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LATURE

ON

SENATE BILLS

PROPOSED LEGISLATION

ON

FISH AND GAME LAWS

WITH BRIEF SYNOPSIS OF EACH BILL

COMPILED BY

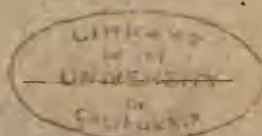
GEO. J. HANS, Chairman

Senate Committee on Fish and Game

ISSUED BY

W. N. PARRISH

Secretary of the Senate



FRIEND WM. RICHARDSON, SUPERINTENDENT OF STATE PRINTING
SACRAMENTO, CALIFORNIA

1913

GIFT OF



CALIFORNIA LEGISLATURE

FORTIETH SESSION

1913

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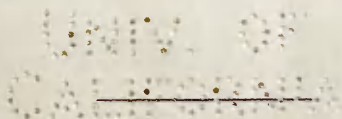
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Creates a reservation for fish, shellfish, shrimps and crabs in all sloughs, rivers, streams and creeks tributary to San Francisco Bay; unlawful to take the same from such waters by means of weirs, dams, nets, traps or seines.

SENATE BILL

No. 52

INTRODUCED BY SENATOR CASSIDY,

JANUARY 13, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO CREATE A RESERVATION FOR FISH, SHELL FISH, SHRIMP, AND CRABS, WITHIN THE SLOUGHS, RIVERS, STREAMS AND CREEKS TRIBUTARY TO THE BAY OF SAN FRANCISCO AND THE BAY OF SAN PABLO, AND TO PROHIBIT THE TAKING OF THE SAME FROM SUCH RESERVATION BY MEANS OF WEIRS, DAMS, NETS, TRAPS, OR SEINES.

The people of the State of California do enact as follows:

1 SECTION 1. A reservation for all kinds of fish, shell fish,
2 shrimp and crabs, is hereby created, which shall consist of all
3 sloughs, rivers, streams and creeks tributary to the bay of
4 San Francisco and the bay of San Pablo, including all such
5 Solano, Napa, Contra Costa, Alameda, Santa Clara, San Mateo
6 waters as are contained in the counties of Marin, Sonoma,
7 and the city and county of San Francisco.

8 SEC. 2. Any person who shall use any weir, dam, net, trap,
9 or seine of any description for the purpose of catching any fish,
10 or shell fish, or shrimp or crabs, in any of said waters or who
11 shall in any of said waters take any fish, or shrimp or crabs,
12 from any weirs, dams, nets, traps or seines, is guilty of a
13 misdemeanor.

14 SEC. 3. All acts and parts of acts in conflict with this act
15 are hereby repealed.

SENATE BILL

No. 173

INTRODUCED BY SENATOR BIRDSALL,

JANUARY 14, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX OF THE PENAL CODE
RELATING TO THE PROTECTION OF GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred twenty-six of the Penal
2 Code is hereby amended to read as follows:
3 626. Every person who, between the first day of March
4 and the fifteenth day of October of any year, hunts, pursues,
5 takes, kills or destroys, or has in his possession any kind of
6 wild duck, ibis, or other shore bird, (*Limicolæ*), or who, be-
7 tween the thirtieth day of April and the fifteenth day of
8 November of any year hunts, pursues, takes, kills, or destroys,
9 or has in his possession any Wilson snipe, plover, or curlew;
10 or who, between the fifteenth day of February and the fifteenth
11 day of October of any year, hunts, pursues, takes, kills, or
12 destroys, or has in his possession any desert or valley quail;
13 or who, between the first day of December and the first day of
14 September of the following year, hunts, pursues, takes, kills,
15 or destroys, or has in his possession any mountain quail, grouse,
16 or sage hen or who at any time prior to the first day of
17 November, 1912, hunts, takes, kills, or has in his possession
18 any rail; or who thereafter between the first day of December
19 of any year and the first day of November of the following
20 year, hunts, takes, kills or has in his possession any rail is

1 guilty of a misdemeanor, except as hereinafter provided:
2 *provided*, that in game districts numbers one and six of the
3 State of California every person, who, between the first day
4 of March and the first day of October of any year, hunts, takes,
5 kills, or destroys or has in his possession any kind of wild duck,
6 ibis or other shore bird (*Limicolæ*) or who in game district six,
7 between the fifteenth day of November, of any year and the
8 fifteenth day of October of the following year, hunts, takes,
9 kills, or destroys or has in his possession any desert or valley
10 quail is guilty of a misdemeanor.

SENATE BILL

No. 281

INTRODUCED BY SENATOR CAMPBELL,

JANUARY 15, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA, TO BE NUMBERED SECTION SIX HUNDRED AND TWENTY-SIX *q*, RELATING TO SEA OTTER.

