

No. 511

AN ACT

To amend the act, approved the second day of May, one thousand nine hundred twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, by changing the method of issuance of licenses, and making further provisions for records and returns thereof.

Section 1. Be it enacted, &c., That section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as last amended by the act, approved the nineteenth day of June, one thousand nine hundred thirty-five (Pamphlet Laws, three hundred forty-nine), and the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand one hundred forty-five), is hereby further amended to read as follows:

Section 220. Resident Fishing License Fees.—For the purposes of this article, every person sixteen years of age and upward, upon application to any [county treasurer] *issuing agent* within the Commonwealth, or to the Department of Revenue, and, [the presentation of proof] *upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book, letters, lodge cards, police cards, a motor vehicle operator's permit, or some other positive means of identification*, that he has been a bona fide resident of this Commonwealth for a period of [thirty] *sixty* days *next* preceding his application and was born in the United States, and, in the case of naturalized foreign-born residents, the production of such applicant's naturalization papers shall, upon the payment to the [county treasurer] *issuing agent* or the Department of Revenue of a license fee of one dollar and fifty cents (\$1.50) for the use of the Commonwealth, and, in the event that the license is issued by [the county treasurer] *an issuing agent*, a fee of ten cents (10c) for the use of the [county treasurer] *issuing agent*, be entitled to the license herein referred to as "a resident fishing license."

In case the license certificate is lost or destroyed, a duplicate can be secured from the [county treasurer or the department] *Department of Revenue* by making affidavit to that effect. In case the button is lost or destroyed the licensee can make a duplicate, but in

Section 220, act of May 2, 1925 (P. L. 448), as amended by act of June 19, 1935 (P. L. 349), and act of July 17, 1935 (P. L. 1145), further amended.

Application required.

Requirements in order to secure a license.

Amount of license fee.

case both the license certificate and the button are lost or destroyed, a new license and button must be purchased.

Application for privilege to use an eel chute.

Amount of license fee.

Use of chutes limited to specified districts.

Section 221, as amended by act of July 17, 1935 (P. L. 1145), further amended.

Upon the making of an application by any person to the [department or county treasurer] *Department of Revenue* for a special license to catch eels by the use and operation of eel chutes, and the payment of a fee of one dollar (\$1.00) for the use of the Commonwealth, [and ten cents for the use of the county treasurer where application is made to him] such person shall be entitled to a special eel chute license, and a special metal tag, which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch, below the bridge at the Northumberland-Lycoming County line on the west branch, in the Juniata River below Mount Union, and in the Delaware River below Easton, in accordance with the provisions of this act.

Section 2. That section two hundred twenty-one of the said act, as last amended by the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand one hundred forty-five), is hereby further amended to read as follows:

Section 221. Non-resident and Alien Non-resident Fishing License Fees; Tourist Fishing License Fees for Non-residents and Alien Non-residents.—A. For the purposes of this article, every person, twelve years of age and upward, upon application to any [county treasurer] *issuing agent* within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a non-resident of this Commonwealth but a citizen of the United States, and, in the case of naturalized foreign-born non-residents, the production of such applicant's naturalization papers, shall, upon the payment to the [county treasurer] *issuing agent* or the [department] *Department of Revenue* of the same amount as is charged and received from non-residents by the State of which the applicant is a resident for a similar license (not, however, less in any case than two dollars and fifty cents (\$2.50) and, in the event that the license is issued by [a county treasurer] *an issuing agent*, the payment of ten cents (10c) for the use of the [county treasurer] *issuing agent*, be entitled to the license herein referred to as a "non-resident fishing license."

B. For the purposes of this article, every person, twelve years of age and upward, upon application to any [county treasurer] *issuing agent* within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a non-resident of the Commonwealth but a citizen of the United States, and,

in the case of naturalized foreign-born [non-resident] *non-residents*, the production of such applicant's naturalization papers, shall, upon the payment to the [county treasurer] *issuing agent* or the [department] *Department of Revenue* of a license fee of one dollar and fifty cents (\$1.50) for the use of the Commonwealth, and, in the event that the license is issued by [a county treasurer] *an issuing agent*, a fee of ten cents (10c) for the use of the [county treasurer] *issuing agent*, be entitled to the license herein referred to as a "tourist fishing license" which shall be valid for a period of three days.

Section 3. That section two hundred twenty-three of the said act, as amended by the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, four hundred fifty-one), is hereby further amended to read as follows:

Section 223, as amended by act of April 9, 1929 (P. L. 451), further amended.

Section 223. [County Treasurer's] *Issuing Agent's Record*.—Every [county treasurer] *issuing agent* of this Commonwealth shall keep, [in a book to be] *on a printed form* supplied by the Department of Revenue, [at the cost of the Commonwealth] a correct and complete record of all resident and non-resident fishing licenses issued by him. Every [county treasurer] *issuing agent* shall cause to be entered [in] *on* such [book] *printed form* at the close of each week, the name and place of residence of each individual to whom a license shall have been issued that week. Such [book] *printed form* shall be [open] *available* at reasonable hours [to] *for* the inspection of any officer of the Commonwealth whose duty it is by law to protect the fish in the waters of this Commonwealth or in the waters bounding or adjacent thereto, [to] *or of* any representative of the Department of Revenue, or [to] *of* any representative of the Department of the Auditor General.

