
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 775 Session of
1995

INTRODUCED BY CORMAN, HELFRICK, MADIGAN AND PORTERFIELD,
MARCH 15, 1995

REFERRED TO GAME AND FISHERIES, MARCH 15, 1995

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated
2 Statutes, revising and updating the fishing license and
3 issuing agent fee structure.

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

6 Section 1. Sections 2701, 2702, 2703 and 2704 of Title 30 of
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 2701. Resident fishing licenses.

9 (a) General rule.--For the purposes of this chapter any
10 person [16 years of age or older is entitled to] is eligible for
11 a "Resident Annual Fishing License" [if] when the person:

12 (1) [He has] Has applied to an issuing agent within this
13 Commonwealth or to the commission.

14 (2) [He has] Has established his identity, age and the
15 fact that he is a bona fide resident of this Commonwealth to
16 the satisfaction of the issuing agent or the commission by
17 producing a motor vehicle driver's license or some other
18 positive means of identification.

1 (3) [He has] Has paid the issuing agent or the
2 commission a license fee [of \$12 plus a service fee of 50¢ to
3 the issuing agent] and issuing agent fee as set forth in
4 section 2715 (relating to license and issuing fees).

5 (b) Senior citizens.--A person who is or will be 65 years of
6 age or older in the year of application who [complies with
7 subsection (a)(1) and (2) is entitled to] establishes his
8 identity, age and the fact that he is a bona fide resident of
9 this Commonwealth to the satisfaction of the issuing agent or
10 the commission by producing a motor vehicle driver's license or
11 some other positive means of identification is eligible for a
12 "Senior Resident Annual Fishing License" [if he pays a license
13 fee of \$2 to the issuing agent or the commission plus a service
14 fee of 50¢ to the issuing agent.] upon payment of the license
15 fee and issuing agent fee set forth in section 2715. The
16 application shall give the date of birth of the applicant. Any
17 person who qualifies to purchase a Senior Resident Annual
18 Fishing License may, in lieu thereof, purchase a Senior Resident
19 Lifetime Fishing License which shall be valid for his lifetime
20 upon the payment of a [fee of \$10 for the use of the
21 Commonwealth and, in the event the license is issued by an
22 issuing agent, a fee of 50¢ for the use of the issuing agent]
23 license fee and issuing agent fee set forth in section 2715.

24 § 2702. Nonresident and tourist licenses.

25 (a) Nonresident annual licenses.--For the purposes of this
26 chapter, any person [16 years of age or older is entitled to]
27 who does not purchase a resident fishing license under section
28 2701 (relating to resident fishing licenses) is eligible for a
29 "Nonresident Annual Fishing License" [if] when the person:

30 (1) He is not a bona fide resident of this

1 Commonwealth.

2 (2) He has] (1) Has applied to an issuing agent or to
3 the commission.

4 [(3) He has] (2) Has paid the issuing agent or the
5 commission a license fee [of \$25 plus a service fee of 50¢ to
6 the issuing agent] and issuing agent fee set forth in section
7 2715 (relating to license and issuing fees).

8 (b) [Tourist] Seven-day tourist licenses.--[For the purposes
9 of this chapter, any] Any person [16 years of age or older is
10 entitled to a "Five-Day] required to have a fishing license
11 under this chapter may fish in any of the waters of this
12 Commonwealth or in any boundary waters for a period not to
13 exceed seven consecutive days with a "Seven-Day Tourist Fishing
14 [License," valid for a period of five consecutive days, if:

15 (1) He is not a bona fide resident of this Commonwealth.

16 (2) He has applied to an issuing agent or to the
17 commission.

18 (3) He has paid the issuing agent or the commission a
19 license fee of \$20 plus a service charge of 50¢ to the
20 issuing agent.] License" upon payment of a license fee and
21 issuing agent fee set forth in section 2715.

22 (c) Three-day tourist licenses.--Any person required to have
23 a fishing license under this chapter may fish in any of the
24 waters of this Commonwealth or in any boundary waters for a
25 period not to exceed three consecutive days with a "Three-Day
26 Tourist Fishing License" upon payment of a license fee and
27 issuing agent fee set forth in section 2715.

28 § 2703. Possession and display of licenses.

29 (a) General rule.--No person 16 years of age or older shall
30 fish in any of the waters of this Commonwealth or in any

1 boundary waters without first procuring the proper license
2 required by this chapter. The license shall be kept about the
3 person while fishing and shown upon the request of any waterways
4 patrolman or other officer designated by the commission. In
5 addition to showing the license to the officer, the holder
6 thereof shall, upon demand, establish his further identity to
7 the satisfaction of the officer by producing some other positive
8 means of identification. The commission may promulgate rules and
9 regulations for the displaying of the license certificate,
10 license button or other device, as it deems necessary.

11 (b) Penalties.--

12 (1) Except as provided in paragraph (2), any person who
13 violates this section commits a summary offense of the third
14 degree.

15 (2) Any person who violates any regulation concerning
16 the displaying of the license certificate, button or other
17 device promulgated under this section commits a summary
18 offense of the fourth degree.

19 § 2704. Lost fishing licenses.

