

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1109 Session of 2007

INTRODUCED BY STABACK, BELFANTI, CALTAGIRONE, DeLUCA, FABRIZIO, GERGELY, HALUSKA, HERSHEY, HESS, JAMES, KORTZ, KOTIK, McGEEHAN, PETRONE, REICHLEY, J. WHITE, LEVDANSKY, HORNAMAN, DENLINGER, SIPTROTH AND SONNEY, APRIL 18, 2007

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 16, 2007

AN ACT

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

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

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

11 § 2702. Nonresident and tourist licenses.

12 * * *

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

1 Tourist Fishing Licenses shall not be issued for fishing during
2 the period from [April 1] March 15 to April 30 of any year.
3 Holders of One-Day Tourist Fishing Licenses shall not be
4 required to obtain special permits, including trout/salmon
5 permits to fish for trout or salmon or special permits to fish
6 in Lake Erie and tributaries.

7 § 2702.1. One-day resident fishing license.

8 * * *

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

12 * * *

13 § 2711. Issuing agents.

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

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

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

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

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

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

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

16 (f) Penalty.--

17 (1) Any issuing agent or institutional superintendent
18 violating subsection (b) commits a summary offense of the
19 first degree.

20 (2) Any issuing agent or institutional superintendent
21 committing a second or subsequent violation of subsection (b)
22 in a twelve-month period commits a misdemeanor of the second
23 degree.

24 (3) Any issuing agent or institutional superintendent
25 violating any other provision of this section or the rules or
26 regulations promulgated thereunder commits a summary offense
27 of the [third] second degree.

28 (4) The commission may, in its discretion, recall the
29 issuing agency of any agent who violates any provision of
30 this section or the rules and regulations promulgated

1 thereunder.

2 § 2715. License, permit and issuing agent fees.

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

6 (1) Resident Annual Fishing License, \$21.

7 (2) Senior Resident Annual Fishing License, \$10.

8 (3) Senior Resident Lifetime Fishing License, \$50.

9 (4) Nonresident Annual Fishing License, \$51.

10 (5) Seven-Day Tourist Fishing License, \$33.

11 (6) Three-Day Tourist Fishing License, \$25.

12 (6.1) One-Day Resident Fishing License, \$10.

13 (6.2) One-Day Tourist Fishing License, \$25.

14 (7) Replacement Fishing License, [\$4.25.] including
15 related permits and privileges, \$5.00.

16 (8) Transaction costs associated with the Pennsylvania
17 Automated Licensing Service (PALS), actual COSTS NOT TO <—
18 EXCEED \$1.00.

19 (a.1) Permit fees.--Except as otherwise provided in this
20 title, the following fees apply to permits related to fish and
21 fishing and shall be paid into the Fish Fund:

22 (1) Trout/salmon permits, \$8.

23 (2) Resident charter boat/fishing guide permit, \$100.

24 (3) Nonresident charter boat/fishing guide permit, \$400.

25 (4) Special permit to fish in Lake Erie and tributaries,
26 \$8.

27 (5) Combination trout/salmon permit and Lake Erie
28 permit, \$14.

29 (6) Transaction costs associated with the Pennsylvania
30 Automated Licensing Service (PALS), actual COSTS NOT TO <—

1 EXCEED \$1.00.

2 (b) Issuing agent fees.--The issuing agent fee to be
3 retained by the issuing agent as provided in section 2711
4 (relating to issuing agents) for fishing licenses and permits
5 shall be \$1.

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