

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1595

Session of
1979

INTRODUCED BY D. M. O'BRIEN, SALVATORE, PERZEL, McKELVEY, ROCKS,
GRUPPO, SIEMINSKI AND McVERRY, JUNE 28, 1979

REFERRED TO COMMITTEE ON GAME AND FISHERIES, JUNE 29, 1979

AN ACT

1 Amending the act of December 15, 1959 (P.L.1779, No.673),
2 entitled, as amended, "An act relating to fish, frogs,
3 tadpoles and turtles; and amending, revising, consolidating
4 and changing the law relating to fish in the inland waters
5 and the boundary lakes and boundary rivers of the
6 Commonwealth," permitting certain persons in the military
7 service to fish without a license.

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

10 Section 1. Section 226, act of December 15, 1959 (P.L.1779,
11 No.673), known as "The Fish Law of 1959," amended August 14,
12 1963 (P.L.1055, No.458), and June 26, 1975 (P.L.28, No.12), is
13 amended to read:

14 Section 226. Unlawful to Fish without License.--No person
15 shall angle or fish in any of the waters within or bounding on
16 or adjacent to this Commonwealth without first securing the
17 proper license certificate as provided for by this act. Such
18 license shall be kept about the person while fishing and shown
19 upon the request of any waterways patrolman or other officer of
20 the Commonwealth. In addition to showing the license certificate

1 to any such officer, the holder thereof shall, upon demand,
2 establish his further identity to the satisfaction of said
3 officer by producing some other positive means of
4 identification. The Executive Director, with the approval of the
5 Commission, may promulgate regulations for the displaying of the
6 license certificate hereinbefore provided, license button, or
7 other device, as he may deem necessary.

8 The provisions of this section shall not apply to a person
9 holding a fishing license, issued pursuant to the laws of the
10 State of New York, when fishing by angling in that portion of
11 the waters of the Delaware River lying between New York and
12 Pennsylvania, within the jurisdiction of this State, if the
13 persons holding angling licenses, issued pursuant to the
14 provisions of this act, when fishing by angling in the waters of
15 the Delaware River lying between New York and Pennsylvania,
16 within the jurisdiction of the State of New York, are not
17 required to have New York licenses, nor shall the provisions of
18 this section apply to a person holding a fishing license, issued
19 pursuant to the laws of the State of Ohio, when fishing by
20 angling in the waters of the Pymatuning Lake or reservoir,
21 within the jurisdiction of this State, if the person holding
22 licenses, issued pursuant to the provisions of this act, when
23 fishing by angling in the waters of said lake, within the
24 jurisdiction of the State of Ohio, are not required to have Ohio
25 licenses: Provided, however, That where the persons doing such
26 fishing shall fish from the bank on lands in Pennsylvania, then
27 a Pennsylvania license shall be required: And provided further,
28 That where such fishing is done by persons residing in
29 Pennsylvania, whether permanently or only temporarily, a
30 Pennsylvania license shall be required; nor shall the provisions

1 of this section apply to persons on active duty in the military
2 service of the United States, permanently assigned to a facility
3 outside Pennsylvania and on temporary duty or leave in
4 Pennsylvania: Provided, however, That a copy of the orders
5 assigning such person to temporary duty or leave are in the
6 possession of such person when he or she is fishing.

7 The provisions of this section shall not apply to those
8 persons who are so severely handicapped that they are unable to
9 cast or retrieve a line or to bait hooks and remove fish:

10 Provided, That only one line is used and the handicapped person
11 is within ten feet of the line when it is in the water. The
12 provisions shall also not apply to the attendant of the
13 handicapped person so long as he is assisting the handicapped
14 and using his line. Any handicapped person so exempted from the
15 requirement of a license shall only be entitled to retain each
16 day one fish weighing five pounds or more, or smaller fish
17 aggregating not more than five pounds.

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