

1933 Utah Fishing Law

FISH AND GAME

CHAPTER 23

S. B. No. 89.

(Passed March 9, 1933. In effect when Revised Statutes 1933 become effective.)

APPOINTING FISH AND GAME LICENSE AGENTS

An Act Amending Section 30-0-25 of the Revised Statutes of Utah, 1933, Relating to the Appointment of Agents for the Collection of Fish and Game License Fees; Defining Their Duties and Fixing Fees.

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

Section 1.-Section Amended.

Section 30-0-25 of the Revised Statutes of Utah, 1933, is hereby amended to read as follows:

30-0-25. Appointment-Duties-Fees- State Claim Preferred-Penalty.

The fish and game commissioner shall designate state license agents and provide them with the forms of licenses. The agents so designated shall be authorized to sell and deliver licenses to all applicants, excepting only licenses to seine, and licenses to market catfish, and to make collection of all license fees fixed. License agents shall receive for all services rendered the sum of ten cents for each license issued. Such agents shall report all sales to the commissioner on or before the 10th day of each calendar month and shall accompany their report with all money received for licenses, less a fee of ten cents for each license issued. All license money, except such fee, shall be kept separate and apart from the private funds of such agent, and shall at all times belong to the state of Utah, and in case of an assignment for the benefit of creditors, receivership or bankruptcy, the state of Utah shall have a preferred claim against such license agent, receiver or trustee for all moneys owing the state of Utah for the sale of licenses as herein provided, and shall not be estopped from asserting such claim by reason of the co-mingling of funds or otherwise. The willful misdating of a license, or the issuing of a receipt in lieu of such license, shall be unlawful. Any person who violates any of the provisions of this section is guilty of a misdemeanor and shall be fined not less than \$50.

Section 2.

This act shall take effect when Revised Statutes of Utah, 1933, become effective.

Approved March 16, 1933.

CHAPTER 24

S. B. No. 23.

(Passed March 9, 1933. In effect when Revised Statutes 1933 become effective.)

DATES OF FISHING SEASON

An Act to Amend Section 30-0-33, Revised Statutes of Utah, 1933, Relating to Fish and Game; Dates of Fishing Season.

Be it enacted by the Legislature of the State of Utah: Section 1. Section Amended.
That Section 30-0-33 is hereby amended to read as follows:

30-0-33. Dates of Fishing Season.

It shall be lawful for any person holding a license to angle for game fish with not more than two hooks and one line in all of the waters of the state between the 15th day of June and the 31st day of October following, both dates included, except such waters as have been closed as in this title provided. It shall be lawful to angle for bass in Millard county from May 15, to October 31, following. It shall be unlawful to angle for fish in the Strawberry reservoir in Wasatch county or in any of its tributaries, except that in the Strawberry reservoir, the Strawberry river up to the Victory Highway bridge, in Indian creek above the diversion works, and in Fish creek and its tributaries above Pleasant Valley reservoir in Carbon county, it shall be lawful to angle for fish between July 1, and October 15, following. In Fish Lake in Sevier county, Navajo Lake in Iron County and Blind Lake in Wayne County it shall be lawful to angle for fish only between June 15 and October 1, following.

Section 2.

This act shall take effect when Revised Statutes of Utah, 1933, become effective.

Approved March 17, 1933.

CHAPTER 25

H. B. No. 29.

(Passed February 27, 1933. In effect when Revised Statutes, 1933, become effective.)

SEINING FOR FISH

An Act Amending 30-0-43, Revised Statutes of Utah 1933, Relating to Fish and Game and Use of Seines.

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

Section 1. Section Amended.

30-0-43 Revised Statutes of Utah, 1933, is amended to read as follows:

30-0-43. Use of Seines.

It shall be unlawful for any person to seine for any kind of fish in any of the waters of this State, except that it shall be lawful to seine for carp, chub, mullet and sucker only in Green River, Sevier River below the bridge on the state highway near Elsinore, the Weber river below its

junction with Ogden river, and the Bear river below the Collinston bridge, the Colorado river and the San Juan river, and in such waters only at such time and under such conditions as the commissioner may prescribe; provided, that seining shall be allowed in Utah Lake with seines not more than 400 yards long and 12 feet wide, with meshes not less than two inches square for the entire length of the seine, including the wings thereof, for carp, chub, mullet and sucker only, between September 15 and April 1, both dates inclusive. Only persons who are bona fide residents of the State of Utah, or companies or corporations qualified to do business in this state, may use a seine for commercial fishing in the rivers or lakes of Utah and only then upon procuring a seiner's license from the state fish and game commissioner upon payment of ten dollars annually, and such license holders shall keep books of account showing total weight of fish taken and prices received therefor, which books shall be accurately kept and be at all times open to inspection by the fish and game commissioner. Provided, that before any person shall use a seine in the rivers or lakes of this state for other than personal use he shall give a bond with two sufficient sureties, or a surety company bond, to the state of Utah in the penal sum of \$1,000 conditioned that he shall keep books of account as herein provided for, and shall pay the royalty herein provided for not later than the 10th day of each month, and 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 such fish, which bond shall be approved by and filed with the commissioner. Any person taking fish from the rivers and lakes under the provisions of this section shall pay to the fish and game commissioner a royalty of fifteen cents for each one hundred pounds taken. Any person violating any of the provisions of this section shall be guilty of a misdemeanor and the seiner's license revoked.

