

No. 1977-3

AN ACT

HB 91

Amending the act of December 15, 1959 (P.L.1779, No.673), entitled, as amended, "An act relating to fish, frogs, tadpoles and turtles; 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," permitting temporary obstruction of fishways.

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

Section 1. The act of December 15, 1959 (P.L.1779, No.673), known as "The Fish Law of 1959," is amended by adding a section to read:

Section 194.1. Temporary Obstructions to Fishways.—After giving written notice to the Commission, an organized sportsmen's club that has been in existence for a period of one year or more may obstruct the passage of fish for a period not exceeding forty-eight hours. The temporary obstructions shall be for the purpose of conducting fish rodeos whose primary objective is to encourage fishing by children. Such obstructions shall not be erected more than two times a year within a distance of one mile from any other similar obstruction on the same stream or body of water. The obstructions, of a distance not exceeding one-half mile of another such obstruction, shall be erected in such a manner that fish will normally not be injured by the obstruction.

Section 2. Section 195 of the act is amended to read:

Section 195. Penalty for Preventing Migration of Fish.—[No] Except as provided in section 194.1, no person shall place any device or object in the waters within this Commonwealth in such a manner as to obstruct the migration or passage of fish therein or to obstruct any fishway. Any person violating the provisions of this section shall, on conviction as provided in chapter 14, be sentenced to pay a fine of one hundred dollars (\$100.00).

Section 3. This act shall take effect immediately.

APPROVED—The 1st day of June, A. D. 1977.

MILTON J. SHAPP