

1917 Utah Fishing Law

FISH AND GAME.

An Act providing for the protection of fish, game and birds; the appointing of a fish and game commissioner, one chief deputy, and hatchery superintendents, and prescribing their powers and duties; providing for fish and game licenses, and a fish and game fund; providing for the building of fish hatcheries; providing for penalties for the violation of this Act relative to the protection of fish, game and birds; prescribing certain rules of pleading and evidence; and authorizing the state fish and game commissioner under the board of examiners to procure and set aside certain lands as public hunting grounds and certain lands as bird and game sanctuaries, and prescribing rules and regulations under which hunting may be permitted and protection may be given to the said sanctuaries; also providing regulations with reference to fishing and hunting; prohibiting damage to private property by persons engaged in fishing and hunting; and repealing Chapter 53, Laws of Utah, 1909, Chapter 46, Laws of Utah, 1913; Chapter 118, Laws of Utah, 1915, and all Acts and parts of Acts in conflict herewith.

Passed March 7, 1917; In effect from approval; approved by Governor March 12, 1917

Be it enacted by the Legislature of the State of Utah:

SECTION 1. Fish and Game Commissioner-qualifications-term-vacancy.

The governor of the State of Utah by and with the consent of the senate shall appoint a State fish and game commissioner, hereinafter called the State commissioner, who shall be a resident citizen of the State of Utah, shall have a knowledge of State conditions necessary to an intelligent interpretation and enforcement of all fish and game laws, who shall not be a member of any hunting, shooting, or fishing club, and whose term of office shall be four years and until his successor is appointed and qualified; provided, that when a vacancy occurs in the office of the State commissioner and the legislature is not in session, the governor shall have the power to fill such vacancy, until the next regular session of the legislature, and he shall have the power to remove the State commissioner for cause.

Sec. 2. Powers of commissioner.

The State commissioner shall have the control and supervision of the waters, forests and lands of the State for the collection, propagation, culture and distribution of fish and game in the State, and shall receive and distribute all game, fish, fish-fry and spawn coming into his hands, fairly and equitably among the several counties of the State. He shall have full control of all property of the State obtained and held for the purposes contemplated by this Act.

Sec. 3. Authority to take fish and game for scientific purposes-reports.

It shall be lawful for the State commissioner, or any person appointed by him in writing so to do, to take fish and game of any kind, dead or alive, or in any manner, for the purpose of inspection,

cultivation, propagation, or for scientific or other purposes deemed by him to be in the interest of the fish and game industry of the State. He shall make a detailed report of his official transactions, including the number and kinds of fish and game distributed, and the locality, and the names of the streams, ponds and lakes where the same have been placed, and submit such report, together with such recommendations as are deemed necessary by him for the future benefit of the fish and game, to the governor and the legislature not later than December 31st, preceding each regular legislative session.

Sec. 4. Appointment of assistants and deputies-proviso.

The commissioner may appoint, by and with the approval of the governor, and keep in service one chief deputy, and such additional deputies and other assistants as may be necessary. The State commissioner may also appoint, by and with the approval of the governor, special deputies, who shall constitute what shall be hereafter known as an advisory board, who shall serve without pay, receiving only necessary expenses. These deputies shall be taken from the various sections of the State; provided, that no more than one shall be selected from any one county of the State.

Sec. 5. Salaries and expenses.

The State commissioner shall receive a salary of \$2,400.00 per annum, and actual and necessary traveling and contingent expenses, and his chief deputy shall receive a salary of \$1,500.00 per annum and actual necessary traveling expenses.

Sec. 6. Bonds of commissioner and deputies. The State commissioner, before entering upon the duties of his office, shall give a bond in the penal sum of \$10,000.00 for the faithful performance of his duties, which bond shall be approved by the State board of examiners and filed with the secretary of state. The chief deputy shall give bonds in the sum of \$5,000.00. All other deputies receiving pay from the State shall give bonds in the sum of \$1,000.00 each for the faithful performance of their duties and the prompt accounting for and the payment of any moneys coming into their hands by virtue of their office. Such bond shall run to the people of the State and be approved by the State commissioner.

