

## No. 43

## AN ACT

## HB 1494

Amending the act of December 15, 1959 (P.L.1779, No.673), entitled, as amended, "An act relating to fish, frogs, tadpoles and turtles; 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," prohibiting certain acts and changing penalties.

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

Section 1. Section 256, act of December 15, 1959 (P.L.1779, No.673), known as "The Fish Law of 1959," is amended to read:

Section 256. Powers of Fish Wardens.—A fish warden shall have power:

(a) To enforce all the laws of the Commonwealth relating to fish; (b) to execute all warrants and search warrants for the violation of the fish laws; (c) to serve subpoenas issued for the examination, investigation and trial of all offenses against the laws relating to fish; (d) to carry firearms or other weapons in the performance of his duties; (e) to search without warrant any boat, conveyance, vehicle, fish-box, bag, coat, boot, basket, or other receptacle for fish, when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated; (f) to seize and take possession of any and all fish which may have been caught, taken or killed at any time, in any manner, or for any purpose, or had in possession or under control, or have been shipped or about to be shipped contrary to the laws of this Commonwealth and fish so seized shall be disposed of in any manner as the Executive Director may direct; (g) to enter upon any land or water in the performance of his duty; (h) to demand and secure proper assistance in case of emergency; (i) to purchase fish for the purpose of securing evidence; (j) **[to arrest any person found in any of the acts, or in pursuit immediately following any of the acts, herein set forth, committed in or along waters in which the public is allowed to fish or on land adjacent or contiguous to such waters which are not posted with printed notices warning persons from trespassing thereon, (i) leaving garbage, bottles, cans, rubbish, wire, glass, paper, cardboard or wooden cartons or boxes or any other type of debris or trash, (ii) obstructing an owner or his tenant ingress, egress or regress to his property or cattle ways, (iii) digging in or driving upon fields under cultivation.**

Any person convicted of violating clause (j) of this section shall be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution for each such offense, and upon a second conviction for any such offense shall have his license revoked for a period of one year.] **to arrest any**

*person found to have committed any of the following acts along any waters or lands adjacent to or contiguous to waters of the Commonwealth, (i) throw, leave, discard or deposit any garbage, bottles, cans, rubbish, wire, glass, paper, cardboard, or wooden boxes or cartons of any other type debris or trash, without the permission of the persons residing on said land, (ii) to park or leave standing any motor vehicle or other means of conveyance in such a manner as to obstruct the owner or his tenant ingress, egress, or regress to his property or cattle ways without the permission of the person residing on said land, (iii) to dig or drive a motor vehicle or other type of conveyance on or over any cleared or cultivated lands without the permission of the persons residing on said land.*

*Any person convicted of violating clause (j) of this section shall be sentenced to pay a fine of twenty-five dollars (\$25.00) to fifty dollars (\$50.00) and costs of prosecution for each such offense.*

APPROVED—The 22nd day of March, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 43.

A handwritten signature in cursive script, reading "C. McLaughlin Tucker". The signature is written in black ink and is positioned above the printed name of the Secretary of the Commonwealth.

Secretary of the Commonwealth.