

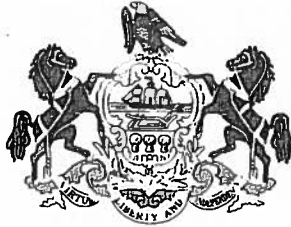
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Date: October 26, 2011

To: All House Members

From: Rep. RoseMarie Swanger

Subject: Proposed Legislation
Amend Title 30 (Fish)

This proposed amendment to Title 30 (Fish) follows an unfortunate incident resulting from Tropical Storm Lee in my district. Flooding caused thousands of hatchery trout to be washed from their pools in the Limestone Springs Trout Preserve and into the Tulpehocken Creek. I am sorry to say there was very little cooperation on the part of the Fish and Boat Commission, which refused to temporarily designate just one mile of the creek "No Fishing" so that the hatchery owner could recover his fish. Fish & Boat's stated prime interest was to "preserve the rights of the angler". This allowed fisherman to literally steal fish that belonged to this business. In extremely unusual circumstances, such as the flooding we recently experienced, I feel we should cooperate with our businesses in order to aid them in recovery. Hopefully, this amended language will prevent incidents like this from occurring in the future.

Having said that, I plan to introduce legislation amending Title 30 (Fish) to require anglers fishing on another person's property to positively identify themselves upon the request of the landowner or a representative of the landowner, and require that refusal to do so would result in a one year suspension of fishing privileges.

Currently under Title 30 (Fish), it is unlawful for a person to refuse to identify himself upon request of the landowner or the lessee of the lands or waters upon which he is present. My legislation would amend that section of the law to require that positive identification be presented not only to the landowner or lessee, but to any member of the family or an employee of the landowner or lessee.

If any person refuses to provide such positive identification to anyone on this expanded list, their fishing license would be revoked for a period of one year.

The legislation would also define in statute that fishing in and along non-navigable waters that are posted, prohibiting trespass, need not be open for public fishing, even if they are stocked with fish provided by the Pennsylvania Fish and Boat Commission. While this is already the general practice in our Commonwealth, I believe it is not clearly defined as such in statute.

If you would like to be listed as a co-sponsor of this measure, please contact Lily Horst, 787-2686, or via e-mail at lhurst@pahousegop.com. Thank you for your consideration of this proposal.