The people of the State of California do enact as follows:

1 SECTION 1. A new section is hereby added to the Penal
2 Code to be numbered six hundred and twenty-six *q* and to read
3 as follows:

4 626*q*. Every person who at any time hunts, pursues, takes,
5 kills, destroys, or has in his possession any sea otter is punish-
6 able by fine not exceeding one thousand dollars or imprison-
7 ment in the county jail not exceeding one year or both.

Pismo clams. Changes size from 13 inches to 12 inches. Reduces limit of clams to be taken in one day from 200 to 25.

SENATE BILL

No. 304

INTRODUCED BY SENATOR CAMPBELL,

JANUARY 15, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-EIGHT *f*, OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO CLAMS AND PRESCRIBING A PENALTY FOR TAKING OR GATHERING CLAMS UNDER A CERTAIN SIZE, OR HAVING MORE THAN A CERTAIN NUMBER IN POSSESSION DURING ANY ONE CALENDAR DAY.

The people of the State of California do enact as follows:

1 SECTION 1. Section 628*f* of the Penal Code of the State of
2 California is hereby amended to read as follows:

3 628*f*. Every person who takes, gathers, catches, or has in
4 his possession, any clam known as the "Pismo" clam (*Tivela*
5 *stultorum*), which shall measure less than twelve inches around
6 the outer edge of the shell, or who, during any one calendar
7 day, takes, catches, gathers, or has in his possession, more than
8 twenty-five of said Pismo clams, shall be guilty of a misde-
9 meanor.

SENATE BILL

No. 305

INTRODUCED BY SENATOR CAMPBELL,

JANUARY 15, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA, TO BE KNOWN AND NUMBERED AS SECTION SIX HUNDRED TWENTY-EIGHT *g* RELATING TO SHIPPING OR TRANSPORTING ABALONES OUT OF THE STATE, AND PRESCRIBING A PENALTY FOR DEPOSITING FOR SHIPMENT OR TRANSPORTATION, OR SHIPPING OR TRANSPORTING ANY ABALONE BEYOND THE CONFINES OF THE STATE.

The people of the State of California do enact as follows:

- 1 SECTION 1. A new section is hereby added to the Penal Code
2 of the State of California, to be known and numbered as section
3 628*g*, which shall read as follows:
- 4 628*g*. Every person, firm, corporation or association who
5 delivers, places or deposits any abalone with any railroad com-
6 pany, steamship company, express company, or other common
7 carrier, for shipment or transportation out of this state, and
8 every railroad company, steamship company, express company,
9 or other common carrier, who receives and accepts for ship-
10 ment or transportation, or who ships, carries or transports any
11 abalone beyond the confines of this state, shall be guilty of a
12 misdemeanor.

Prohibits shipping out of this State any protected wild game bird or animal, either dead or alive, without written permit.

SENATE BILL

No. 344

INTRODUCED BY SENATOR FLINT,

JANUARY 16, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-SEVEN *a* OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION AND PRESERVATION OF WILD GAME.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and twenty-seven *a* of the
2 Penal Code is hereby amended to read as follows:

3 627*a*. Every railroad company, express company, trans-
4 portation company, or other common carrier, its officers, agents,
5 and servants, and every other person who transports, carries,
6 or takes out of this state, or who receives for the purpose of
7 transporting from this state any wild game bird or animal
8 protected by law, mentioned in sections six hundred and twenty-
9 six to six hundred and twenty-six *j* inclusive of this code, or
10 the dead body of any such wild game bird or animal, or any
11 part thereof, except for the purpose of propagation or scientific
12 purposes under a permit in writing first obtained from the
13 board of fish and game commissioners of the State of Cali-
14 fornia, is guilty of a misdemeanor.

This is the non-sale of ducks bill. Prohibits the sale of all wild ducks, snipe, curlew, plover, quail, grouse, cottontail rabbits, rail, doves, etc.; permits the sale of jack rabbits.

SENATE BILL

No. 345

INTRODUCED BY SENATOR FLINT,

JANUARY 16, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-SIX *k* OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE SALE OF WILD GAME OR THE DEAD BODIES THEREOF.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-six *k* of the Penal
2 Code is hereby amended to read as follows:
3 626*k*. Every person who buys, sells, offers, or exposes for
4 sale, barter, or trade any wild game, bird, or animal, except
5 jack rabbits, protected by law, mentioned in section six hundred
6 and twenty-six to six hundred and twenty-six *j* inclusive of this
7 code, or the dead body of any such game, bird or animal, or any
8 part thereof, whether taken or killed in the State of California
9 or shipped into the state from another state, territory, or
10 foreign country, is guilty of a misdemeanor.

Takes issuance of hunting license away from county clerk and places it in hands of county license collector. Also gives county license collector the 10 per cent fee formerly given to county clerk.

