful hunting device at any given time.

(6) A mentor or mentored youth to fail to comply with section 2524 of the act (relating to protective material required) or any regulations promulgated by the Commission relating to protective material.

(7) A mentor or mentored youth to violate any other provision of this subchapter.

§143.247. Penalties.

A person violating this subchapter shall, upon conviction, be sentenced to pay the fine prescribed in the act.

Recommendation:

The Executive Director and staff recommend the Commission approve this new subchapter.

Action:

F. Amend 58 Pa. Code, §131.6.

**Commentary: On September 30, 2003, Pennsylvania’s Driving Under the Influence (DUI) statutes were substantially modified and relocated from 75 Pa. C.S. §3731 to 75 Pa. C.S. §3801 *et seq.* Despite staff’s awareness of the amendment, 58 Pa. Code 131.6 was never formally amended to reflect the changes to the DUI statutes. In an effort to finally correct the inaccurate reference and citation in 58 Pa. Code 131.6 to the proper, current DUI provisions, staff recommends the following minor housekeeping amendment. This amendment does not expand Wildlife Conservation Officer enforcement authority relating to police powers.**

CHAPTER 131. PRELIMINARY PROVISIONS

§131.6. Administration of police powers by wildlife conservation officers.

\* \* \* \* \*

(c) Violations. A wildlife conservation officer may, subject to the limitations in subsections (a) and (b), act only in cases of violations of the following provisions:

\* \* \* \* \*

(3) Title 75 of the Pennsylvania Consolidated Statutes [~~§§3731, 3732, 3735 and 3742~~] §§3732, 3735, 3742 and 3801 et seq.

\* \* \* \* \*

**Recommendation:** The Executive Director and staff recommend the Commission approve this change.

**Action:**

G. Amend 58 Pa. Code, §135.107.

Commentary: Since September goose hunting was initiated the resident Canada goose population on and in the vicinity of the Middle Creek Wildlife Management Area has declined dramatically. As added evidence of the population decline, hunter success rates in the controlled area at Middle Creek have dropped from 57 percent in 1996 to 16 percent in 2005. The Commission staff believes that it is absolutely necessary to reduce the harvest of resident geese at the Middle Creek Wildlife Management Area to sustain and recover Canada goose populations in the area and preserve the quality of the waterfowl hunting experience in the controlled management area.

An interdisciplinary group has met and recommended several administrative and regulatory changes to reduce goose harvests and improve hunting on the controlled area at Middle Creek. Enhanced hunter education and changes in the management of hunting blinds on the area will be part of the changes implemented for the 2006 season. Also recommended was a reduction from 4 to 3 days in the number of waterfowl shooting days at Middle Creek, eliminating Mondays. This can be accomplished by amending 58 Pa. Code, §137.107(a)(4) as outlined below.

## CHAPTER 135. LANDS AND BUILDINGS

### Subchapter F. SPECIAL WILDLIFE MANAGEMENT AREAS

§135.107. Middle Creek Wildlife Management Area.

(a) In addition to §§135.2 and 135.41 (relating to unlawful actions; and State game lands) and this subchapter, the following pertain to the Middle Creek Wildlife Management Area:

\* \* \* \* \*

(4) Waterfowl hunting is permitted on [~~Monday,~~] Tuesday, Thursday and Saturday. Starting times conform [~~with~~] to State and Federal regulations. Shooting ends at 1:30 p.m.

\* \* \* \* \*

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

H. Amend 58 Pa. Code, §141.4.

Commentary: Amend this section to reflect the annual change in days and subsequent shooting times. This also reflects the new daylight savings time, which starts on March 11, 2007.

## CHAPTER 141. HUNTING AND TRAPPING

### Subchapter A. GENERAL

§141.4. Hunting hours.

During open hunting seasons, wild birds and animals may be taken 1/2 hour before sunrise to sunset unless further restricted.

