

## No. 149

## AN ACT

Amending the act of May two, one thousand nine hundred twenty-five (Pamphlet Laws 448), 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," providing for licensing of fee-fishing ponds and lakes; regulating the operation thereof and fishing therein; and prescribing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 2, act of May 2, 1925, P. L. 448, amended.

Section 1. Section two, act of May two, one thousand nine hundred twenty-five (Pamphlet Laws 448), known as "The Fish Law of one thousand nine hundred and twenty-five," is amended to read:

Short Title: "The Fish Law of 1925".

Section 2. Short Title. This act shall be known and may be cited as "The Fish Law of [one thousand nine hundred and twenty-five] 1925."

Act of May 2, 1925, P. L. 448, amended by adding section 12.1.

Section 2. The act is amended by adding, after section twelve, a new section to read:

*Section 12.1. Fee-Fishing Lake Defined. The term "fee-fishing lake," as used in this chapter, means any artificial or man made pond or lake owned, leased or controlled in any manner by any individual, association or corporation, where fishing is permitted for payment of a fee, and in which all fish stocked are artificially propagated by commercial hatcheries, or purchased from persons licensed to sell fish.*

Chapter II, act of May 2, 1925, P. L. 448, amended by adding Article VII, sections 59, 59.1, 59.2, 59.3, 59.4 and 59.5.

Section 3. Chapter II of the act is amended by adding, at the end thereof, a new article to read:

## CHAPTER II

## FISHING REGULATIONS APPLYING TO INLAND WATERS

*Article VII**Fee-Fishing Lakes*

*Section 59. Licenses. The Pennsylvania Fish Commission (hereafter referred to in this article as the commission) shall, upon application therefor accompanied by a license fee of twenty-five (\$25) dollars, issue a fee-fishing lake license, effective from the first day of April to the thirty-first day of March, to the owner, lessee or person controlling in any manner a fee-fishing lake. The licenses may be renewed each year.*

*Section 59.1. Exemption from Limitations. The provisions of sections twenty and twenty-one of this act shall not apply to fee-fishing lakes stocked with fish from commercial hatcheries or licensed fisheries, nor to persons fishing in or fish caught in such lakes.*

*Section 59.2. Permits and Bills of Sale. The owner or person in charge of any fee-fishing lake shall, during closed seasons for any species of fish, issue consecutively numbered permits or bills of sale to all fishermen catching or taking that species of fish from the fee-fishing lake. The permit or bill of sale shall be valid only on the date of issue. The permits or bills of sale shall be made in duplicate, and one copy shall be kept on file by the issuer for inspection by the commission or any persons designated by it. Each fisherman, while in possession of such fish, shall have in his possession the permit or bill of sale relative thereto, and shall produce it upon demand by proper authority.*

*All permits or bills of sale shall contain the following information:*

*(1) Name, location and license number of the fee-fishing lake.*

*(2) Fishing license number of the fisherman.*

*(3) Number of fish of the species for which the season is closed.*

*(4) Date of issue.*

*Section 59.3. Files. Any person, owning or operating a fee-fishing lake, shall keep on file for inspection by the commission, or any person designated by it, all bills of sale received by the owner or operator for purchases of fish made for the purpose of stocking the fee-fishing lake.*

*Section 59.4. Fishermen to Possess Licenses. Any fisherman patronizing a fee-fishing lake shall have in possession a valid fishing license issued pursuant to sections two hundred twenty or two hundred twenty-one of this act.*

*Section 59.5. Penalty. Except as herein otherwise provided, any owner or operator of a fee-fishing lake, who operates the lake without a license as herein provided for, or who violates any of the provisions of this act, shall, upon conviction thereof, in a summary proceeding, be sentenced to pay a fine of one hundred (\$100) dollars.*

*In addition thereto, for any second or subsequent violation, the owner's or operator's fee-fishing lake license may be revoked for one (1) year, at the discretion of the commission. For the purpose of enabling the imposition of the penalty of revocation of any license authorized by this section, any magistrate, alderman, or justice of the peace, imposing a penalty in a summary proceeding pursuant to this section, shall report the imposition of such penalty to the commission.*

*Section 4. This act shall take effect immediately, and any person who makes application during the year one thousand nine hundred fifty-five to the commission,*

**Act effective immediately.**

accompanied by the prescribed fee of twenty-five (\$25) dollars for a fee-fishing lake license in respect to a lake or pond qualified under this article for the license, may, from that date, operate the fee-fishing lake without the license until the license is received or up to March thirty-one, one thousand nine hundred fifty-six.

APPROVED—The 7th day of September, A. D. 1955.

GEORGE M. LEADER

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No. 150

AN ACT

Amending the act of March ten, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," requiring payment of money withheld from State appropriations to pay default in rent to the State Public School Building Authority.

"Public School Code of 1949".

Section 785, act of March 10, 1949, P. L. 30, added May 9, 1949, P. L. 1017, further amended.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section seven hundred eighty-five, act of March ten, one thousand nine hundred forty-nine (Pamphlet Laws 30), known as the "Public School Code of 1949," added May nine, one thousand nine hundred forty-nine (Pamphlet Laws 1017), is amended to read:

Section 785. Failure to Pay Rent; Withholding Appropriation.—In all cases [where an audit under the direction of the State Superintendent of Public Instruction reveals that] *where* the board of directors of any school district [has failed] *fails* to pay or to provide for the payment of any rental or rentals due the State Public School Building Authority for any period in accordance with the terms of any lease entered into under the terms of [these amendments] *subdivision (f) of this article, upon written notice thereof from the Authority*, the State Superintendent of Public Instruction shall notify such board of school directors of its obligation and shall withhold out of any State appropriation due such school district an amount equal to the amount of the rental or rentals owing by such school district to the State Public School Building Authority and [may] *shall* pay over the amount so withheld to the Authority *in payment of the rental*.

Section 2. This act shall take effect immediately.

APPROVED—The 7th day of September, A. D. 1955.

GEORGE M. LEADER

Act effective immediately.