SENATE BILL

No. 356

INTRODUCED BY SENATOR THOMPSON,

JANUARY 16, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTIONS TWO, FOUR AND SIX OF AN ACT ENTITLED "AN ACT TO REGULATE AND LICENSE THE HUNTING OF WILD BIRDS AND ANIMALS, AND TO PROVIDE REVENUE THEREFROM, FOR GAME AND FISH PRESERVATION AND RESTORATION," APPROVED MARCH 22, 1909, RELATING TO THE ISSUANCE OF LICENSES TO HUNT WILD BIRDS AND ANIMALS, AND PROVIDING FOR THE DISPOSITION OF THE MONEYS COLLECTED THEREFROM.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section two of an act entitled "An act to regu-
2 late and license the hunting of wild birds and animals, and
3 to provide revenue therefrom, for game and fish preservation
4 and restoration," approved March 22, 1909, is hereby
5 amended to read as follows:
- 6 Section 2. Licenses granting the privilege to hunt, pursue
7 or kill wild birds or animals, shall be issued and delivered
8 upon application, by the county license collector of any
9 of the counties of this state, or by the state board of fish
10 commissioners, who shall prepare suitable licenses of con-
11 venient form, and size, and have printed or stamped thereon
12 the words: "Hunting license No.-----, State of California,
13 expires June 30, 191--," with the registration number, and
14 appropriate year printed or stamped thereon, which said
15 license shall be prepared and furnished to the county license
16 collector, and for their own disposition, by the state

1 board of fish commissioners, which board shall take receipt
2 therefor by number and quantity, from the several county
3 license collectors, and the county license collector shall be
4 responsible therefor and shall account for the same to the
5 controller of state every three months, beginning with July
6 first of each year.

7 SEC. 2. Section four of an act entitled "An act to regulate
8 and license the hunting of wild birds and animals, and to
9 provide revenue therefrom, for game and fish preservation and
10 restoration," approved March 22, 1909, is hereby amended
11 to read as follows:

12 Section 4. Every person applying for and procuring a
13 license as herein provided shall furnish to the county
14 license collector or state board of fish commissioners, his name
15 and residence address, which information shall be by the
16 license collector or board entered in a book kept for that
17 purpose and provided by the state board of fish commissioners,
18 together with a statement of the date of issuance and the
19 number of the license issued to such person. Such applicant
20 shall also furnish to the county license collector or fish com-
21 missioners, a written description of himself, by age, height,
22 nationality and color of the eyes and hair.

23 SEC. 3. Section six of an act entitled "An act to regulate
24 and license the hunting of wild birds and animals, and to
25 provide revenue therefrom, for game and fish preservation
26 and restoration," approved March 22, 1909, is hereby amended
27 to read as follows:

28 Section 6. All moneys collected from licenses as provided
29 herein, and all fines collected for the violation of the pro-
30 visions hereof, shall be paid into the state treasury and
31 credited to the game preservation fund; *provided, however,*
32 that each license collector shall retain ten per cent. of all
33 moneys by him received for the issuance of licenses as herein
34 provided and shall pay the same monthly to the county treas-
35 urer for the use and benefit of the county.

36 SEC. 4. This act shall become effective on the first Monday
37 of January, A. D. 1915.

SENATE BILL

No. 395

INTRODUCED BY SENATOR BIRDSALL,

JANUARY 17, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION FOUR THOUSAND AND EIGHTY-FIVE AND ONE HALF OF THE POLITICAL CODE OF THE STATE OF CALIFORNIA, AUTHORIZING THE BOARD OF SUPERVISORS OF THE SEVERAL COUNTIES OF THIS STATE TO DECLARE INNAVIGABLE STREAMS HIGHWAYS FOR THE PURPOSE OF FISHING, AND PROVIDING FOR THE USE OF THE SAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section four thousand and eighty-five and one
2 half of the Political Code of the State of California is hereby
3 amended to read as follows:
4 4085½. On the application of any individual, association or
5 corporation interested, the board of supervisors of any county
6 of this state may, by ordinance, declare all or any portion of
7 any slough, lake, river, or stream which does not lie within
8 or run through cultivated land lying within the county which
9 is stocked or supplied, in whole or in part, with fish, by the
10 state or counties and which has not been declared by law to
11 be navigable, and which in fact is not navigable for commercial
12 purposes, to be a public highway for the purpose of fishing
13 in said slough, lake, river or stream, and the same shall there-
14 upon become and be a public highway for such purpose, sub-

1 ject only to the reservations hereinafter contained. In case
2 any owner of land adjacent to or across which such slough,
3 lake, river or stream flows does not consent to the use of the
4 slough, lake, river or stream for such purpose with the right
5 to pass along the banks for the purpose of fishing and grant
6 the same to the county by suitable instrument in writing, on
7 application, the board of supervisors may contract for and
8 purchase any or all such rights; or if the same can not be
9 purchased at a satisfactory price, may authorize proceedings
10 to be commenced to procure the same in the manner directed
11 by title seven, part three, of the Code of Civil Procedure.