\* \* \* \* \*

(See Pennsylvania Meridian Map and Table of Hunting Hours)

\* \* \* \* \*

**TABLE OF HUNTING HOURS**  
**[FOR JUNE 26, 2005 THROUGH JULY 1, 2006]**  
**FOR JUNE 25, 2006 THROUGH JUNE 30, 2007**

Dates	Begin a.m.	End p.m.	Dates	Begin a.m.	End p.m.
<u>June 25 - July 1</u>	<u>5:05</u>	<u>8:33</u>	<u>Dec. 31 - Jan. 6</u>	<u>6:53</u>	<u>4:47</u>
<u>July 2 - July 8</u>	<u>5:10</u>	<u>8:32</u>	<u>Jan. 7 - Jan. 13</u>	<u>6:51</u>	<u>4:54</u>
<u>July 9 - July 15</u>	<u>5:15</u>	<u>8:28</u>	<u>Jan. 14 - Jan. 20</u>	<u>6:50</u>	<u>5:00</u>
<u>July 16 - July 22</u>	<u>5:20</u>	<u>8:24</u>	<u>Jan. 21 - Jan. 27</u>	<u>6:46</u>	<u>5:10</u>
<u>July 23 - July 29</u>	<u>5:26</u>	<u>8:17</u>	<u>Jan. 28 - Feb. 3</u>	<u>6:40</u>	<u>5:18</u>
<u>July 30 - Aug. 5</u>	<u>5:33</u>	<u>8:10</u>	<u>Feb. 4 - Feb. 10</u>	<u>6:35</u>	<u>5:25</u>
<u>Aug. 6 - Aug. 12</u>	<u>5:40</u>	<u>8:00</u>	<u>Feb. 11 - Feb. 17</u>	<u>6:27</u>	<u>5:35</u>
<u>Aug. 13 - Aug. 19</u>	<u>5:46</u>	<u>7:52</u>	<u>Feb. 18 - Feb. 24</u>	<u>6:20</u>	<u>5:43</u>
<u>Aug. 20 - Aug. 26</u>	<u>5:53</u>	<u>7:40</u>	<u>Feb. 25 - Mar. 3</u>	<u>6:10</u>	<u>5:50</u>
<u>Aug. 27 - Sept. 2</u>	<u>6:00</u>	<u>7:30</u>	<u>Mar. 4 - Mar. 10</u>	<u>5:59</u>	<u>5:58</u>
<u>Sept. 3 - Sept. 9</u>	<u>6:06</u>	<u>7:19</u>	<u>Mar. 11 - Mar. 17</u>	<u>6:48</u>	<u>7:04</u>
<u>Sept. 10 - Sept. 16</u>	<u>6:13</u>	<u>7:08</u>	<u>Mar. 18 - Mar. 24</u>	<u>6:37</u>	<u>7:14</u>
<u>Sept. 17 - Sept. 23</u>	<u>6:20</u>	<u>6:55</u>	<u>Mar. 25 - Mar. 31</u>	<u>6:26</u>	<u>7:20</u>
<u>Sept. 24 - Sept. 30</u>	<u>6:26</u>	<u>6:45</u>	<u>Apr. 1 - Apr. 7</u>	<u>6:13</u>	<u>7:28</u>
<u>Oct. 1 - Oct. 7</u>	<u>6:34</u>	<u>6:33</u>	<u>Apr. 8 - Apr. 14</u>	<u>6:00</u>	<u>7:35</u>
<u>Oct. 8 - Oct. 14</u>	<u>6:41</u>	<u>6:23</u>	<u>Apr. 15 - Apr. 21</u>	<u>5:53</u>	<u>7:40</u>
<u>Oct. 15 - Oct. 21</u>	<u>6:50</u>	<u>6:12</u>	<u>Apr. 22 - Apr. 28</u>	<u>5:43</u>	<u>7:49</u>
<u>Oct. 22 - Oct. 28</u>	<u>6:56</u>	<u>6:03</u>	<u>Apr. 29 - May 5</u>	<u>5:33</u>	<u>7:55</u>
<u>Oct. 29 - Nov. 4</u>	<u>6:03</u>	<u>4:55</u>	<u>May 6 - May 12</u>	<u>5:25</u>	<u>8:00</u>
<u>Nov. 5 - Nov. 11</u>	<u>6:12</u>	<u>4:48</u>	<u>May 13 - May 19</u>	<u>5:17</u>	<u>8:08</u>
<u>Nov. 12 - Nov. 18</u>	<u>6:20</u>	<u>4:42</u>	<u>May 20 - May 26</u>	<u>5:11</u>	<u>8:15</u>
<u>Nov. 19 - Nov. 25</u>	<u>6:28</u>	<u>4:38</u>	<u>May 27 - June 2</u>	<u>5:06</u>	<u>8:20</u>
<u>Nov. 26 - Dec. 2</u>	<u>6:35</u>	<u>4:36</u>	<u>June 3 - June 9</u>	<u>5:03</u>	<u>8:25</u>
<u>Dec. 3 - Dec. 9</u>	<u>6:42</u>	<u>4:35</u>	<u>June 10 - June 16</u>	<u>5:01</u>	<u>8:30</u>
<u>Dec. 10 - Dec. 16</u>	<u>6:47</u>	<u>4:36</u>	<u>June 17 - June 23</u>	<u>5:01</u>	<u>8:32</u>
<u>Dec. 17 - Dec. 23</u>	<u>6:50</u>	<u>4:38</u>	<u>June 24 - June 30</u>	<u>5:03</u>	<u>8:34</u>
<u>Dec. 24 - Dec. 30</u>	<u>6:52</u>	<u>4:42</u>			

