

No. 416

AN ACT

Amending the act of May two, one thousand nine hundred twenty-five (Pamphlet Laws 448), 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," authorizing in certain cases fishing in farm ponds without licenses and regulating the transportation of fish taken from such ponds during closed seasons.

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

The Fish Law
of 1925.

Section 1. Sections fifty-six, fifty-seven and fifty-eight, act of May two, one thousand nine hundred twenty-five (Pamphlet Laws 448), known as "The Fish Law of 1925," added August twenty-one, one thousand nine hundred fifty-three (Pamphlet Laws 1222), are amended to read:

Sections 56, 57
and 58, act of
May 2, 1925
P. L. 448, added
August 21, 1953.
P. L. 1222.
further amended.

Section 56. [Licenses. The Pennsylvania Fish Commission shall, upon application therefor accompanied by a license fee of one dollar, issue a farm fish pond license, effective from the first day of April to the thirty-first day of March, to the owner or lessee of a farm on which is constructed an artificial pond, not exceeding two acres in surface area, inhabited by fish, and holding water, the source of which is wholly within the limits of such farm or from waters in which there are no game fish. Such licenses may be renewed each year.

The Fish Commission shall fix the terms of each such license and, notwithstanding any other provision of this act to the contrary, shall include therein permission to release stock and propagate catfish, sunfish, perch or bass, and to take fish of any size without regard to closed seasons or creel limits. Such license shall specify the manner of taking and the type, size and mesh of gear to be used, but shall not prohibit the use of a seine.] *Fishing Authorized Without License.—The owner or lessee of a farm, his family and persons residing or regularly employed upon the farm, on which is constructed an artificial pond holding water the source of which is wholly within the limits of such farm or from waters in which there are no game fish, may, without license at any time, fish in such pond and take therefrom fish of any kind and size and in any number without regard to closed seasons or creel limits or other restrictions or limitations.*

Section 57. [Use of Farm Fish Pond. Any farm fish pond for which a license is issued shall be used for propagation of catfish, sunfish, perch or bass, and for harvesting catfish, sunfish, perch or bass, for the personal use of the licensee and persons residing or regularly employed upon the farm. No licensee shall permit any other person to fish in such pond and no fish taken from such pond shall be sold or offered for sale or transported from the premises.] *Transporting Fish from Premises.*—*When any trout or bass lawfully taken from a farm pond are to be transported from the premises during the closed season, for such fish, the owner or lessee of the farm shall give to the person transporting the fish a written statement, signed by him, showing the date, place and by whom the fish were taken, the number and species of fish, the name and address of the person transporting the fish, and the date they are being transported. Any person may lawfully have in his possession and transport such fish during the closed season for such species when accompanied by the statement herein provided for.*

Section 58. Penalty. [Any person violating any provisions of this article shall, on conviction in the manner provided by chapter fourteen of this act, be sentenced to pay a fine of twenty dollars. In addition to such penalty, for the second offense, the farm fish pond license or fishing license, or both, of any such person, may be revoked for one year, at the discretion of the Commission.] *Any person having in his possession during the closed season any trout or bass taken from a farm pond and transported from the premises without being accompanied by the statement of the owner or lessee, provided for in the preceding section, shall, on conviction as provided in chapter fourteen of this act, be sentenced to pay a fine of ten dollars (\$10) for each fish had in possession.*

APPROVED—The 21st day of March, A. D. 1956.

GEORGE M. LEADER