SENATE BILL

No. 447

INTRODUCED BY SENATOR SANFORD,

JANUARY 20, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX *f* OF THE PENAL CODE OF THE STATE OF CALIFORNIA RELATING TO THE PROTECTION OF MALE DEER.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-six *f* of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:
4 626*f*. Every person who between the first day of July,
5 1913, and the first day of July, 1916, hunts, pursues, takes
6 or destroys, or has in his possession, whether taken or killed
7 in the State of California, or shipped into the state from any
8 other state or territory, or foreign country, any male deer,
9 or any deer meat, is guilty of a misdemeanor, and upon con-
10 viction shall be fined not less than twenty-five dollars nor
11 more than one hundred dollars.

SENATE BILL

No. 499

INTRODUCED BY SENATOR RUSH,

JANUARY 21, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION THREE OF AN ACT ENTITLED, "AN ACT TO REGULATE THE VOCATION OF FISHING, AND TO PROVIDE THEREFROM REVENUE FOR THE PROPAGATION, RESTORATION AND PRESERVATION OF FISH IN THE WATERS OF THE STATE OF CALIFORNIA," APPROVED MARCH 13, 1909.

The people of the State of California do enact as follows:

1 SECTION 1. Section three of an act entitled "An act to
2 regulate the vocation of fishing and to provide therefrom
3 revenue for the propagation, restoration and preservation of
4 fish in the waters of the State of California," approved March
5 13, 1909, specifying to whom licenses shall be issued, is hereby
6 amended to read as follows:

7 Section 3. Licenses shall be issued and delivered upon appli-
8 cation to the state board of fish and game commissioners or
9 their deputies. The licenses herein provided for shall be
10 issued as follows: To any citizen of the United States upon
11 the payment of two and one half dollars; to any person not a
12 citizen of the United States but eligible to become such upon
13 the payment of ten dollars; to any person not eligible to become
14 a citizen of the United States upon the payment of one hundred
15 dollars. Not more than one license shall be issued to any one

1 person for the same year, except upon an affidavit by the appli-
2 cant that the one issued has been lost or destroyed, and no
3 license issued as herein provided shall be transferable or used
4 by any other person than the one to whom it was issued.
5 Every person having a license as provided herein, who refuses
6 to exhibit such license upon demand of any officer authorized
7 to enforce the fish and game laws of this state, or any peace
8 officer of this state; or who transfers or disposes of the same
9 to another person to be used as a fisherman's license; or who
10 fishes with unlawful lines, nets, seines, or by modes or methods
11 in violation of any law for the preservation of fish and game
12 shall forfeit this license.

SENATE BILL

No. 543

INTRODUCED BY SENATOR OWENS,

JANUARY 22, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND AN ACT ENTITLED, "AN ACT TO DIVIDE THE STATE OF CALIFORNIA INTO SIX FISH AND GAME DISTRICTS," APPROVED MARCH 21, 1911, BY AMENDING SECTION ONE AND THREE THEREOF AND BY ADDING A NEW SECTION THERETO TO BE KNOWN AND NUMBERED AS SECTION SEVEN AND ONE HALF.

The people of the State of California do enact as follows:

1 SECTION 1. The people of the State of California is hereby
2 divided into seven fish and game districts to be known as and
3 designated the first fish and game district, the second fish and
4 game district, the third fish and game district, the fourth fish
5 and game district, the fifth fish and game district, the sixth
6 fish and game district, and the seventh fish and game district.

7 SEC. 2. The first fish and game district shall consist of and
8 include the counties of Del Norte, Siskiyou, Modoc, Lassen,
9 Shasta, Trinity, Humboldt, Tehama.

10 SEC. 3. The second fish and game district shall consist of
11 and include the counties of Mendocino, Glenn, Colusa, Lake,
12 Sonoma, Napa, Yolo, Solano.

13 SEC. 4. The third fish and game district shall consist of
14 and include the counties of Plumas, Butte, Sierra, Yuba,

1 Sutter, Nevada, Placer, El Dorado, Sacramento, Amador,
2 Alpine, Calaveras, Tuolumne, Mariposa, Mono.

3 SEC. 5. The fourth fish and game district shall consist of
4 and include the counties of San Joaquin, Stanislaus, Merced,
5 Madera, Fresno, Kings, Tulare, Kern.

6 SEC. 6. The fifth fish and game district shall consist of and
7 include the counties of Contra Costa, Alameda, San Francisco,
8 San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey,
9 San Luis Obispo.

10 SEC. 7. The sixth fish and game district shall consist of
11 and include the counties of Santa Barbara, Ventura, Los
12 Angeles, Orange, San Diego, Imperial, Riverside, San Ber-
13 nardino and Inyo.

14 SEC. 7½. The seventh fish and game district shall consist
15 of and include the county of Marin.

16 SEC. 8. This act shall take effect and be in force from and
17 after its passage.

New Act. Permits Board of Fish and Game Commissioners, on payment of fee of \$25 to issue breeder's license, permitting persons to breed, raise, sell, kill and transport, on or from enclosed private preserve or island, elk, deer, quail, wild duck, etc. Licenses to be renewed annually. Open and close seasons for shooting. Tag system on each carcass. Fee for each tag.