Section 4. That section two hundred twenty-four of the said act, as last amended by the act, approved the seventh day of May, one thousand nine hundred thirty-five (Pamphlet Laws, one hundred fifty), is hereby further amended to read as follows:

Section 224, as last amended by act of May 7, 1935 (P. L. 150), further amended.

Section 224. [Monthly] *Weekly Returns of Licenses Issued by [County Treasurer] Issuing Agents*.—Every [county treasurer] *issuing agent* of this Commonwealth shall each [month] *week* forward to the Department of Revenue a complete list of the resident and non-resident licenses granted, with the names and addresses of the licensees, on [blanks] *forms* to be furnished by the [department at the cost of the Commonwealth] *Department of Revenue*.

Section 5. That section two hundred twenty-five of the said act, as amended by the act, approved the ninth day of April, one thousand nine hundred twenty-nine

Section 225, as amended by act of April 9, 1929 (P. L. 451), further amended.

(Pamphlet Laws, four hundred fifty-one), is hereby further amended to read as follows:

Section 225. [County Treasurer] *Issuing Agent to Be Agent of the Commonwealth; [Monthly] Weekly Payment to State Treasurer; Duplicate Report.*—The [county treasurers of] *issuing agents* in the several counties shall be agents of the Commonwealth for the collection of said license fees, unless and until the Department of Revenue shall determine, with the approval of the Governor, to issue all of said licenses directly: *Provided, That the Department of Revenue may recall the appointment of any agent at any time with or without cause, and shall recall the appointment of any agent, either upon receipt of evidence that such agent has not complied with the requirements of this act, or upon receipt of a recommendation from the Commissioner of Fisheries that such agent be recalled because of carelessness in the issuance of licenses.* For services rendered in collecting and paying over the said fees the said *issuing agents*, as long as they continue to act in that capacity, shall be allowed to retain the sum of ten cents (10c) for each resident and non-resident fishing license, which amount shall be full compensation for services rendered by them under the provisions of this act. Such compensation shall be [disposed of] *retained* by the respective [county treasurers as may now or hereafter be provided by law] *issuing agents, said compensation to cover, among other things, the cost of issuing licenses, postage, mailing, returns, and bonding of said agents.*

All license fees, except said [treasurer's] *agent's* fees, paid to [a county treasurer] *an issuing agent* under this act shall be by such [treasurer] *agent* paid into the State Treasury, through the Department of Revenue, at least once a [month] *week*, to be applied to the purposes hereinafter provided. Such [county treasurer] *issuing agent* shall make a return to the Department of Revenue, upon a form to be supplied by the [department at the cost of the Commonwealth] *Department of Revenue*, and shall in all such cases forward a duplicate of such report to the [department] *Commissioner of Fisheries* at Harrisburg.

Every agent designated to issue fishing licenses, unless already under bond to the Commonwealth in connection with public funds, shall give bond to the Commonwealth in the sum of one thousand dollars (\$1,000) before the annual supply of licenses is delivered to him.

Section 6. That section two hundred twenty-seven of the said act is hereby amended to read as follows:

Section 227. Loan and Transfer of License Prohibited; False Information.—No person shall alter, loan, or transfer any license authorized by this act nor give

any false or misleading information to the [county treasurer] *issuing agents* or to the [Commissioner, his] *Department of Revenue, its officers, or agents* in the application therefor.

Section 7. All acts or parts of acts inconsistent with the provisions hereof are hereby repealed.

Inconsistent acts repealed.

Section 8. This act shall become effective immediately upon its final enactment.

When effective.

APPROVED—The 1st day of July, A. D. 1937.

GEORGE H. EARLE

No. 512

AN ACT

Providing for the reciprocal enforcement of violations of the fishing laws in boundary waters between Pennsylvania and the States of New York and New Jersey.

Section 1. Be it enacted, &c., That if and when the State of New York shall enact a similar law for the arrest and punishment of violations of the conservation or fish laws of this Commonwealth or the State of New York, committed or attempted to be committed by any person or persons fishing in that portion of the Delaware River lying between such states, any game protector, fish warden or other person of either state who is authorized to make arrests for violations of the conservation or fish laws of such states shall have power and authority to make arrests on any part of such river between such states or the shores thereof, and to take the person or persons so arrested for trial to the state in which the violation was committed, and there to prosecute such person or persons according to the laws of such state.

If State of New York enacts similar law.

Game officials of either state authorized to make arrests on any part of river lying between the States.

Trial in the state where the violation committed.

Section 2. If and when the State of New Jersey shall enact a similar law for the arrest and punishment of violations of the conservation or fish laws of this Commonwealth or the State of New Jersey, committed or attempted to be committed by any person or persons fishing in that portion of the Delaware River lying between such states, any game protector, fish warden or other person of either state who is authorized to make arrests for violation of the conservation or fish laws of such states shall have power and authority to make arrests on any part of such river between such states or the shores thereof, and to take the person or persons so arrested for trial to the state in which the violation was committed, and there to prosecute such person or persons according to the laws of such state.

If State of New Jersey enacts similar law, provisions of section one apply.