Sec. 7. Official duties-make arrests-examine and search-procedure.

It shall be the duty of the State commissioner, chief deputy, and their deputies to see that all of the laws of the State for the protection of fish and game are faithfully enforced throughout the State, and for this purpose they are collectively and severally given the same power and authority granted by the law to, and exercised by, sheriffs and constables. The commissioner and deputies are authorized and required to enforce this Act, and to seize any fish or game taken or held in violation of this Act, and shall have full power and authority so to do, and it shall be the duty of any such officer, with or without a warrant, to arrest any person whom he has reason to believe guilty of a violation thereof, and if without a warrant to hold him until a warrant can be procured; to open, enter and examine all cars, stages, packs, warehouses, stores, vehicles, outhouses, boxes, barrels, and packages where he has reason to believe any game or fish taken or held in violation of this Act may be found, and to seize the same; provided, that if such search and seizure be without a warrant, such warrant shall be secured as soon as possible during the search or seizure, if demanded; and, provided further, that a dwelling house actually occupied can be entered for examination only in pursuance of a warrant.

Sec. 8. Removal of fish--drainage of canals-notice.

It shall be the duty of the chief commissioner to take, or cause to be taken, in the best practical manner, any game fish found in pools or other places where receding waters from rivers, streams, canals or other water ways have left them, and which are likely to become dry, and to make the best disposition of the dead fish in the interest of the State fish and game fund, and carefully to put back the live fish into State waters. Any person, corporation, or company owning, or controlling any irrigation canal, ditch, or mill race leading through any of the waters of the State known to contain game fish, who shall desire to drain any such canal, ditch or mill race, for any purpose, shall give a written notice to the State commissioner, or one of his deputies, and on the same date mail a duplicate of the said notice to the commissioner, at least five days prior to such draining. Failure to comply with the provisions of this section shall be deemed a misdemeanor, and shall be punishable by a fine of not less than one hundred dollars.

Sec. 9. Fishways-refuse matter-offenses and penalties.

The owners of any dam across any of the public streams in this State, either now in use or hereafter built, shall, if so required by the State commissioner or his deputies, and under his or their supervision, erect suitable fishways to allow the free, uninterrupted passage of fish up and down the streams, said fishways to be built and maintained by the owner of said dam. It shall be a misdemeanor for any person or persons, corporation or corporations, company or companies, to build or maintain any dam that will be the means of killing or destroying fish passing up and down the streams. And it shall be a misdemeanor for any person, corporation, or company owning any mill, factory, or reduction works in this State to cause or permit any refuse matter from said mill, factory or reduction works to be washed, dumped, or placed in any of the streams or waters of this State, or to place such refuse matter from said mill, factory or reduction works in such close proximity to any of the streams that the same might be washed into said streams by rain. Any person or persons violating the provisions of this section shall be guilty of a misdemeanor and fined not less than one hundred dollars for such violation, and each day during which such violation continues shall constitute a separate offense.

Sec. 10. Screens to be maintained-expense-proviso.

It shall be unlawful for any person or persons, corporation or company, to take any water from State streams, lakes or reservoirs for power plant purposes or water works, without first furnishing and maintaining suitable screens or other devices to prevent ash from entering said power-plant, mill-race or water-works system, said screens or other devices to be built and maintained under the direction of the State commissioner or his deputy, and at the expense of the said owner or operator; provided, that said screen shall not interfere with the operation of any power plant by materially obstructing the flow of water used for power or other purposes. The violation of this provision shall be a misdemeanor.

Sec. 11. Safety devices in irrigation canals.

It is hereby made the duty of the fish and game commissioner, to see that all irrigation canals, when deemed necessary by the State commissioner, are properly protected by some device (which shall not be the means of materially obstructing the flow of water into such canals) so that no fish may enter said ditches between April 1st, and October 15th of each year; said device to be provided and maintained out of the fish and game fund.

Sec. 12. Angling season-hooks and poles-dates and places.