SENATE BILL

No. 567

INTRODUCED BY SENATOR FLINT,

JANUARY 22, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA TO BE NUMBERED SIX HUNDRED AND THIRTY-ONE *d* PROVIDING FOR THE BREEDING AND SALE OF AMERICAN ELK, MULE DEER, BLACK-TAILED DEER, WHITE-TAILED DEER, EUROPEAN RED DEER, FALLOW DEER, HAWAIIAN OR COMMON INDIAN DEER, ROEBUCK, PHEASANTS, PARTRIDGES, BOB WHITE QUAIL, CALIFORNIA VALLEY AND MOUNTAIN QUAIL AND ALL VARIETIES OF WILD DUCKS; PROVIDING FOR A LICENSE THEREFOR; FOR THE MANNER OF KILLING, TAGGING, TRANSPORTATION AND SALE THEREOF; FOR REPORTS; FOR THE FENCING OF THE PRESERVES AND FOR THE REVOCATION OF LICENSES.

The people of the State of California do enact as follows:

- 1 SECTION 1. Any person desiring to engage in the business
2 of raising and selling domesticated American elk (*alces mach-*
3 *lis*), mule deer (*capreolus macrotus*), black-tailed deer (*cap-*
4 *reolus columbianus*), white-tailed deer (*capreolus leucurus*),
5 European red deer (*cervus elaphus*), fallow deer (*cervus*
6 *dama*), Hawaiian or common Indian deer (*cervulus muntjac*),
7 roebuck (*capreolus caprea*), pheasants (*phasianus linnaeus*),
8 partridge (*phasianidae*), Bob White quail (*ortyx virginianus*),
9 California valley and mountain quail (*laportyx californicus*),
10 wild duck (*anatidae*) of any variety, or any of them, in a
11 wholly enclosed preserve or entire island of which he is the

owner or lessee, may make application in writing to the state board of fish and game commissioners for a license so to do. The said state board of fish and game commissioners, when it shall appear that said application is made in good faith, shall upon the payment of a fee of twenty-five dollars, issue to such applicant a breeder's license permitting such applicant to breed and raise domesticated American elk, mule deer, black-tailed deer, white-tailed deer, European red deer, fallow deer, Hawaiian or common Indian deer, roebuck, pheasants, partridges, Bob White quail, California quail, wild ducks, or any of them as hereto designated, on such preserve or entire island, and to sell the same alive or at any time for breeding and stocking purposes, and to kill and transport the same and sell the carcasses thereof for food as hereinafter provided. Such license shall expire on the last day of December in each year at midnight.

SEC. 2. Any person to whom such a license shall have been issued may kill such elk, deer, pheasants, partridges, quail or ducks in the manner and at the times herein set forth, as follows: Elk or deer may be killed by shooting or otherwise between the fifteenth day of August and the first day of November, both inclusive. Pheasants or partridges may be killed otherwise than by shooting between the first day of October and the thirty-first day of December, both inclusive. Bob White and California quail may be killed otherwise than by shooting between the first day of August and the first day of February, both inclusive. Wild ducks may be killed otherwise than by shooting between the fifteenth day of October and the first day of March, both inclusive. Any person may possess or sell such elk, deer, pheasants, partridges, quail or wild ducks for food, as herein set forth. A breeder of pheasants or partridges, under a license as herewith provided may, during the month of February, kill by shooting his surplus cock pheasants or cock partridges; *provided*, he shall first obtain from the state board of fish and game commissioners a permit so to do.

SEC. 3. No elk, deer, pheasants, partridges, quail or wild ducks, killed as aforesaid and intended for sale, shall be

1 shipped, transported, sold or offered for sale, unless each quar-
2 ter and each loin of each carcass of each elk or deer and each
3 pheasant, partridge, quail or duck shall have been tagged
4 under the supervision of the state board of fish and game com-
5 missioners with a tag or seal which shall be supplied by the
6 said commissioners. The quarters and loins of the carcass of
7 such elk or deer and the carcasses of such pheasants, par-
8 tridges, quail or ducks, when tagged as aforesaid, may be pos-
9 sessed, sold or offered for sale between the dates hereinbefore
10 mentioned as the dates between which they may be killed.
11 Every game protector or person designated by whom such elk,
12 deer, pheasants, partridges, quail or ducks shall have been
13 tagged, shall within five days thereafter, make and file with the
14 state board of fish and game commissioners a written report
15 thereof, which shall contain a statement of the name of the
16 person by whom such elk, deer, pheasants, partridges, quail or
17 ducks were bred or raised and killed; the number of such elk,
18 deer, pheasants, partridges, quail or ducks, so killed, and the
19 name of the person or persons to whom such elk, deer, pheas-
20 ants, partridges, quail or ducks were sold or to whom they were
21 transported.

