

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1863 Session of
1979

INTRODUCED BY HALVERSON, HELFRICK, LETTERMAN AND CALTAGIRONE,
OCTOBER 17, 1979

REFERRED TO COMMITTEE ON GAME AND FISHERIES, OCTOBER 17, 1979

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," further providing for
21 powers of waterways patrolmen.

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

24 Section 1. Section 2706, act of April 9, 1929, (P.L.177,
25 No.175), known as "The Administrative Code of 1929," amended
26 April 25, 1949 (P.L.729, No.180), is amended to read:

27 Section 2706. Powers of Fish Wardens.--Every member of the

1 Pennsylvania Fish Commission, every fish warden, and every
2 special fish warden shall have power:

3 (a) To enforce all the laws of the Commonwealth relating to
4 fish;

5 (b) To execute all warrants and search warrants for the
6 violation of the fish laws;

7 (c) To serve subpoenas issued for the examination,
8 investigation, and trial of all offenses against the laws
9 relating to fish;

10 (d) To carry firearms, or other weapons, in the performance
11 of his duties, and to stop or halt, by pointing or discharging
12 firearms, any person violating or believed to be violating any
13 of the laws of the Commonwealth the enforcement of which is
14 charged to such officers, and any such officer shall at all
15 times be privileged to protect himself in the performance of his
16 duty;

17 (e) To search, without warrant, any boat, conveyance,
18 vehicle, fish-box, bag, coat, basket, or other receptacle for
19 fish, when he has reason to believe that any provision of any
20 law of this Commonwealth relating to fish has been violated;

21 (f) To seize and take possession of any and all fish which
22 may have been caught, taken, or killed at any time, in any
23 manner, or for any purpose, or had in possession, or under
24 control, or which have been shipped or are about to be shipped,
25 contrary to the laws of this Commonwealth. Fish so seized shall
26 be disposed of in any manner as the Executive Director of the
27 Commission may direct;

28 (g) To enter upon any land or water in the performance of
29 his duty;

30 (h) To demand and secure proper assistance in case of

1 emergency;

2 (i) To purchase fish for the purpose of securing evidence;

3 (j) To use a flashing or rotating red light to carry out
4 their duties under this act. The light may be carried by hand or
5 attached to a vehicle of the Commonwealth, marked as such, on a
6 street or highway in the Commonwealth which light is visible in
7 any direction. The type of light to be used and the manner of
8 any attachment to a vehicle shall be prescribed by the
9 commission.

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