It shall be unlawful for any person at any time to fish for, or to take any fish from any of the waters of this State by any device or means whatever, except as hereinafter provided. It shall be lawful to angle between the 15th day of June and the 10th day of November following, both dates included. Provided further, that it shall be lawful to angle fish from Fish Lake between June 15th and October 1st, and Strawberry Reservoir, between July 1st and September 30th, both dates included. It shall be lawful to fish in Panguitch Lake at all times of the year; provided, it shall be unlawful for any person to fish or take any fish from the waters of this State at any time between 9 o'clock P. M. and 4 o'clock A. M., or to take or have in his possession at any time any bass less than eight inches long or any trout or mountain herring less than six inches long. The word angling, as used in this Act, is defined to be fishing with a rod or pole held in the hand or hands. Such rod or pole to have attached thereto artificial fly hook or hooks, not exceeding two in number, or not exceeding two baited hooks, or one baited hook with not more than one gang of not more than three hooks, or one trolling-spoon with not more than one gang of not more than three hooks. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 13. Sales prohibited-exceptions-limit of catch-prosecutions.

It shall be unlawful for any person to sell, offer to sell, expose for sale, or have in his possession, with intent to sell at any time, any eastern brook trout, rainbow trout, grayling trout, native trout, black-spotted mountain trout, or any other species of trout, or any land-locked salmon, herring, or black bass taken from any of the public waters of this State; provided, that it shall be lawful to sell black bass between June 15th and September 30th, both dates included. In prosecutions under this section it will be sufficient to allege generally that such fish were unlawfully sold, offered, exposed, or held for sale, and proof of sale or offering or exposing to sell shall be prima facie evidence of guilt. It shall be unlawful for any person to catch more than ten pounds and one fish of any or all of said varieties or species of fish on any one day, excepting black bass, which limit shall be 15 pounds and one fish, or to have in his possession at any time more than 25 pounds of any or all of the said varieties or species of fish.

Sec.- 14. Private ponds-protection-permit to sell and ship-seasons.

The owner or owners of private fish ponds shall, before selling or shipping any fish from the same, make application to the State commissioner, by affidavit, describing accurately such pond, where located, when such pond was completed and stocked with fish, from whence the fish were procured, the kind of fish to be sold or shipped, the railroad station from which he desires to ship such fish; and upon satisfactory showing being made to the State commissioner, that such private pond is in fact a private pond, and that the fish desired to be shipped have been reared in said pond, and upon payment of one dollar, the State commissioner shall issue to the owner or owners of such private ponds a permit to sell or ship such fish. Said permit must contain the date when issued, to whom issued, the number, the name and location of the pond from which such fish are to be shipped, and also the station from which the shipments are to be made. All permits shall continue in force from the date of issuance until the thirty-first day of December following their issue. Such permit shall be issued in triplicate, one copy to be given to the shipper, one to the railroad or express agent at the station from which the shipments are to be made, and the third copy to be placed on file in the office of the State commissioner. A copy of the bill of lading for

each and every shipment must be delivered or mailed by the shipper to the State commissioner on the day shipment is made. It shall be unlawful for any person to operate or maintain any private fish pond within this State without erecting and maintaining a sufficient screen, approved by the State fish and game commissioner, at the point where the waters enter such pond from any State waters and also at the point where the waters leave such pond, so as effectually to prevent any fish from entering or leaving such pond. Every person violating any of the provisions of this section shall be guilty of a misdemeanor. It shall be unlawful for any owner or owners of any private ponds knowingly to deliver to any company, corporation or individual any game fish to be carried or shipped outside of the State, without furnishing and mailing a copy of the invoices to the fish and game commissioner on the date the delivery is made.

Sec. 15. Transporting fish-rules governing-violations punished.