22 SEC. 4. Common carriers may receive and transport during
23 the open season therefor, carcasses, or parts thereof, of said elk,
24 deer, pheasants, partridges, quail or ducks tagged as aforesaid,
25 but to every package containing such carcasses or parts thereof
26 shall be affixed a tag or label, upon which shall be plainly
27 printed or written the name of the person to whom such license
28 was issued, and by whom such elk, deer, pheasants, partridges,
29 quail or ducks were killed, the name or names of the person or
30 persons to whom such elk, deer, pheasants, partridges, quail or
31 ducks are to be transported; the name of the game protector
32 or other person by whom such elk, deer, pheasants, partridges,
33 quail or ducks were tagged, the number of carcasses or por-
34 tions thereof contained therein, and that the elk, deer, pheas-
35 ants, partridges, quail or ducks were killed and tagged in
36 accordance with the provisions of this section.

37 SEC. 5. No person shall sell or offer for sale any venison

1 or birds killed and tagged as aforesaid, without first obtaining
2 a license so to do from the state board of fish and game com-
3 missioners, upon such terms and conditions as the said com-
4 missioners may prescribe and any such license may be revoked
5 for sufficient cause at the pleasure of the said commission.
6 The said tags or seals shall remain affixed as aforesaid until
7 the quarters or loins of such elk or deer or the carcasses of
8 such pheasants, partridges, quail or ducks shall have been
9 wholly consumed, and the sale of a quarter or loin, or any
10 larger portion of such elk or deer, or the carcass of any such
11 pheasant, partridge, quail or duck which shall not at the time
12 have affixed thereto the tag or seal aforesaid, shall constitute a
13 violation of this section; *provided, however*, that the keeper
14 of a hotel, or restaurant, a boarding house, or a retail dealer
15 in meat or a club may sell portions of a quarter or loin of
16 any such elk or deer, or the carcass of any such pheasant, part-
17 ridge, quail or duck so tagged or sealed as aforesaid to a patron
18 or customer for actual consumption, and no license shall be
19 required of such person or club.

20 SEC. 6. On or before the first day of April of each year
21 every person, to whom a license shall have been issued as afore-
22 said shall make a report to the state board of fish and game
23 commissioners, covering the period from the first day of August
24 of the preceding year to the first day of March, both inclusive,
25 of the year in which the report is made, which said report
26 shall state the total number of elk, deer, pheasants, partridges,
27 quail or ducks killed, sold or transported, as permitted by the
28 provisions of this section, during said period. Such reports
29 shall set forth the name of the person to whom such elk, deer,
30 pheasants, partridges, quail or ducks were sold or transported,
31 the name of the game protector or person designated in whose
32 presence such elk, deer, pheasants, partridges, quail or ducks
33 were tagged, and such reports shall be verified by the affidavit
34 of the person to whom such license was issued or if the license
35 was issued to a corporation, then by the officer thereof.

36 SEC. 7. A preserve used for the breeding of elk or deer,
37 pursuant to this section, shall be surrounded by a fence of wire

1 or other material of a pattern to be approved by the state board
2 of fish and game commissioners and of a height of not less than
3 seven feet.

4 SEC. 8. If any person to whom such license shall have been
5 issued shall be convicted of a violation of the fish and game law,
6 the state board of fish and game commissioners may revoke
7 the license of such person, and thereafter no similar license
8 shall be issued to such person.

9 SEC. 9. The state board of fish and game commissioners
10 shall be entitled to receive and collect for each tag or seal
11 affixed to the carcass of any animal or bird, as hereinbefore
12 provided, the sum of three cents.

13 SEC. 10. Any person who violates or fails to perform any
14 duty imposed by any of the provisions of this act is guilty of
15 a misdemeanor and is liable to a penalty of one hundred dol-
16 lars and an additional penalty of twenty dollars for each quad-
17 ruped or bird or part of quadruped or bird bought, sold, offered
18 for sale, taken, possessed, transported or had in possession for
19 transportation in violation thereof. All acts or parts of acts,
20 relating to the protection of game in its wild state, that may be
21 in direct conflict with or in opposition to the enforcement and
22 reasonable operation of this act are hereby repealed.

Provides that deer hides be tagged, and when so tagged, can be sold or transported. Misdemeanor for buying or selling untagged deer hides.

