

taxation for any purpose: Provided, That this act shall not apply where a duly organized water company is authorized to furnish and is furnishing service in the adjacent townships or nearby boroughs where the water company whose system is purchased under the provisions of this act had been furnishing service. Proviso.

APPROVED—The 5th day of May, A. D. 1927.

JOHN S. FISHER

No. 402

AN ACT

To amend sections two hundred and twenty, two hundred and twenty-five and two hundred and eighty-five of an act, approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth"; increasing the resident fishing license fee, and making the county treasurer the agent of the Commonwealth in the collection of license fees.

Section 1. Be it enacted, &c., That section two hundred and twenty of an act, approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred and forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," is hereby amended to read as follows:

Fish.

Section 220 of act of May 2, 1925 (P. L. 448), amended

Section 220. Resident Fishing License Fees.—For the purposes of this article every person sixteen years of age and upward, upon application to any county treasurer within the Commonwealth or to the board and the presentation of proof that he has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application and was born in the United States or was fully naturalized under the laws of the United States, shall, upon the payment to the county treasurer or the board of a license fee of [one dollar] *one dollar and fifty cents* for the use of the Commonwealth and a fee of ten cents for the use of the county treasurer, be entitled to the license herein referred to as "a resident fishing license."

Resident fishing license fees.

Section 2. That section two hundred and twenty-five of said act is hereby amended to read as follows:

Section 225 amended.

Section 225. *County Treasurer to Be Agent of the Commonwealth*—Monthly Payments to State Treasurer—Duplicate Report.—*The county treasurers of the several counties shall be agents of the Commonwealth for the collection of said license fees. For services rendered in collecting and paying over the same the said agents shall be allowed to retain for their own use the sum of ten cents for each resident*

County treasurer agent of Commonwealth.

Compensation.

and nonresident fishing license, which amount shall be full compensation for services rendered by him in each case under the provisions of this act. All license fees, except said treasurer's fees, paid to a county treasurer under this act shall be by such treasurer paid into the State Treasury at least once a month, to be applied to the purposes hereinafter provided. Such county treasurer shall make a return to the State Treasurer upon a form to be supplied by the board at the cost of the Commonwealth and shall in all such cases forward a duplicate of such report to the board at Harrisburg.

Fees to be paid
into State
Treasury.

Section 285
amended.

Fish Fund.

Section 3. That section two hundred eighty-five of said act is hereby amended to read as follows:

Section 285. Fish License Fund Established.—All fees, fines, penalties, and other moneys paid, received, recovered, and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund separate and apart for the various purposes designated by law, or (b) that may be hereafter paid, recovered, received, and collected under the provisions of any act repealed and replaced by this act, or (c) that may be paid, received, recovered, and collected under the provisions of this act, shall be placed in a separate fund by the State Treasurer, to be known as "The Fish Fund," and [an amount not in excess of four hundred thousand (\$400,000) dollars in any one fiscal year] shall be used solely under the direction of the board for the following purposes:

Purposes of fund.

(a) The payment of the salaries, wages, or other compensation of the Commissioner of Fisheries, and such deputies, directors, superintendents, bureau or division chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, statisticians, clerks, stenographers, bookkeepers, messengers, fish wardens, laborers, and other assistants and employes as may be required for the work of the board;

(b) The payment of the traveling and other expenses of the members, officers, and employes of the Board of Fish Commissioners;

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture, furnishings, stationery, supplies, materials, equipment, fuel, motor vehicles, and printing and binding as may be necessary in the conduct of the work of the board;

(d) The payment of postage, telegrams, telephone rentals, telephone toll charges, and rentals for patented leased office devices or machines;

(e) Rentals for any offices outside of the Capitol Buildings or any other grounds, buildings, or quarters necessary for the work of the board;

(f) The propagation, protection, and distribution of fish and the stocking of waters within this Commonwealth, as provided by law;

(g) Necessary repairs and improvements to fish hatch-

eries or other buildings, offices, or quarters used in the work of the board;

(h) Field work, gathering spawn, and transferring fish;

[(i) The purchase of necessary land and water supplied to State fish hatcheries;

(j) The purchase and erection of buildings, ponds, and other extensions incidental to State fish hatcheries;]

[(k)] (i) The maintenance and operation of a boat on Lake Erie and the cruiser "Anna" at Torresdale on the Delaware River; and

[(l)] (j) Any contingent, incidental, or other expenses of any kind or description reasonably necessary in carrying on the work of the board;

[Any moneys in said fund at any time in excess of the amount hereinbefore limited shall be used solely under the direction of the board,]

(k) With the consent of the Governor, for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing, hunting, and forest purposes, and said lands and waters so purchased shall be under the supervision, direction, and control of the board; and,

(l) *The purchase and acquisition of additional land and water for State fish hatcheries, the purchase, acquisition and erection of buildings, ponds, and other extensions incidental to fish hatcheries, and for the propagation and protection of fish in hatcheries hereafter established, and for the distribution of fish from hatcheries, and the stocking of waters within this Commonwealth. All moneys received from license fees in any calendar year in excess of three hundred and fifty thousand (\$350,000) dollars shall be expended solely and exclusively for the purposes set forth in this clause.*

All moneys in such separate fund from time to time are hereby specifically appropriated to the board and may be expended for the purposes hereinbefore enumerated. The Auditor General shall from time to time upon requisition of the Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition; not exceeding, however, the amount in such fund at the time of making such requisition.

Specific appropriation of moneys in fund.

Section 4. This act shall take effect on the first day of January, one thousand nine hundred and twenty-eight.

Effective date.

APPROVED—The 5th day of May, A. D. 1927.

JOHN S. FISHER