It shall be a misdemeanor for any express company, railroad company, other transportation company or other common carrier of any kind to receive any fish of any kind whatever for shipment, unless they have in their possession a duplicate permit issued by the fish and game commissioner for such shipping as above described. And it shall be a misdemeanor to take fish or spawn from any of the lakes or streams of this State and place them in private ponds at any time, except as provided in section 3 of this Act; and it shall be a misdemeanor for any person or persons to sell or offer for sale any fish not propagated or grown in a private pond; provided, that carp, suckers, chubs, mullets and catfish may be sold at any time; provided, further that nothing in this Act shall apply to fish raised outside of this State, except trout. It shall be unlawful for any individual, company or corporation to ship or cause to be shipped or carried outside of this State, any fish, without first securing from the State commissioner a permit covering the period during which such shipments are to be made. This permit must be issued in triplicate, one copy to be delivered by the shipper to the express company, one to be retained by the shipper, and one to be mailed to the State fish and game commissioner.

Sec. 17. (16.) Use of seines, spears and hooks-classification of fish and waters-time limits-license and bond-supervision-exceptions. For the purpose of catching carp, chubs, catfish, mullets or suckers, and these fish only, seines, not more than two hundred yards long and twelve feet wide, with meshes not less than one and one-half inches square for fifty yards in the center, and with meshes not less than two inches square in the wings thereof, may be used at any time in the following named waters only: Bear Lake; Sevier River from Sevier Lake to the mouth of the Sevier Bridge reservoir; the Colorado, Green, Grand and San Juan Rivers; the Gunnison Reservoir; Sanpitch River; Redmond Lake; Burrville Reservoir; Sevier River; from the Black Knolle Creamery north to the county line between San Pete and Sevier counties; the Otter Creek Reservoir, including Otter Creek as far north as the old reservoir in the narrows, about six miles between Greenwich and the mouth of the canal that empties into Otter Creek Reservoir from the east fork of the Sevier River; the east fork of the Sevier River from its junction with the waters of Otter Creek, one-fourth of a mile below the said Otter Creek Reservoir; Price River from Spring Glen to Green River, Carbon County; San Rafael River from Orangeville to Green River, Emery County; Bear River, below the Idaho line; and in Utah Lake and Jordan River. Provided, that in Bear Lake it shall be lawful to use seines or nets for catching herring, trout and white-fish, between July first and May first following. Provided further, that it shall be unlawful to take fish from the waters of Bear Lake with gill nets within four hundred yards of the mouth of any stream flowing into said lake. In Utah Lake it shall be unlawful to use seines from June first to

September first, or at any time, without the presence of a deputy, who shall be paid not to exceed two dollars per day by the party drawing the seine, and such deputy shall give a bond of two hundred and fifty dollars for the faithful performance of his duties, payable to the State of Utah, and to be filed with the State commissioner. Provided, that before any person shall use a seine in any waters named in this section, such person shall procure a seiner's license from the State commissioner, on payment of one dollar and fifty cents, except to seine in Utah Lake and Bear Lake, where the fee shall be five dollars. Provided, further, that before any person shall use a seine in any of the waters of this State, except Utah Lake and Bear Lake, lie shall give a bond with two sufficient sureties to the State in the penal sum of five hundred dollars, conditioned that no fish protected by the laws of this State from seining will be taken, and that diligence will be used by him to prevent the death of any of said fish, which bond shall be approved by and filed with the State commissioner. The State commissioner shall furnish blanks for said bonds, and shall furnish blanks to the county clerk of each county of the State, to be given to persons desiring to give bonds as herein provided. When a bond is prepared, it shall be delivered to the State commissioner, or to a deputy, or a county clerk, who shall forward it at once to the State commissioner. Upon approval by the State commissioner he shall file the same in his office and issue to the person giving such bond, upon payment of the license fee herein provided a seiner's license. It shall be lawful to use spears, with or without a torch or lamplight, for the taking and killing of carp and suckers only, at any time, and it shall be lawful to take carp, suckers, chubs, mullets and catfish, at any time, with hook and line, commonly known as angling, from the above waters, and from the waters Sevier River between the mouth of Clear Creek Canyon in Sevier County and the Otter Creek Reservoir in Piute County, and in Weber River. Provided, further, that suckers may be taken by grappling hooks between April first and May twentieth, both dates inclusive, in Provo River, between Utah Lake and State Road Bridge northwest of Provo; in Spanish Fork River, between the San Pedro, Los Angeles and Salt Lake Railroad Bridges across said rivers and Utah Lake; and in Hobble Creek, between Main Street, Springville City, and Utah Lake. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 18. (17.) Seines in Spring Creek and Utah Lakes prohibited.