SENATE BILL

No. 603

INTRODUCED BY SENATOR RUSH,

JANUARY 22, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-SIX *h*, OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION OF FISH AND GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-six *h* of the
2 Penal Code is hereby amended to read as follows:
3 626*h*. Every person who buys, sells, offers or exposes for
4 sale, barter or trade, the hide, pelt or skin of any deer, or who
5 transports, carries, or has in his possession, the skin, pelt or
6 hide of any female deer, or spotted fawn, or any deer hide or
7 pelt from which the evidence of sex has been removed, is
8 guilty of a misdemeanor; *provided, however,* that the provis-
9 ions of this section shall not apply to the skin, pelt or hide of
10 any deer killed or taken in a foreign country; *provided, how-*
11 *ever,* that any person who shall lawfully kill deer during the
12 open season may make an affidavit before any justice of the
13 peace or county clerk, setting forth the date of the killing of
14 each deer, and that the same was killed by the affiant; and
15 said justice of the peace or county clerk taking such affidavit
16 shall unless he have reason to believe that said affidavit is
17 false, or that the affiant has violated the laws relating to the

1 killing of game, thereupon deliver to the affiant one leather
2 tag of the character hereinafter described for the hide of each
3 deer covered by said affidavit, not exceeding two in all, and
4 the person so receiving such tag or tags shall securely fasten
5 with wire one tag to each deer skin and shall thereupon be
6 entitled to offer said deer skin for sale or exchange or trans-
7 portation to any point within the state. The tags above
8 referred to shall be designed and issued by the state board of
9 fish commissioners, or the chief officer charged with the enforce-
10 ment of the game laws, and shall bear a stamp impressed
11 thereon containing a number and the year of issue, and such
12 other words or figures as such board or officer may determine.
13 Such tags shall be numbered consecutively beginning with
14 No. 1 each year, and shall be distributed to the various county
15 clerks of this state to be distributed to the justices of the peace
16 of their respective counties. Each county clerk shall receipt
17 for the tags so received by him and shall take from each justice
18 of the peace to whom he shall issue any of such tags a receipt
19 in duplicate, one copy of which he shall file in his office and
20 the other of which he shall forward to the state board of fish
21 commissioners. Each justice of the peace or county clerk tak-
22 ing any such affidavit and issuing any such tag shall enter
23 upon each affidavit the number of the tags issued by him to
24 the affiant, and he shall forward to the county clerk of his
25 county within five days from the close of the open season
26 for deer in each year all such affidavits, and all unused tags,
27 and said clerk shall forward all of the same to the state board
28 of fish commissioners. Such affidavit may also be taken by and
29 filed with any county clerk who may issue tags direct to affiant
30 under the regulations hereinbefore mentioned. Each county
31 clerk or justice of the peace transmitting any such affidavit
32 may make a charge to the affiant of ten cents, but no other fee
33 shall be collected for the taking of such affidavits. No tag
34 shall be issued to any person in any year for any deer hide
35 after the expiration of five days from the close of the open
36 season for deer, nor shall more than two tags be issued to any
37 person in any one year. Any person who shall wilfully make

1 a false affidavit for the purpose of securing any tag herein-
2 before mentioned, or who shall counterfeit or alter, or attempt
3 to counterfeit or alter any such tag issued by the said board
4 of fish commissioners shall be guilty of a misdemeanor. Every
5 person who buys, sells, offers or exposes for sale, barter or
6 trade, or transports or carries any deer hide within this state
7 unless the same shall have attached thereto a leather tag as
8 hereinbefore provided is guilty of a misdemeanor.

Changes Section 628a, to permit shipping striped bass out of State. Changes Section 634, to place limits of tidewater on salmon in both Sacramento and San Joaquin rivers, up river. Repeals Section 636b, preventive of fishing with nets in Mokelumne River.

SENATE BILL

No. 604

INTRODUCED BY SENATOR CAMINETTI,

JANUARY 22, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTIONS SIX HUNDRED AND TWENTY-EIGHT *a*, SIX HUNDRED AND THIRTY-FOUR, AND TO REPEAL SECTION SIX HUNDRED AND THIRTY-SIX *b*, OF THE PENAL CODE OF THE STATE OF CALIFORNIA, ALL RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-eight *a* of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:
- 4 628*a*. Every person who, at any time, buys, sells, offers
5 for sale, or has in his possession, any striped bass of less than
6 three pounds in weight; or who, between the seventeenth day
7 of September and the twenty-third day of October of any
8 year, takes, catches, or kills, any striped bass, with a net or
9 seine; or who, between the seventeenth day of September and
10 the twenty-third day of October of any year, has in his
11 possession any striped bass, taken, caught or killed, except
12 with hook and line; or who, between the seventeenth day of
13 September and the twenty-third day of October of any year,
14 buys, sells, or offers for sale, ships, offers for shipment, or
15 receives for shipment or transportation, any striped bass is

1 guilty of a misdemeanor; *provided*, that the possession of such
2 striped bass shall be *prima facie* evidence of the fact that
3 such striped bass were caught or taken in the waters of this
4 state.