Recommendation:

The Executive Director and staff recommend the Commission approve this change.

Action:

- I. Hunting License Revocations - Convictions - Proposed recommendations to revoke the hunting and furtaking privileges of the individuals convicted of violating the Game and Wildlife Code.

Commentary:

The Commission, under authority of the Game and Wildlife Code, may revoke any hunting license and furtaker's license and deny any person the right to secure a license or to hunt and furtake anywhere in the Commonwealth, with or without a license, if said licensee or person has been convicted, or signed an acknowledgment of violating any provision of the Game and Wildlife Code. The Commission may revoke such licenses for a period of not to exceed three (3) years for the first offense; for a second or subsequent offense, for such period of time as the Commission shall determine.

1. Persons denied the right to hunt or furtake in the Commonwealth, through this action, are notified by Certified Mail that the revocation will commence July 1, 2006, and continue for such period of time as set forth following the individual's name. The symbol "RA" means the revocation was added to an existing revocation.
2. In accordance with the Administrative Agency Law of April 28, 1978, P.L. 202, No. 53 5, 2 PA CSA 502 et seq., the person placed on revocation has the opportunity for an Administrative Hearing concerning the hunting license revocation. If an Administrative Hearing is requested, a petition for review must be filed at the Commission Headquarters within thirty (30) days from the date of notice. Unless deemed in the best interest of the Commission by the Director or a designee, hearings shall be conducted at the central office. Hearings will be conducted in accordance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code 31.1 et seq. The hearing itself will be conducted in accordance with Chapter 35 of the Rules and Chapter 145 of the Pa. Code.

Recommendation:

The Executive Director and the Law Enforcement Director recommend that the Commission revoke the hunting and furtaking license privileges of the persons named by the BUREAU OF LAW ENFORCEMENT. Such revocation shall become effective July 1, 2006, and shall continue for such period of time and under the conditions set forth following each individual's name.

Action:

**BUREAU OF LAND MANAGEMENT**

REAL ESTATE

A. Acquisition

Commentary:

1. Option No. 4069                      48 +/- acres of land in Albany Township, Berks County, adjoining State Game Lands No. 106 (Exhibit LM1). The option is subject to a timber reservation with regard to an ongoing timber operation pursuant to a plan worked out with the Southeast Regional Forester. The option price is \$48,000 lump sum to be paid from monies escrowed from a coal lease to Ladnar, Inc. on State Game Lands No. 264.
  