It shall be unlawful to use seines in Spring Creek Lake, which runs into Utah Lake, or within one-half mile from the mouth of any stream flowing into said Utah Lake.

Sec. 19. (18.) Fishing from horseback or by fire light-and trespassing prohibited.

It shall be a misdemeanor to fish from the back of a horse, or to travel up or down any stream on horseback while fishing for trout or mountain herring; or to fish by fire or lamp light at night. Provided, however, that nothing in this section shall be construed to prohibit a person from wading up or down any stream while so fishing. It shall be a misdemeanor for any person while engaged in fishing to damage private property, to take down or remove fences, to open and permit or cause to remain open, gates or bars or to do or commit any act of trespass, while engaged in fishing or hunting, and the commissioner or his deputy is authorized to arrest any person violating any of the provisions of this section, and all fines collected, upon conviction of any person so arrested after payment of the costs of prosecution, shall be turned over by the court to the owner of the property damaged.

Sec. 20. (19.) Seizure and sale of unlawful devices used.

All seines, guns, nets, tackle, powder, explosives, lime, poison, drugs, and other means and devices for the unlawful taking of fish or game of any kind, found in the possession of any person who may be detected in unlawfully taking fish from any of the waters of the State or killing any kind of game, shall be seized by the officer making the arrest, and if it appears from evidence before the magistrate trying the case that the guns, seines, nets, tackle, powder, lime, poison, drugs or other means and devices for the taking and killing of game were used for the unlawful taking of fish or game, the same shall be confiscated and sold at public auction. by the State commissioner, and the proceeds therefrom turned into the fish and game fund.

Sec. 21. (20.) Removed not applicable. Unlawful to hunt or kill certain animals-evidence exceptions- permits-penalties.

Sec. 22. (21.) Removed not applicable. Pursuit by dogs prohibited. It shall be a misdemeanor

Sec. 23. (22.) Removed not applicable. Shooting of grouse, quail, sagehens, etc., and sale-and destruction of nests prohibited-permits. granted.

Sec. 24. (23.) Removed not applicable. Destruction of insectivorous birds prohibited-exceptions.

Sec. 25. (24.) Removed not applicable. Hunting season for wild ducks and geese-limitations-methods.

Sec. 26. (25.) Unlawful possession of fish and game-cruelty-fines.

Any person who shall have in his possession any game, fish, or birds unlawfully taken is guilty of a misdemeanor. All fish and game unlawfully taken, held unlawfully, shipped, or consigned for shipment out of this State shall be seized by the State commissioner or deputies, and disposed of to the best interest of the fish and game fund. Provided, that any person, after procuring a non-resident license, may take out of the State the amount of one day's limit, by permission of the State commissioner, after the same has been inspected and marked by the said State commissioner or his deputies; provided, further, that nothing in this section shall apply to fish shipped from private ponds. The possession of any animal, fish, bird or any part of the remains thereof, within the time or period within which taking and killing or possession of the same is prohibited, shall be prima facie evidence of such unlawful taking, killing or possession. It shall be unlawful to kill, catch, or otherwise to take, destroy or leave to waste, or in any manner to cause or suffer to be wasted, any bird, animal or fish in this Act mentioned, or any useful part or parts thereof except mullets, suckers and carp. Any person or persons violating any of the provisions of this section shall be guilty of a misdemeanor and shall be punishable by a fine of not less than one hundred dollars for each offense.

Sec. 27. (26.) Reservation of waters for propagation of fish.

