

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1306 Session of  
1993

INTRODUCED BY GODSHALL, DeWEESE, McCALL, FAIRCHILD, PESCI,  
LYNCH, FICHTER, BUNT, TIGUE, SURRA, FARMER, KAISER, DURHAM,  
OLASZ, GEIST, TRELLO, NYCE, E. Z. TAYLOR, NICKOL, SCHEETZ,  
CLARK, HERSHEY, HECKLER, BAKER, GERLACH, FLICK, O'BRIEN,  
TOMLINSON, LAUB, JAROLIN, PITTS, KING AND CAWLEY,  
APRIL 21, 1993

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 21, 1993

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated  
2 Statutes, authorizing out-of-State issuing agents in certain  
3 states.

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

6 Section 1. Section 2711 of Title 30 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 2711. Issuing agents.

9 (a) Appointment and bond.--The commission may appoint such  
10 persons as it deems necessary to issue fishing licenses and  
11 permits, and the persons so appointed shall be required to post  
12 a bond or other security in a form satisfactory to the  
13 commission in an amount it determines.

14 (a.1) Out-of-State issuing agents.--No issuing agent in New  
15 Jersey, Delaware, Maryland, West Virginia, Ohio or New York is  
16 permitted to issue a license unless that state permits

1 Pennsylvania agents to issue its licenses.

2 (b) Compensation and fees.--For services rendered in  
3 collecting and paying over license fees, issuing agents, as long  
4 as they continue to act in that capacity, may collect and retain  
5 the sum of 50¢ for each fishing license sold and the sum of 50¢  
6 for each special license and permit sold, which amount shall be  
7 full compensation for services rendered by them under the  
8 provisions of this title. The compensation shall be retained by  
9 the respective issuing agents and shall cover, among other  
10 things, the cost of issuing licenses, special licenses and  
11 permits, postage, mailing, returns and bonding of said agents.  
12 All license, special license and permit fees paid to an issuing  
13 agent under this title shall be paid by those agents into the  
14 State Treasury for deposit in the Fish Fund through the  
15 commission at least once a month and they shall be applied to  
16 the purposes provided for in this title. An issuing agent shall  
17 make a return to the commission upon a form to be supplied by  
18 the commission. Any issuing agent failing to comply with any of  
19 the provisions of this section shall not be entitled to retain  
20 the fee fixed in this subsection for his services but shall pay  
21 those fees to the State Treasurer for deposit in the Fish Fund.  
22 Delinquent agents are subject to a penalty of 10% per month on  
23 any outstanding balance of license money due the commission,  
24 which penalty shall be compounded on a monthly basis. If those  
25 sums are not so paid, the Commonwealth may recover them by suit  
26 in the same manner as like amounts are now recoverable by law.  
27 The commission may recall the agency of any agent after a  
28 delinquency period of 30 days.

29 (c) Rules and regulations.--The commission may promulgate  
30 such rules and regulations to control and supervise the issuance

1 of fishing licenses by issuing agents and institutional  
2 superintendents as it may deem necessary.

3 (d) Proof of identification and age.--Each issuing agent  
4 shall secure positive proof of identification and age for each  
5 license issued.

6 (e) Records.--Every issuing agent shall keep on a printed  
7 form supplied by the commission a correct and complete record of  
8 all fishing licenses issued. The records shall be available at  
9 reasonable hours for inspection by any waterways patrolman or  
10 other officer designated by the commission or any representative  
11 of the Department of the Auditor General. Every issuing agent  
12 shall each month forward to the commission a complete record of  
13 all licenses granted on forms to be furnished by the commission.

14 (f) Penalty.--Any issuing agent or institutional  
15 superintendent violating any provision of this section or the  
16 rules or regulations promulgated thereunder commits a summary  
17 offense of the second degree and, in addition, may have his  
18 agency recalled in the discretion of the commission.

19 Section 2. This act shall take effect immediately.