20 In case a license certificate is lost or destroyed, a new
21 license may be secured from the commission or any issuing agent
22 upon making affidavit to that effect and paying [a fee of \$1
23 plus a service fee of 50¢ to the issuing agent] the replacement
24 license fee and issuing agent fee set forth in section 2715
25 (relating to license and issuing fees).

26 Section 2. Section 2709(b) of Title 30 is amended and the
27 section is amended by adding a subsection to read:

28 § 2709. Exemptions from license requirements.

29 * * *

30 (b) [Blind and handicapped persons] Persons who are blind or

1 have certain physical or mental impairments.--The provisions of
2 this chapter do not apply to those persons who are totally blind
3 or [so severely handicapped] have such severe physical or mental
4 impairments that they are unable to cast or retrieve a line or
5 bait hooks and remove fish if only one legal device is used and
6 the [blind or handicapped] person who is blind or has physical
7 or mental impairments as described in this section is within ten
8 feet of the device being used. The provisions of this chapter
9 also do not apply to the attendant of the [blind or handicapped]
10 person who is blind or has physical or mental impairments
11 described in this section while assisting [the blind or
12 handicapped] in using the device.

13 * * *

14 (e) Students participating in biological field project.--A
15 student enrolled in a secondary or undergraduate course of
16 instruction shall not be required to possess a fishing license
17 to gather specimens while participating in an educationally
18 sponsored biological field project that is under the direct
19 supervision of a high school or accredited institution of
20 postsecondary education as long as the educational institution
21 has applied for and received the written permission of the
22 commission.

23 Section 3. Sections 2711(b) and (f) and 2714 of Title 30 are
24 amended to read:

25 § 2711. Issuing agents.

26 * * *

27 (b) Compensation and fees.--For services rendered in
28 collecting and paying over license fees, issuing agents, as long
29 as they continue to act in that capacity, may collect and retain
30 the [sum of 50¢ for each fishing license sold and the sum of 50¢

1 for each special license and permit sold] issuing agent fees set
2 forth in section 2715 (relating to license and issuing fees),
3 which amount shall be full compensation for services rendered by
4 them under the provisions of this title. The compensation shall
5 be retained by the respective issuing agents and shall cover,
6 among other things, the cost of issuing licenses, special
7 licenses and permits, postage, mailing, returns and bonding of
8 said agents. All license, special license and permit fees paid
9 to an issuing agent under this title shall be paid by those
10 agents into the State Treasury for deposit in the Fish Fund
11 through the commission at least once a month and they shall be
12 applied to the purposes provided for in this title. An issuing
13 agent shall make a return to the commission upon a form to be
14 supplied by the commission. Any issuing agent failing to comply
15 with any of the provisions of this section shall not be entitled
16 to retain the fee fixed in this subsection for his services but
17 shall pay those fees to the State Treasurer for deposit in the
18 Fish Fund. Delinquent agents are subject to a penalty of 10% per
19 month on any outstanding balance of license money due the
20 commission, which penalty shall be compounded on a monthly
21 basis. If those sums are not so paid, the Commonwealth may
22 recover them by suit in the same manner as like amounts are now
23 recoverable by law. The commission may recall the agency of any
24 agent after a delinquency period of 30 days.

25 * * *

26 (f) Penalty.--Any issuing agent or institutional
27 superintendent violating any provision of this section or the
28 rules or regulations promulgated thereunder commits a summary
29 offense of the second degree [and, in addition, may have his
30 agency recalled in the discretion of the commission]. The

1 commission may, in its discretion, recall the issuing agency of
2 any agent who violates any provision of this section.

3 § 2714. License issuing fees.

4 In order to help defray the issuing costs, the commission may
5 collect an issuing fee not to exceed the fee charged by issuing
6 agents under [sections 2701 (relating to resident fishing
7 licenses), 2702 (relating to nonresident and tourist licenses),
8 2704 (relating to lost fishing licenses) and 2711 (relating to
9 issuing agents)] section 2715 (relating to license and issuing
10 fees) on licenses and stamps issued by the commission.

11 Section 4. Title 30 is amended by adding a section to read:

12 § 2715. License and issuing fees.

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

16 (1) Resident Annual Fishing License, \$16.25.

17 (2) Senior Resident Annual Fishing License, \$5.25.

18 (3) Senior Resident Lifetime Fishing License, \$15.25.

19 (4) Nonresident Annual Fishing License, \$32.25.

20 (5) Seven-Day Tourist Fishing License, \$24.25.

21 (6) Three-Day Tourist Fishing License, \$12.25.

22 (7) Replacement Fishing License, \$4.25.

23 (b) Issuing agent fees.--The following issuing agent fees
24 shall be retained by the issuing agent as provided in section
25 2711 (relating to issuing agents):

26 (1) Issuing agent fee for fishing licenses listed in
27 subsection (a), 75¢.

28 (2) Issuing agent fee for special permits, stamps and
29 other fishing permits not listed in subsection (a), 50¢.

30 Section 5. The license fees and issuing agent fees

1 established by this act shall apply to fishing licenses issued
2 for the 1996 fishing license year and thereafter.

3 Section 6. This act shall take effect December 1, 1995.