For the better advancement of the fish interests of the State, the State commissioner may select and reserve any stream, lake or pond, or a part thereof, in the State, for the purpose of planting, breeding and propagating fish. And it shall be a misdemeanor for any person or persons to fish in any stream, lake or pond while so reserved. When any stream, lake or pond is selected for such a purpose the State commissioner shall forthwith post, or cause to be posted and maintained, conspicuous notices thereof along the banks or shores of such stream, lake or pond, at points not over one mile apart, and shall advertise the same in the newspaper issued and published nearest to the lake, stream or pond, for two weeks prior to the closing of such stream, pond or lake to public fishing. Any person found violating any of the provisions of this Act shall be deemed

guilty of a misdemeanor, and shall be punishable by a fine of not less than. twenty-five dollars for each offense.

Sec. 28. (27.) License to hunt and fish-rates-forms-time limit-violations punished.

It shall be unlawful for any male person to hunt for, kill or shoot at any kind of game or to take, or fish for any kind of fish, except in Panguitch Lake, whether protected or not, without first having procured a license so to do. It shall be unlawful for any person to refuse to produce his license for inspection at the time when requested so to do by the State commissioner or his deputy. Such license shall entitle the holder thereof to pursue, hunt and kill such game animal and game birds and to fish for and catch such numbers and varieties of fish as are permitted by law, subject to the restrictions and regulations imposed by law. The prices of such license shall, be as follows:

To any male person over fourteen years of age, who is a citizen of the United States and an actual bona fide resident of the State of Utah, one dollar and twenty-five cents.

To any male person over fourteen years of age who is a citizen of the United States and not an actual bona fide resident of the State of Utah, six dollars. Provided, that no alien shall be permitted to hunt or fish for game within the State of Utah.

Provided, further, that persons under the age of fourteen years shall not be required to procure any license; and provided, further, that any person excepting an alien may hunt for and kill rabbits without a license. Every license shall state the place of residence of the holder thereof, and shall not be transferable to any other person. All licenses, except as otherwise provided, shall be substantially in the following form:

License-

The holder hereof,..... whose residence is
County of State of is hereby permitted to hunt and fish within the State of Utah, subject to the limitations and restrictions or the game laws of the State of Utah. Receipt of \$ for this license is hereby acknowledged. The holder is years of age, is feet inches tall, weighs..... pounds, is complexioned and has hair and.....eyes.

Dated at thisday of. 19 ...

Officer's address.

Owner's signature.

Officer's signature.

Provided, that each resident license and duplicate thereof shall have plainly printed thereon the words "resident license" "Price \$1.25," each non-resident license and duplicate thereof the words "non-resident license" "Price \$6.00."

It is further provided that every applicant for any of the above described licenses shall, immediately upon receipt of said license, sign his name in the place in said license provided, and at the request of the State *commissioner or any of his deputies shall sign his name in the presence of said officer for comparison. Such licenses may be issued by the State commissioner, his deputy, the county clerk or his deputies of any county within the State, or any person authorized so to do by the State commissioner. The State commissioner shall be responsible to

the State for all moneys collected for game licenses issued by persons authorized by him to sell such licenses, and for the faithful performance of their duties, as required by law. Every person authorized under this section to issue any license, who shall knowingly issue the same for any less amount of money than required by this section shall be guilty of a misdemeanor. Such license shall be printed as directed by the State commissioner in duplicate, which shall contain the name, the residence of the person, to whom issued, the number and date, and the amount paid therefor, one copy to be retained by the county clerk or his deputies. or the commissioner or his deputies or other authorized persons issuing the license and one duplicate, with all mutilated licenses and all moneys collected, shall be remitted to the State commissioner of the first day of each month. Every license shall have printed of the back a short synopsis of this Act. All licenses issued under the provisions of this Act shall commence on the day of June first of each year, and expire May 31st, the following year. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 30. (28.) Licenses issued-fees-reports--deposits.