2. Option No. 4070                      221 +/- acres of coal and minerals in Monroe Township, Bradford County, underlying State Game Lands No. 36 (Exhibit LM2). The option price is \$3,400 lump sum.

Recommendation:

The Executive Director and staff recommend the options listed above be accepted and the Commission authorize the Bureau of Land Management to proceed with the acquisition of these tracts.

Action:



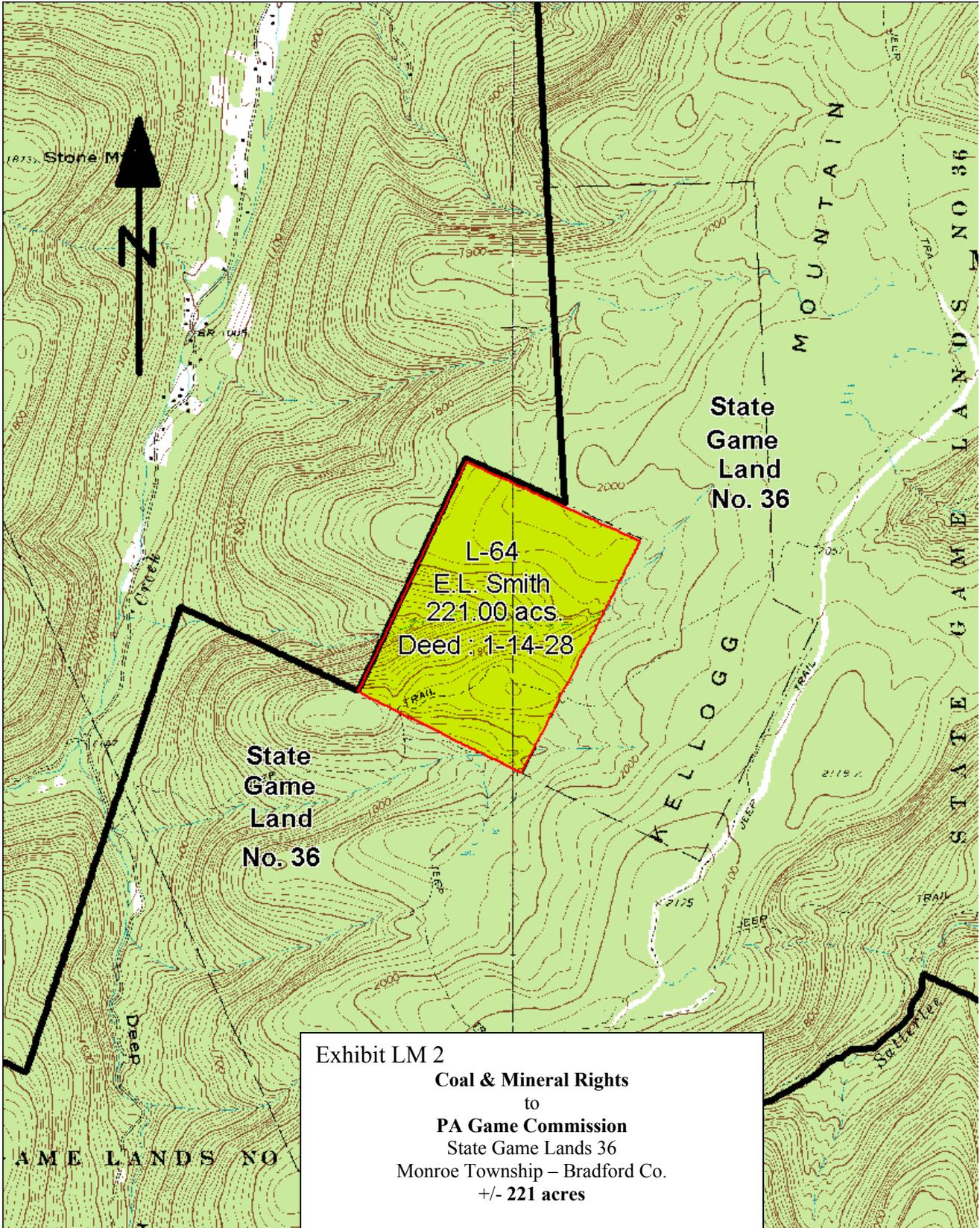


Exhibit LM 2  
**Coal & Mineral Rights**  
 to  
**PA Game Commission**  
 State Game Lands 36  
 Monroe Township – Bradford Co.  
 +/- 221 acres

