



State Representative Scott Hutchinson's

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Special Report for Hunting and Fishing



SPORTSMEN'S web links

Pennsylvania Game
Commission
www.pgc.state.pa.us

Fish and Boat Commission
www.fish.state.pa.us

Department of Conservation
and Natural Resources
www.dcnr.state.pa.us

U.S. Fish and Wildlife Service
www.fws.gov

National Rifle Association
www.nra.org

Legislation Furthering Second Amendment Rights Signed into Law

'Castle Doctrine' reinforces individual's right to defend themselves against intruders

Legislation I co-sponsored permitting law-abiding citizens to use force, including deadly force, against an attacker in their homes and any places outside their home or occupied vehicle has been signed into law.

This legislation, commonly known as the Castle Doctrine, better clarifies the use of deadly force in defense of self and others within an individual's residence or occupied vehicle. It creates in law a presumption that an attacker or intruder intends to do great bodily harm, and therefore force, including deadly force, may be used to protect oneself, one's family and others in the face of an attack while at home or in an occupied vehicle. The presumption also applies if a person is trying to unlawfully remove an occupant, against the occupant's will, from a home or vehicle.

The presumption would not apply if the person entering a home was:

- Another resident of the home.
- A law enforcement officer.
- A parent, grandparent or other guardian removing a child from the home or vehicle.

Also, the presumption would not apply if a person was using their home or vehicle to further criminal activity. This law does not endorse or sanction unlawful aggression, nor does it apply if the person entering your home is another resident or a law enforcement officer.

The legislation also offers specific protection against civil liability for the lawful use of force in self-defense.

The governor signed the Castle Doctrine into law as Act 10 of 2011 on June 28.

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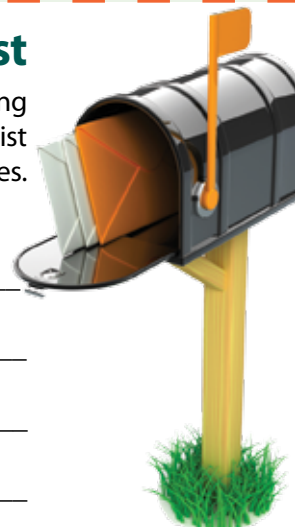
If you are interested in receiving my hunting and fishing newsletter, please provide your name and mailing address in the space provided below, and return this card in the mail. Your name will be added to the mailing list and you will receive any future mailings that will provide you with an update on issues related to outdoor activities. Thank you for your interest and support!

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www.RepHutchinson.com

New Law Increases Penalties for Boating Under the Influence

A new state law increases the legal penalty for a homicide caused by someone operating a watercraft while under the influence of drugs or alcohol.

Act 33 of 2011 brings the penalty for drunken boating that results in a homicide in line with the penalties for vehicular homicides caused by drivers who are under the influence of drugs or alcohol.

The new law changes the penalty for homicide by watercraft while under the influence from a third-degree felony to a second-degree felony.

The legislation was signed into law on July 7.

Game Code Violations, Poaching Law Penalties Increase

Under Act 54 of 2010, fines and penalties for a number of Game and Wildlife Code violations significantly increased.

Fines for illegally killing game or wildlife; knowingly, intentionally or recklessly attempting, aiding, abetting, or conspiring in the killing of wildlife; illegally selling game or animal parts; and trespassing while hunting are all also increased. Fines and jail time for violations increase, as does the duration of suspensions, denials and revocations of licenses.

Mentored Youth Hunting Legislation Signed Into Law

On June 24, legislation creating a mentored youth hunting program was signed into law as Act 9 of 2011.

The law permits the Pennsylvania Game Commission to enact regulations for a Mentored Youth Hunting Program (MYHP). This includes allowing the transfer of certain tags or permits from a licensed mentor hunter to a youth hunter participating in the MYHP.

The law limits young hunters to one antlerless deer license in each license year. Also, the law reduces the age requirement for an individual to receive a falconry permit was reduced from 16 to 12 years of age.

The MYHP was created in 2006 to expand youth hunting opportunities and promote hunting safety for hunters under the age of 12. The goal is to instill a love of the outdoors, to increase interest in hunting and to provide hunting experience at an early age.

2010-11 Deer Harvest

According to the Pennsylvania Game Commission, hunters harvested an estimated 316,240 deer in the state's 2010-11 seasons, an increase of 2 percent from the previous seasons, when the harvest was 308,920.

Hunters took 122,930 antlered deer in the 2010-11 seasons, an increase of 13 percent from the previous license year's harvest of 108,330. Also, hunters harvested 193,310 antlerless deer in 2010-11, which is a decrease of 4 percent from the 200,590 antlerless deer taken in 2009-10.

Deer Herd Management Court Case Dismissed

A court case brought by the Unified Sportsmen of Pennsylvania against the Pennsylvania Game Commission has been dismissed by Commonwealth Court. The suit alleged mismanagement of the deer herd. The decision by Senior Judge Barry F. Feudale was handed down Feb. 8.

For the past decade, the Game Commission was working to stabilize the number of deer so that it aligned with the available habitat.

The opinion said the case was unfounded, without expert testimony to back up mismanagement claims, and concluded that the state's deer population was not below sustainable levels, as the lawsuit suggested. The opinion recognized that deer management is discretionary, not an exact science.



Game Land Shooting Range Permits Required



As of April 1, the Game Commission will be requiring users of state game land shooting ranges to possess either a valid Pennsylvania hunting or furtaker license or purchase a Game Commission-issued range permit, which will cost \$30 per year for residents and nonresidents.

The Game Commission has made numerous improvements to its 29 state game land shooting ranges, such as lead remediation, safety barrier reconstruction, shooting range redesign and related projects.

Persons 16 years of age and younger properly accompanied by a licensed or permitted person 18 years of age or older are exempt from the range permit requirement, and each licensed hunter or range permit holder can have one guest. For the first year, permits will be effective from April 1, 2011, until June 30, 2012. After the first year, each permit issued will be valid from July 1 until June 30.

Permits will be available through the commission's website at pgc.state.pa.us.

Following the purchase, which will require payment by credit or debit cards, a down-loadable permit will be provided and can be printed on a home computer. Permits will also be sold by credit card only at the Game Commission headquarters in Harrisburg and in the commission's six regional offices.

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