It is hereby made the duty of the State commissioner immediately after the passage of this Act, to prepare and cause to be printed suitable forms of licenses as provided in this Act, and to send by registered mail, or to deliver in person, taking receipt therefor, to each deputy commissioner of the State, such blanks as he may deem necessary, and to send by registered mail or deliver in person, taking receipt therefor, to the various county clerks such blanks as he may deem necessary; and it shall be the duty of the several deputy commissioners and county clerks to issue such licenses as applied for. And the State commissioner shall supervise the selling of licenses throughout the State. Each person authorized under this Act to issue fishing and hunting licenses shall make a report to the State commissioner in such form and at such time as lie shall prescribe, stating the number of resident licenses issued at \$1.25, the number of seiner's licenses at \$1.50, \$5.00 and \$10.00, respectively, the number of non-resident licenses sold at \$6.00, and lie shall deposit with the State commissioner all moneys from the sale of licenses, fines or other moneys belonging to the State fish and game fund. On the first day of each month, the State commissioner shall make a report to the State auditor showing the number of licenses issued, and shall deposit with the State treasurer all moneys received by him belonging to the fish and game fund. Any officer who shall refuse or neglect to turn over any moneys collected for the licenses issued as herein provided, shall be guilty of a felony, and upon conviction thereof shall immediately be removed from office and be liable to criminal prosecution.

Sec. 31. (29.) Fish and game fund.

A fish and game fund is hereby created, and all moneys collected for fish and game licenses, and the net moneys collected from the fines and forfeitures for violation of the fish and game laws, shall be paid to the State commissioner. All moneys so paid to the State commissioner shall be and are hereby constituted a State fish and game fund, said fund to be drawn upon only for payment of expenses of the State fish and game department.

Sec. 32. (30.) Use of money now in fund.

There is hereby appropriated all money now standing to the credit of the State fish and game fund and all moneys which may be received under the provisions of this Act, for the purpose of paying the salaries of the various officers provided by this Act; for paying the traveling expenses

of the office of the State fish and game commissioner; for building and maintaining of hatcheries; and for importing, propagating and protecting fish and game.

Sec. 33. (31.) Improvements on hatcheries and spawning grounds.

The State commissioner is hereby authorized and directed to maintain and make needed improvements on the State hatcheries and spawning ponds and grounds connected therewith, and to construct and maintain such other hatcheries and spawning ponds as may be provided for.

Sec. 34. (32.) Shipment of fish and game out of State.

It shall be unlawful for any person or persons at any time to ship or cause to be shipped, carried or transported out of this State, birds, fish or game, or any part or parts thereof, dead or alive, mentioned in this Act, provided, that carp, suckers, mullets, catfish, and chubs may be shipped after being first inspected by a fish and game commissioner or his deputy; and such fish and game commissioner or his deputy shall attach to each parcel or package of such shipment a statement that the same has been inspected, and giving the kind of fish and the weight thereof, which statement must be signed by the fish and game commissioner or his deputy, making such inspection. And it is further provided that it is a misdemeanor for any railroad company, express company, or other transportation company, or common carrier of any kind to receive any common fish without such inspection certificate attached thereto; provided, that nothing in this section shall apply to fish shipped from private ponds.

Sec. 35. (33.) Public hunting grounds-game sanctuaries.

The State commissioner, with the concurrence and under the direction of the State board of examiners, is hereby authorized and empowered to procure, set aside and maintain, or cause to be set aside and maintained, as public hunting grounds, such lands in the State as may be suitable for that purpose, and he is hereby authorized to use such amount of funds available for that purpose as may be necessary. Said commissioner and the State board of examiners may prescribe reasonable rules and regulations governing hunting within such hunting grounds, and may require reasonable fees for such privileges. Provided, further, that the State commissioner is hereby authorized and empowered to procure, set aside and protect, or cause to be set aside and protected, certain districts throughout the State as game sanctuaries; provided, further, that in like manner bird and game sanctuaries may be established.

Sec. 36. (34.) Repeal.

Chapter 53, Laws of Utah, 1909; Chapter 46, Laws of Utah, 1913; Chapter 118, Laws of Utah, 1915; and all

Acts and parts of Acts in conflict herewith are hereby repealed.

Sec. 37. (35.) Sale of fish fry and eggs.

The State commissioner, by and with the approval of the governor, may at any time sell fish fry and eggs, the proceeds to go to the State fish and game fund.

Sec. 38. (36.) This Act shall take effect upon approval.

Approved March 12, 1917.

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