

Section 191, act  
of May 2, 1925  
(P. L. 448),  
amended.

May, one thousand nine hundred 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," is hereby amended to read as follows:

Section 191. Drawing Off Dams. (a) No person owning, leasing, or maintaining a dam holding back waters inhabited by fish shall draw off such waters without first applying for written permission from the board, nor shall any such person obstruct the flow of water through any such dam without allowing sufficient water at all times to flow in the natural stream on which such dam is located to enable the fish to live. Any person violating the provisions of this [section] subsection shall on conviction, as provided in chapter fourteen of this act, be sentenced to pay a fine of one hundred dollars for each offense.

(b) *Interference with Dams, Deflectors, and Retards, Et Cetera.*—Dams, deflectors, retards, or similar devices, placed across, or in any stream, with permission of the owner or owners of the land through which such stream flows, shall not be destroyed, removed, breached, or disturbed, except by written permission first obtained from the board. Any person or persons violating the provisions of this subsection shall on conviction, as provided in chapter fourteen of this act, be sentenced to pay a fine of ten dollars for each dam, deflector, retard, or similar device, destroyed or removed or breached or disturbed.

Penalty for  
violation of  
this subsection.

When effective.

Section 2. This act shall become effective immediately upon its final enactment.

APPROVED—The 29th day of May, A. D. 1935.

GEORGE H. EARLE

No. 114

AN ACT

To amend sections two and four of the act, approved the second day of June, one thousand nine hundred and thirty-three (Pamphlet Laws, one thousand four hundred fifteen), entitled "An act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure-ground, to be known as 'Bucktail State Park'; and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth," further defining the control rights of the Department of Forests and Waters over private lands; and providing for the acquisition thereof.

Sections 2 and 4,  
act of June 2,  
1933 (P. L.  
1415), amended.

Section 1. Be it enacted, &c., That sections two and four of the act, approved the second day of June, one thousand nine hundred and thirty-three (Pamphlet

Laws, one thousand four hundred fifteen), entitled "An act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure-ground, to be known as 'Bucktail State Park'; and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth," are hereby amended to read as follows:

Section 2. The Department of Forests and Waters of the Commonwealth shall have full control and supervision of the public lands, and *control over* other lands over which it may hereafter obtain control under the provisions of this act, *in accordance with control rights granted*, within the area hereinbefore dedicated as a public park and pleasure-ground, with power to adopt and carry into effect plans for the improvement, preservation and use thereof. The department may enforce such rules and regulations, not inconsistent with the laws of this Commonwealth, including provisions for the use and operation of motor vehicles therein, as it may make for the protection of life and property, the maintenance of good order, the protection and improvement of the park, and the carrying into effect of the full and proper use of said property as a State park and pleasure-ground.

Department of Forests and Waters to have control and supervision.

Rules and regulations.

Section 4. The Department of Forests and Waters is further authorized and empowered to acquire, by gift or for nominal consideration, from persons owning property within the limits of the territory hereinbefore dedicated and set apart as a public park, and from others, control rights or the right to limit and prescribe the uses to which such privately owned property may hereafter be put by the owners, [thereof, particularly] *to the extent which the owners thereof shall be willing to grant, but no such control rights shall be accepted unless they include at least a surrender of control in the following particulars: (a) The right to sell or service travelers, tourists, recreationists, campers or seasonable dwellers; (b) the right to prohibit or limit the placing on such properties of billboards or any form of outdoor advertising, except such as advertises merchandise or services sold at roadside inns, hotels, stores, and service stations therein; and (c) the right to remove or enforce the removal of abandoned or dilapidated and neglected buildings which have become nuisances. All deeds, conveyances or agreements of any kind secured by or entered into by the department for the purpose of carrying out the provisions of this section shall be subject to the approval of the Department of Justice.*

Acquisition of control rights.

Surrender of control by property owners.

Approval of deeds, etc.

APPROVED—The 29th day of May, A. D. 1935.

GEORGE H. EARLE