Section 2.

This Act shall take effect when Revised Statutes of Utah, 1933, become effective.

CHAPTER 26

S. B. No. 24.

Approved March 1, 1933.

(Passed March 9, 1933. In effect when Revised Statutes 1933 become effective.)

FISH AND GAME, LICENSING GUIDES

An Act to Amend Section 30-0-44, Revised Statutes of Utah, 1933, Relating to Fish and Game; Guides; Licenses; Penalty.

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

Section 1. Section Amended.

That Section 30-0-44, Revised Statutes of Utah, 1933, is amended to read as follows:
30-0-44. Guides-License - Qualifications-Penalty.

Any person who shall assist any other person in the pursuit of fish or game and accept compensation therefor shall be termed a guide. The commissioner shall, upon the payment of \$5, issue a license to any person who is a citizen of the United States and a bona fide resident of this state, and who has not been convicted of violating any provision of the fish and game law, to act as a guide, and it shall be unlawful for any person to act in that capacity without first having secured such a license. Any guide accepting such license shall be jointly responsible for any violation of the law committed by persons in his charge, and such guide shall not be permitted to fish for or take fish or shoot game while acting as a guide or fish at any time on waters where he has been licensed to act as guide. Any person violating any of the provisions of this section is guilty of a misdemeanor, and shall be fined not less than \$50, and his license shall be revoked.

Section 2.

This act shall take effect when Revised Statutes of Utah, 1933, become effective.
Approved March 17, 1933.

CHAPTER 27

H. B. No. 30.

(Passed February 25, 1933. In effect when Revised Statutes 1933 become effective.)

STATE GAME REFUGE COMMITTEE

An Act to Amend 30-0-54, Revised Statutes of Utah 1933, Relating to Fish and Game; State Game Refuge Committee; State Board of Big Game Control; Appointment; Duties.

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

Section 1. **Sections Amended.**

30-0-54 Revised Statutes of Utah, 1933, is amended to read as follows:

30-0-54. State Refuge Committee-Powers and Duties-Big Game Control- Penalty.

In order to more scientifically define the boundaries of state game preserves, and to regulate hunting, trapping, and travel thereon by stockmen and other citizens, the state fish and game commissioner, by and with the consent of the governor, shall appoint a supervisory committee to be known as the state game refuge committee, the members of which may be reimbursed for actual personal and necessary hotel and travel expenses incurred to attend official meetings of said committee. This committee shall be composed of five members, the state fish and game commissioner, one representative each to be chosen from and nominated by the Utah State Cattle and Horse Grower's Association, the Utah State Woolgrowers' Association, the Utah State Sportsmen's Association, and a regional officer in Utah of the United States Forest Service; the state fish and game commissioner to act as chairman. This committee shall have authority to fix boundaries of all state game preserves; provided, that private lands may be included in state game preserves established for big game only by and with the consent of the owner, and then under such conditions as the owner may prescribe; provided, further, that for the purpose of securing a better distribution of the big game now found on the game preserves, the state game

refuge committee shall have authority during the process of reestablishing and defining the boundaries of the state game preserves to declare an open season thereon for the killing of big game, which season shall conform with the general open season for big game as prescribed by law.

All meetings of the committee shall be called by the chairman, or three members, and the open seasons shall be declared at least twenty days in advance of the opening date. The time at which new boundary lines shall become effective shall also be declared twenty days prior to the date upon which they shall become effective. All boundary lines shall be properly marked with signs bearing the title of state game commissioner.

When these provisions shall have been fully carried out by the state game refuge committee, the areas described shall become closed to all kinds of shooting, except as authorized by the state game refuge committee; and all other acts of this committee, in conformity with this section, shall have the full force and effect of law.

The state game refuge committee shall also constitute a state board of big game control, and shall have full power and authority to designate game refuges for big game. Whenever after due investigation the state game refuge committee shall find that big game have increased in numbers in any locality to such an extent that a surplus exists, or to such an extent that such animals are damaging public or private property, or are overgrazing their range, the said committee is hereby authorized and directed to provide for a special hunting season for such animals, additional to any open season specified by law. The said committee shall designate the number of licenses to be issued, the area in which hunting will be permitted, the number and sex of the animals that may be killed by each license holder, and the conditions and regulations to govern the hunting. The license fee for such special big game hunting season shall be fixed by the committee, and the moneys received from the sale of such licenses shall be covered into the state fish and game fund. The committee may also authorize, under such rules and regulations as it may determine, the state fish and game commissioner and his deputies to capture and remove or kill big game animals at any time without advertisement, on any area where said animals are damaging private or public property, covering into the state fish and game fund all money received from the sale of the carcasses of all big game animals. For the purpose of this act the following animals are hereby classed as big game animals: elk, deer, antelope, mountain sheep, and mountain goat.

Any person who violates any of the rules and regulations promulgated by this committee, or of this section, is guilty of a misdemeanor.

Section 2.

This Act shall take effect when the Revised Statutes of Utah, 1933, becomes effective.
Approved March 4, 1933.

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