

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 836 Session of  
2007

INTRODUCED BY MCILHINNEY, FONTANA, WOZNIAK, FOLMER, BRUBAKER,  
WONDERLING, TOMLINSON AND EARLL, MAY 4, 2007

REFERRED TO GAME AND FISHERIES, MAY 4, 2007

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated  
2 Statutes, further providing for one-day tourist licenses, for  
3 one-day resident fishing licenses, for issuing agents and for  
4 license, permit and issuing agent fees.

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

7 Section 1. Sections 2702(d), 2702.1(b), 2711 and 2715(a) and  
8 (a.1) of Title 30 of the Pennsylvania Consolidated Statutes are  
9 amended to read:

10 § 2702. Nonresident and tourist licenses.

11 \* \* \*

12 (d) One-day tourist licenses.--Any person required to have a  
13 fishing license under this chapter may fish in any of the waters  
14 of this Commonwealth or in any boundary waters for a period not  
15 to exceed 24 hours, specified by the person at time of purchase,  
16 with a "One-Day Tourist Fishing License" upon payment of license  
17 fee and issuing agent fee as set forth in section 2715. One-Day  
18 Tourist Fishing Licenses shall not be issued for fishing during

1 the period from [April 1] March 15 to April 30 of any year.

2 Holders of One-Day Tourist Fishing Licenses shall not be  
3 required to obtain special permits, including trout/salmon  
4 permits to fish for trout or salmon or special permits to fish  
5 in Lake Erie and tributaries.

6 § 2702.1. One-day resident fishing license.

7 \* \* \*

8 (b) Limitation on issue.--One-Day Resident Fishing Licenses  
9 shall not be issued for fishing during the period from [April 1]  
10 March 15 to April 30 of any year.

11 \* \* \*

12 § 2711. Issuing agents.

13 (a) Appointment and bond.--The commission may appoint such  
14 persons as it deems necessary to issue fishing licenses and  
15 permits, and the persons so appointed shall be required to post  
16 a bond or other security in a form satisfactory to the  
17 commission in an amount it determines. The commission may  
18 establish administrative fees for fishing license issuing  
19 agents. County treasurers [and issuing agents active on or  
20 before January 1, 2000,] shall be exempt from payment of any  
21 administrative fee established by the commission.

22 (b) Compensation and fees.--For services rendered in  
23 collecting and [paying over license] submitting license and  
24 permit fees, issuing agents, as long as they continue to act in  
25 that capacity, may collect and retain the issuing agent fees set  
26 forth in section 2715 (relating to license, permit and issuing  
27 agent fees), which amount shall be full compensation for  
28 services rendered by them under the provisions of this title.  
29 The compensation shall be retained by the respective issuing  
30 agents and shall cover, among other things, the cost of issuing

1 licenses, special licenses and permits, postage, mailing,  
2 returns and bonding of said agents. All license, special license  
3 and permit fees paid to an issuing agent under this title shall  
4 be paid by those agents into the State Treasury for deposit in  
5 the Fish Fund [through the commission at least once a month] in  
6 the manner prescribed by the commission and they shall be  
7 applied to the purposes provided for in this title. An issuing  
8 agent shall make [a return] returns to the commission [upon a  
9 form to be supplied] in the manner prescribed by the commission.  
10 Any issuing agent failing to comply with any of the provisions  
11 of this section shall not be entitled to retain the fee fixed in  
12 this subsection for the agent's services but shall pay those  
13 fees to the State Treasurer for deposit in the Fish Fund.  
14 Delinquent agents are subject to a penalty of 10% per month on  
15 any outstanding balance of license money due the commission,  
16 which penalty shall be compounded on a monthly basis. If those  
17 sums are not so paid, the Commonwealth may recover them by suit  
18 in the same manner as like amounts are now recoverable by law.  
19 [The commission may recall the agency of any agent after a  
20 delinquency period of 30 days.]

21 (c) Rules and regulations.--The commission may promulgate  
22 such rules and regulations to control and supervise the issuance  
23 of fishing licenses and permits and the collection and  
24 remittance of fees set forth in section 2715(a) and (a.1) by  
25 issuing agents and institutional superintendents as it may deem  
26 necessary.

27 (d) Proof of identification, residency and age.--Each  
28 issuing agent shall secure positive proof of identification,  
29 residency and age for each license issued.

30 (e) Records.--Every issuing agent shall [keep on a printed

1 form supplied by the commission a correct and complete record of  
2 all fishing licenses issued.] maintain records in the manner  
3 prescribed by the commission. The records shall be available at  
4 reasonable hours for inspection by any waterways conservation  
5 officer or other officer designated by the commission or any  
6 representative of the Department of the Auditor General. [Every  
7 issuing agent shall each month forward to the commission a  
8 complete record of all licenses granted on forms to be furnished  
9 by the commission.]

10 (e.1) Equipment.--Equipment for the issuance of fishing  
11 licenses and permits in the possession of issuing agents shall  
12 be available at reasonable hours for inspection by any waterways  
13 conservation officer or other officer designated by the  
14 commission.

15 (f) Penalty.--Any issuing agent or institutional  
16 superintendent violating subsection (b) commits a summary  
17 offense of the first degree. Any issuing agent or institutional  
18 superintendent committing a second or subsequent violation of  
19 subsection (b) in a twelve-month period commits a misdemeanor of  
20 the second degree. Any issuing agent or institutional  
21 superintendent violating any other provision of this section or  
22 the rules or regulations promulgated thereunder commits a  
23 summary offense of the [third] second degree. The commission  
24 may, in its discretion, recall the issuing agency of any agent  
25 who violates any provision of this section or the rules and  
26 regulations promulgated thereunder.

27 § 2715. License, permit and issuing agent fees.

28 (a) License fees.--The following fees apply to fishing  
29 licenses issued under this chapter and shall be paid into the  
30 Fish Fund:

- (1) Resident Annual Fishing License, \$21.
  - (2) Senior Resident Annual Fishing License, \$10.
  - (3) Senior Resident Lifetime Fishing License, \$50.
  - (4) Nonresident Annual Fishing License, \$51.
  - (5) Seven-Day Tourist Fishing License, \$33.
  - (6) Three-Day Tourist Fishing License, \$25.
  - (6.1) One-Day Resident Fishing License, \$10.
  - (6.2) One-Day Tourist Fishing License, \$25.
  - (7) Replacement Fishing License, [\$4.25.] including related permits and privileges, \$5.
  - (8) Transaction costs associated with the Pennsylvania Automated Licensing Service (PALS), actual.
- (a.1) Permit fees.--Except as otherwise provided in this title, the following fees apply to permits related to fish and fishing and shall be paid into the Fish Fund:
- (1) Trout/salmon permits, \$8.
  - (2) Resident charter boat/fishing guide permit, \$100.
  - (3) Nonresident charter boat/fishing guide permit, \$400.
  - (4) Special permit to fish in Lake Erie and tributaries, \$8.
  - (5) Combination trout/salmon permit and Lake Erie permit, \$14.
  - (6) Transaction costs associated with the Pennsylvania Automated Licensing Service (PALS), actual.

\* \* \*

Section 2. This act shall take effect in 60 days.