

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1512 Session of
1997

INTRODUCED BY MILLER, BAKER, HUTCHINSON, LEVDANSKY, HALUSKA,
ALLEN, ARMSTRONG, WAUGH, GODSHALL, McILHATTAN, BELARDI, ZUG,
MELIO, CHADWICK, TRELLO, E. Z. TAYLOR, EGOLF, PLATTS,
SAINATO, SHANER, STERN, BOSCOLA, WILT, BENNINGHOFF, ROSS,
SEYFERT AND HESS, MAY 14, 1997

REFERRED TO COMMITTEE ON GAME AND FISHERIES, MAY 14, 1997

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated
2 Statutes, providing for issuance of reduced fee fishing
3 licenses to certain owners or possessors of land open to
4 public fishing.

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

7 Section 1. Title 30 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 2708.1. Farmlands open to public fishing.

10 (a) Fishing agricultural lands without license.--Unless the
11 privilege to fish has been denied, any person domiciled within
12 this Commonwealth who has reached their 16th birthday and except
13 for payment of any fee, meets the requirements prescribed in
14 section 2701 (relating to resident fishing licenses) and, as a
15 primary means of gaining a livelihood, is regularly and
16 continuously engaged in cultivating the soil for general farm
17 crop purposes, commercial truck growing, commercial orchards or

1 commercial nurseries, as either the owner, lessee or tenant of
2 these lands, or as a member of the family or household, or
3 regularly hired help of the owner, lessee or tenant, shall be
4 eligible to fish on these lands, including the woodlands
5 connected therewith and operated as a part thereof, without a
6 fishing license as required in this title. Any person eligible
7 to fish on these lands without securing the required license may
8 also, by and with the written consent of the owner or lessee
9 thereof, fish upon any lands other than those publicly owned
10 which lie immediately adjacent to and are connected with the
11 lands upon which these persons may lawfully fish without
12 securing a license.

13 (b) Reduced fee license.--A resident owner or possessor of
14 land comprising greater than 80 contiguous acres farmed under a
15 conservation plan which does not conflict with the act of June
16 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, and
17 which meets the requirements of 25 Pa. Code Ch. 102 (relating to
18 erosion control) and which has a stream, creek or river flowing
19 through or a lake or pond on this land if that person permits
20 public fishing, shall, if that person desires to fish in waters
21 located off that property, be issued a resident fishing license
22 at one-half the regular fee upon application to the commission.
23 The license shall be issued to the owner or possessor or an
24 immediate family member of either the owner or possessor living
25 in the same household so designated by the owner or possessor in
26 the case of a single owner or possessor and to the individual so
27 designated in the case of more than one owner or possessor. No
28 person shall be issued a fishing license under this subsection
29 unless the person is 16 years of age or older, has met the
30 requirements prescribed in section 2701 and has not been denied

1 the privilege to fish. A person entitled to receive a fishing
2 license under this subsection shall certify to the commission in
3 the form and manner prescribed by the commission that the land
4 tract that person owns or possesses is presently in the
5 ownership or possession of that person.

6 (c) Definition.--As used in this section, the term "person"
7 shall be limited to any person cultivating, as a primary means
8 of gaining a livelihood, any lands for general or specialized
9 crop purposes, truck farming or fruit orchard or nursery being
10 regularly maintained, as either the owner, lessee or a member of
11 the family of the owner or lessee assisting with the cultivation
12 of the land, or a domiciled member of the household of the owner
13 or lessee or an employee of the owner or lessee, regularly and
14 continuously assisting in the cultivation of the land.

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