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B. Land Exchange

State Game Lands No. 79, Jackson Township, Cambria County

Commentary: Jackson Township Water Authority has agreed to a land exchange involving a right of way 3,000 feet long and 20 feet wide across a portion of State Game Lands No. 79 situate in Jackson Township, Cambria County (Exhibit LM3).

In exchange, Jackson Township Water Authority will cause to be conveyed a tract of land totaling 3.0 acres, more or less in Jackson Township, Cambria County, (also shown on Exhibit LM3). This exchange straightens the boundary line.

The staff has reviewed this proposal and has determined it to be of equal or greater value for the benefit of wildlife.

Recommendation: The Executive Director and staff recommend this land exchange be approved and the Commission authorize the Bureau of Land Management to proceed with the exchange as listed above.

Action:



## OIL & GAS

### C. Surface Mining Coal Lease Amendment

State Game Lands No. 75, Pine Township, Lycoming County

#### Commentary:

Fisher Mining Company of Montoursville, PA seeks to amend its existing 159 acre lease (Tract 075A-04) by adding 27.3 acres of additional mining area to the lease (Exhibit OGM1).

The proposed amendment will allow Fisher Mining Company to remove an additional estimated total of 249,858 tons of coal from the leased premises. This amendment, if approved, will allow Fisher Mining Company to remove coal from two separate areas that are adjacent to the existing mining areas of Fisher's leases. The proposed amended mining area consist of a 14 acre area and a 13.3 acre area. The 13.3 acre area is currently under Fisher Mining's existing 075A-04 lease and is designated as mining support area. The 14 acre area includes approximately 2.5 acres currently under lease and an additional 11.5 acres of new lease area. No additional acreage will be required for support areas under this proposal. All proposed mining areas have already been reviewed and approved in accordance with the Pennsylvania Department of Environmental Protection's surface mining regulations.

As part of the mine reclamation plan, Fisher Mining will complete a stream enhancement project on the Right Fork of Otter Run and construct wetland complexes in order to enhance existing terrestrial and aquatic wildlife habitats. The mining and reclamation plan will consist of leaving a coal barrier in place, adding a minimum of 1,200 tons/acre of alkaline addition material on the pit floor, and constructing an infiltration basin to release alkaline water into an acid impaired receiving stream. The project is directed towards increasing the overall alkalinity of the Right Fork of Otter Run to induce natural trout reproduction.

The accumulated coal royalty value of the proposed additional mining has been estimated to be \$763,216 which will be paid in full to the Commission upon the final execution of the lease amendment. All coal royalty payments being paid directly into the Commission's Game Fund. All merchantable timber which is cut, and/or impacted by this mining operation, will be assessed by the Commission's Northcentral Regional forestry staff, and payments owed to the Commission will be made in strict accordance with the existing terms and conditions of the original lease. All other terms of the current lease will remain unchanged.

