

## 1937 Utah Fishing Law

### FISH AND GAME

#### CHAPTER 31

S. B. No. 80.

(Passed March 6, 1037. In effect May 11, 1037.)

#### RESIDENT LICENSE FEES

*An Act Amending Section 30-0-13 and 30-0-15, Revised Statutes of Utah, 1933, Relating to Fish and Game and Fixing Resident License Fees to Hunt and Fish.*

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

##### Section 1. **Sections Amended.**

Sections 30-0-13 and 30-0-15, Revised Statutes of Utah, 1933, are amended to read as follows:

30-0-13. Resident License to Fish and Hunt-Fees.

Any citizen of the United States, who is a bona fide resident of the state of Utah and who is sixteen years old, upon applying to any license agent and paying \$4, may receive a license to angle for fish and hunt for game birds and game animals except elk, marten, mink, mountain sheep, antelope, muskrat, beaver and otter within this state, \$1 of the amount received from the sale of such license shall be placed in a special fund to be expended by the fish and game commissioner solely for the necessary feeding, ranging and protection of game and for better range and game management. There shall be attached to such license a special deer tag which must be immediately attached by the licensee to a deer when killed by him and thereafter mailed by the licensee to the fish and game commissioner not later than five days after the close of the deer season unless earlier removed by a game warden at a checking station.

##### 30-0-15. **Resident License to Hunt-Fees.**

(a) Any citizen of the United States who is a bona fide resident of the state of Utah and who is sixteen years old, upon applying to any license agent and paying \$3, may receive a license to hunt for game birds and game animals except elk, marten, mink, mountain sheep, antelope, muskrat, beaver and otter within this state. \$1 of the amount received from the sale of such license shall be placed in a special fund to be expended by the fish and game commissioner solely for necessary feeding, ranging and protection of game and for better range and game management. There shall be attached to such license a special deer tag which must be immediately attached by the licensee to a deer when killed by him and thereafter mailed by the licensee to the fish and game commissioner not later than five days after the close of the deer season unless earlier removed by a game warden at a checking station.

(b) Any citizen of the United States who is a bona fide resident of the state of Utah who is 16 years old, upon applying to any license agent and paying \$2 may receive a license to hunt for game birds within this state.

Approved March 16, 1937.

## CHAPTER 32

S. B. No. 47.

(Passed February 19, 1937. In effect February 25, 1937.)

### NONRESIDENT LICENSE FEES

An Act Amending Section 30-0-20, of Revised Statutes of Utah, 1933, Relating to Fish and Game, and Fixing Nonresident License Fees to Hunt Deer.

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

Section 1. Section Amended.

Section 30-0-20, Revised Statutes of Utah, 1933, is amended to read as follows:

30-0-20. License to Hunt Deer-Fees.

Any citizen of the United States, not a bona fide resident of the state of Utah, and who has not actually resided within the state during the three months immediately preceding his application, upon applying to a license agent and paying \$20 may receive a license to hunt for deer within this state. \$5 of the amount received for each of said nonresident licenses shall be placed in a special fund to be expended by the fish and game commissioner solely for range and game management. There shall be attached to such license a special deer tag which must be immediately attached by the licensee to each deer killed and thereafter mailed by the licensee to the fish and game commissioner not later than five days after the close of the deer season unless earlier removed by a game warden at a checking station.

Section 2. Effective Date. This act shall take effect upon approval.

Approved February 25, 1937.

## CHAPTER 33

H. B. No. 199.

(Passed March 11, 1937. In effect May 11, 1937.)

### LICENSE TO ALIENS TO FISH

An Act Amending Section 30-0-21, Revised Statutes of Utah, 1933, Relating to Right of Aliens to Fish.

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

Section 1. Section Amended.

Section 30-0-21, Revised Statutes of Utah, 1933, is amended to read as follows:

30-0-21. License to Aliens to Fish. Any person who is not a citizen of the United States, upon applying to any license agent and paying \$7.50, may receive a license to angle for any kind of fish; provided, that any alien who is ineligible to citizenship, but who has resided in the state of Utah for fifteen years prior to application for a license, may receive a license to angle for any kind of fish upon the payment of the same fee required for a resident citizen.

Approved March 17, 1937.

## CHAPTER 34

H. B. No. 56.

(Passed February 24, 1937. In effect March 6th, 1937.)

BEAVER AND OTTER

*An Act Amending Section 30-0-50, Revised Statutes of Utah, 1933, Relating to the Trapping and Killing of Beaver, Providing for the Appointment of Deputy Game Commissioners for the Protection of Beaver, Fixing Their Compensation and Duties, Providing for a Bond, and Providing a Penalty for Violations.*

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

Section 1. Section Amended.

Section 30-0-50, Revised Statutes of Utah, 1933, is amended to read as follows:

