

## LEGISLATURE OF PENNSYLVANIA.

## FILE OF THE HOUSE OF REPRESENTATIVES.

No.

771

Session of  
1919.

INTRODUCED BY MR. STARK, MARCH 4, 1919.

REFERRED TO COMMITTEE ON FISHERIES, MARCH 5, 1919.

## AN ACT

To amend an act approved the twenty-eighth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and fifteen) entitled "An act to revise amend and consolidate the law relating to fish and providing penalties"

1 Section 1 *Be it enacted by the Senate and House of Repre-*  
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*  
3 *met and it is hereby enacted by the authority of the same* That  
4 clause (c) of section fifteen of the act approved the  
5 twenty-eighth day of July one thousand nine hundred sev-  
6 enteen (Pamphlet Laws one thousand two hundred fifteen)  
7 entitled "An act to revise amend and consolidate the law  
8 relating to fish and providing penalties" which reads as  
9 follows

10 "(c) Small and large mouth bass rock bass white  
11 bass crappie strawberry or calico bass from the thirty-  
12 first day of December to the thirtieth day of June next

1/ following both dates inclusive" is hereby amended to read  
2 as follows

3 (c) Small and large mouth bass rock bass white bass  
4 crappie strawberry or calico bass from the thirty-first day  
5 of December to the first day of June next following  
6 both dates inclusive

7 Section 2 That clause (d) of section fifteen of said  
8 act which reads as follows

9 "(d) Pike-perch otherwise called wall-eyed pike or Sus-  
10 quehanna salmon from the thirty-first day of December to  
11 the thirtieth day of June next following both dates in-  
12 clusive" is hereby amended to read as follows

13 (d) Pike-perch otherwise called wall-eyed pike or Sus-  
14 quehanna salmon from the thirty-first day of January to  
15 the thirtieth day of June next following both dates in-  
16 clusive

17 Section 3 That clause (e) of section fifteen of said  
18 act which reads as follows

19 "(e) Pickerel from the thirty-first day of December to  
20 the thirtieth day of June next following both dates in-  
21 clusive" is hereby amended to read as follows

22 (e) Pickerel from the thirty-first day of January to  
23 the thirtieth day of June next following both dates in-  
24 clusive

25 Section 4 That clause (a) of section forty-five of said  
26 act which reads as follows

27 "(a) Game fish a single rod and line or one hand  
28 line with not more than three hooks attached" is hereby  
29 amended to read as follows

1 (a) Game fish a single rod and line or one hand  
2 line with not more than three hooks attached Pickereel  
3 and yellow perch may be caught through the ice by use  
4 of tip-ups The total of either pickereel or yellow perch  
5 or both together which may be taken by one fisherman  
6 in any one day shall not exceed twenty pounds in weight

7 Section 5 That clause (b) of section forty-five of said  
8 act which reads as follows

9 "(b) Food-fish rods and lines or one hand line with  
10 not more than three hooks attached The rods and lines  
11 and the handline must be under the immediate control of  
12 the person using the same" is hereby amended to read as  
13 follows

14 (b). Food-fish rods and lines or one handline with  
15 not more than three hooks attached or burr hooks hav-  
16 ing not more than four hook points

17 Suckers cat-fish carp and eels may be taken with  
18 fish baskets as provided in section fifty of this act Eels  
19 may be taken also with set lines Each set line shall  
20 have attached thereto a card or label bearing in legible  
21 form the name and address of the owner thereof In  
22 waters and streams not inhabited by brook or other trout  
23 it shall be lawful to kill carp suckers mullets and eels  
24 by means of a gig or spear having a space of not  
25 less than one-half inch between the prongs from May  
26 first to October thirty-first inclusive in each year

27 The rods and lines except set lines must be under  
28 the immediate control of the person using the same

1 Section 6 That article six of said act is hereby  
2 amended by adding thereto the following section

3 Section 50 (a) The bottom of the fish basket as pro-  
4 vided for in section forty-five of this act shall be made  
5 of wooden slats set not less than three-eighths of an inch  
6 apart when wet and having the edges of each slat well  
7 rounded These slats shall be arranged to make possible  
8 the removal of at least three-fourths of the bottom of  
9 any basket that could be used for fishing at that time  
10 and the same shall be actually removed from said basket  
11 or so adjusted as to make the catching of a fish by  
12 said basket an impossibility during that part of each  
13 day beginning at one hour after sunrise and continuing  
14 to one hour before sunset unless said fish basket be  
15 under the immediate care and supervision of an operator  
16 who shall be responsible for each and every game-fish  
17 taken through the use of said basket and retained or  
18 permitted to have been so taken and retained Each and  
19 every game-fish that may come into any basket thus oper-  
20 ated shall be immediately released unharmed into the  
21 waters below said basket

22 (b) Before any person shall be legally entitled to  
23 operate a fish basket under the provisions of this act he  
24 shall be required to secure a license authorizing such  
25 action Said license shall be issued by the treasurer of  
26 the county in which such person proposes to operate upon  
27 payment of the sum of five dollars fifty cents of which  
28 shall belong to the county treasurer for services rendered  
29 and the remaining four dollars and fifty cents shall be-

1 long to and be forwarded to the Department of Fisheries  
2 at Harrisburg on or before the first day of the next  
3 month following the date of such license together with a  
4 copy of the license issued

5 (c) Each fish basket operated under the provisions of  
6 this act shall bear the number of the certificate issued  
7 to the owner thereof in black or white figures of not  
8 less than 12 inches in length painted or fastened upon  
9 each side of said basket in a conspicuous place

10 (d) Said basket may be operated at any time from  
11 the fifteenth day of August to the first day of Decem-  
12 ber next following by any person or persons under the  
13 direction of the owner thereof who shall for the pur-  
14 poses of this act be in all instances the person named  
15 in said license and such owner shall be responsible for  
16 any violation of any fish law of this Commonwealth  
17 through or by the use of such basket and shall on or  
18 before the first day of December following the date of  
19 such license issued to him make affidavit in writing and  
20 forward the same to the Department of Fisheries at Har-  
21 risburg clearly setting forth the fact that he has not  
22 since the date of the license to him either taken or  
23 permitted another to take and retain a game fish of any  
24 kind through or by or with the use of said basket

25 (e) Any owner of a fish basket who may know of  
26 a violation of any fish law of this Commonwealth by  
27 another person through the use of his fish basket shall  
28 be exonerated of all personal liability for such offense if

1 he within one week of the commission of such violation  
2 notify the Department of Fisheries of such fact and  
3 testify against the offender in case such person is prose-  
4 cuted by said department

5 (f) The operator of any fish basket who may elect  
6 the fish his basket during the interval between one hour  
7 after sun rise and one hour before sunset shall not leave  
8 the same unattended for a period of more than one hour  
9 while it is set for fishing during such period