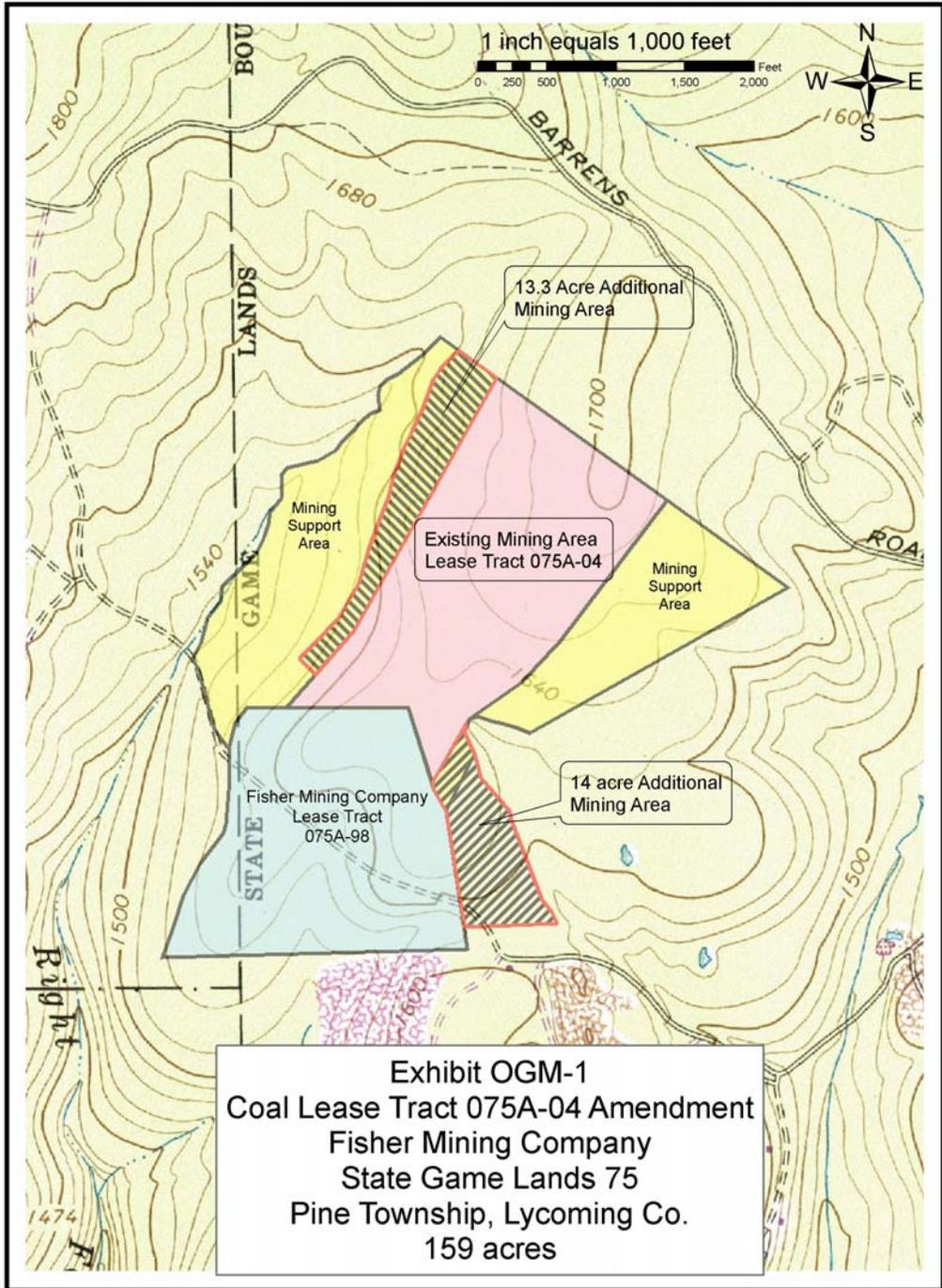
Mining will be regulated by the Commonwealth's Surface Mining Regulations and the Commission's existing mining lease agreement.

The staff has reviewed this proposal and has determined the stream enhancement, in conjunction with the advanced coal royalty schedule and timber value, to be equal to or greater than the total accumulated coal lease value.

#### Recommendation:

The Executive Director and staff recommend this Coal Mining lease amendment be approved and the Commission authorize the Bureau of Land Management to proceed with the leasing arrangement as listed above.

#### Action:



**Business**

Time and Place for Next Meeting – The Game and Wildlife Code requires the June meeting to be held in Harrisburg. Does the Commission wish to proceed with the date of June 5 and 6, 2006 for this meeting?

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

**Adjournment**