**30-0-50. Trapping, Killing and Protecting Beaver-Special Deputies.**

It shall be unlawful to trap, trap for, ensnare, shoot, take or kill, by any means whatsoever any beaver or otter in this state, except as herein provided. When beaver are doing actual damage to farms or other property, the commissioner may authorize the trapping of such beaver, but the skins of said animals shall be taken, and must be delivered to the commissioner to be sold by him and the proceeds shall be deposited in the fish and game fund. The commissioner shall pay for the trapping of beaver not more than fifty per cent of the proceeds from the sale of such skins. It shall be unlawful for any person to have in his possession or transport any hide or fur from any beaver without having attached thereto a tag issued by the commissioner, and by him attached, showing that the same has been lawfully taken, and is lawfully in the possession of the holder thereof, except that any person holding a permit from the commissioner to trap beaver shall, by virtue of such permit, be allowed to ship to the fish and game commissioner all beaver skins taken and held by him under such permit. For the better protection of beaver on public lands and waters, and for the establishment of breeding places therefore, the commissioner may create and designate trap-line areas on and along the waters on public lands within the state; to carp for the beaver thereon and to operate each trap-line the commissioner shall appoint one or more persons who must be citizens of the United States and bona fide residents of this state having lived within or adjacent to such trap-line areas for at least one year immediately preceding said appointment. The designated caretakers and operators shall carefully watch and patrol such trap-line areas and protect the beaver thereon and shall gather the furs therefrom at such times and places and on such terms as the commissioner may prescribe in writing. The commissioner shall pay to such deputies not to exceed fifty per cent of the proceeds from the sale of such furs as full compensation for their services. Such caretakers and operators shall furnish a bond in the sum of \$500 for the faithful performance of their duties. The commissioner shall establish such trap-line areas by causing to be posted at such points as he may select on or near the stream, lake or other water on public lands printed signs stating that such areas and the waters thereon are closed to trapping or to the taking in any way of beaver, except only by the designated caretaker and operator. The caretakers and operators of such trap-line areas shall have the same power to make arrests as have deputy game commissioners. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$700 or imprisoned in the county jail not more than six months or by both such fine and imprisonment.

Section 2. Effective Date.

This act shall take effect upon approval.

Approved March 6, 1937.

S. B. No. 130.

(Passed March 11, 1937. In effect May 11, 1937.)

#### FISH AND GAME COMMISSIONERS EMPOWERED TO BORROW MONEY

*An Act to Amend Section 1, Chapter 33, Laws of Utah, 1935, Empowering the State Fish and Game Commissioner to Borrow Money From the State Land Board and From the State Industrial Commission and Authorizing Each of the Latter to Loan, From Funds in Its Custody Available for Investment, Money for Use in Connection With Public Projects; and Providing for the Repayment Thereof; and Declaring for Use of Water Rights, Lands, and Other Necessary Property for Such Public Projects to Be a Public Use; and Providing for the Right of Eminent Domain for the Acquisition of Such Water Rights, and Other Necessary Property.*

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

Section 1. Section Amended.

Section 1, chapter 33, Laws of Utah, 1935, is amended to read as follows:

##### **1 Authority - Purpose- Source - Right of Eminent Domain.**

To enable the state fish and game department to purchase and acquire lands, water rights, materials, and other property and rights, necessary for use in the development and construction of public projects within the state for the collection, propagation, culture, and distribution of fish, wild fowl, and game, and to qualify such work and projects to receive contributions of federal emergency relief funds and labor, the fish and game commissioner, by and with the consent of the board of examiners, is authorized to borrow from the state land board and from the state industrial commission, and for such purpose the state land board and the industrial commission are authorized to loan to the fish and game commissioner, from funds in their custody which they are authorized to invest, such sums of money as they may agree upon subject to the limitations and conditions hereinafter stated.

The use of water rights, lands, and all other necessary property as referred to in this section is declared to be a public use and the right of eminent domain may be exercised by the state for the acquisition of water rights, lands, and all other necessary property for use in the development and construction of public projects provided for in this section. The provisions of this act as to the right of eminent domain for the acquisition of water rights shall apply only to projects now being constructed.

Approved March 18, 1937.

CHAPTER 36

S. B. No. 120.

(Passed March 11, 1937. In effect May 11, 1937.)

#### MIGRATORY BIRD CONSERVATION ACT

*An Act Consenting to the Acquisition by the United States of Private Lands for the Establishment and Maintenance of the Fish Springs Migratory Bird Sanctuary and Subjecting the Reservation of Coal and Other Minerals in State Lands Within the Same to the Rules and Regulations of Such Sanctuary.*

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

##### Section 1. **United States Authorized to Acquire**

Land or Water for Fish Springs Sanctuary. The consent of the state of Utah is given to the acquisition by the United States of such areas of land or water or of land and water in townships 10, 11, and 12 south, ranges 13 and 14 west, Salt Lake meridian, as the United States may deem necessary, for the establishment and maintenance of the fish springs migratory bird sanctuary in accordance with and for the purposes of the act of congress approved February 18, 1929, entitled "Migratory Bird Conservation Act," and acts amendatory thereto and the same may be used by the United States as an inviolate sanctuary for migratory birds, reserving, however, to the state of Utah jurisdiction, both civil and criminal, of persons upon the area so acquired except so far as the punishment of offenses against the United States is concerned.

##### Section 2. **State Mineral Rights Subject to Regulations of Sanctuary.**

The reservation to the state of Utah of the coal and other minerals in lands sold by it within the area so established and the easements retained by the state to prospect for, mine, and remove the same are declared to be subordinate and subject to rules and regulations prescribed from time to time by the secretary of agriculture for the occupation, use, operation, protection, and administration of said area as an inviolate sanctuary for migratory birds.

Approved March 18, 1937.

#### APPROPRIATIONS

##### CHAPTER 158

H. B. No. 250.

(Passed March 11, 1937. In effect March 23, 1937.)

#### SUPPORT OF STATE GOVERNMENT

*An Act Making Appropriations for the support of the State Government for the Period Beginning July 1, 1937, and Ending June 30, 1939; Conferring Certain Powers on the Governor Relating Thereto; Requiring Reports From State Officers; Forbidding Deficits; and Restricting Out-of-State Travel.*

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

**Section 9. Fish and Game Fund.**

The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the fish and game fund of the state treasury not otherwise appropriated, for the requirements of the fish and game department for the period from July 1, 1937, to June 30, 1939, to-wit:

To the State Fish and Game Department-Administration ..... \$ 349,800  
To General Fund-Rent of Space .. 5,000

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