5 SEC. 2. Section six hundred and thirty-four of the Penal
6 Code of the State of California is hereby amended to read as
7 follows:

8 634. Every person who, between the seventeenth day of
9 September and the twenty-third day of October of each year,
10 takes, catches, or kills, buys, sells, offers or exposes for sale,
11 or has in his possession, any fresh salmon; every person who,
12 except with spoon and hook and line, between the twenty-
13 third day of October and the fifteenth day of November of
14 each year, takes, catches, or kills, any salmon, shad or striped
15 bass, above tide-water; every person who, between the twenty-
16 third day of October and the fifteenth day of November of
17 each year, takes, catches, or kills, above tide-water, or who
18 has in his possession taken above tide-water, more than one
19 salmon, during any one calendar day; every person who shall
20 cast, extend or draw, or assist in casting, extending or draw-
21 ing, any net or seine for the purpose of taking or catching
22 salmon, shad or striped bass, in any of the waters of this
23 state, at any time between sunrise of each Saturday and
24 sunset of the following Sunday; every person who catches
25 salmon, in any of the waters of this state, with any seine, or
26 net, dragnet, or paranzella, any of the meshes of which are,
27 when drawn closely together and measured inside the knot,
28 less than six and one-half inches in length; every person who
29 catches any shad or striped bass in any of the waters of the
30 state, with any seine or net, dragnet, or paranzella, any of the
31 meshes of which are, when drawn closely together and meas-
32 ured inside the knot, less than five and one-half inches in
33 length; every person who catches any salmon, shad or striped
34 bass with any seine or net, the cork line of which shall be sub-
35 merged below the surface of the water and so anchored or
36 fastened to the bed of any stream or body of water so as to
37 prevent the free drifting of any such seine or net, is guilty

1 of a misdemeanor, and is punishable by a fine of not less than
2 two hundred dollars, or by imprisonment in the county jail in
3 the county in which the conviction shall be had, not less than
4 one hundred and fifty days, or by both such fine and impris-
5 onment, and all fines imposed and collected for any violation
6 of the provisions of this section shall be paid into the fish
7 and game preservation fund. In the construction and mean-
8 ing of this section, the limits of tide water in Sacramento
9 river shall be deemed not to extend above the east side of the
10 Southern Pacific company's railroad bridge at the city of
11 Sacramento; in the San Joaquin river, not to extend above
12 the south side of the Southern Pacific company's railroad
13 bridge about seventeen miles south of the city of Stockton; in
14 Eel river, in Humboldt county, from its mouth to east bound-
15 ary line of township three north, range two west, Humboldt
16 meridian; in the Klamath river to a point on the river north
17 of the residence of James McGarvey; in Smith river, in Del
18 Norte county, from its mouth to Higgins Ferry. Nothing in
19 this section shall prohibit the United States fish commission
20 and the fish and game commission of this state from taking
21 at all times such fish as they deem necessary for the purpose
22 of artificial hatching.

23 SEC. 3. Section six hundred and thirty-six *b* of the Penal
24 Code of the State of California is hereby repealed.

25 SEC. 4. All acts and parts of acts in conflict with this act
26 are hereby repealed.

Changes law on two-mesh, three-mesh and trammel nets by also including the word "set" as among the acts prohibited, and changing the words, "the waters of this State" to read "the waters of any river, stream, strait, or channel of any bay within this State." Also makes fine of \$100 or imprisonment not less than fifty days.

SENATE BILL

No. 635

INTRODUCED BY SENATOR FLINT,

JANUARY 23, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED THIRTY-FIVE AND ONE HALF OF THE
PENAL CODE, RELATING TO TWO-MESH, THREE-MESH, AND TRAM-
MEL NETS.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred thirty-five and one half of
2 the Penal Code is hereby amended to read as follows:
3 635½. Every person who shall, at any time, cast, set, extend,
4 or use, any two-mesh or three-mesh net, or trammel net, for
5 the catching of fish, shrimp, or shellfish, in the waters of any
6 river, stream, strait, or channel of any bay within this state,
7 except as provided in section six hundred and thirty-six of
8 the Penal Code, is guilty of a misdemeanor and is punishable
9 by a fine of not less than one hundred dollars, or by imprison-
10 ment in the county jail in the county in which the conviction
11 shall be had, not less than fifty days, or by both such fine and
12 imprisonment; and all fines imposed and collected for any
13 violation of any of the provisions of this section shall be paid
14 into the state treasury to the credit of the fish and game
15 preservation fund.

Abalones. Changes present law so as to prevent the use of diving paraphernalia in taking abalones. Also prohibits shipping of abalones, abalone meat, or shells out of the State.

SENATE BILL

No. 636

INTRODUCED BY SENATOR FLINT,

JANUARY 23, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-EIGHT OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION OF FISH AND SHELL-FISH.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred twenty-eight of the Penal
2 Code of the State of California is hereby amended to read
3 as follows:

4 628. Every person who, at any time, offers for shipment,
5 ships, or receives for shipment or transportation from the
6 State of California to any place in any other state, territory,
7 or foreign country, or who has in his possession, for any pur-
8 pose, any dried shrimp or shrimp shells of shrimp caught or
9 taken in the waters of this state, is guilty of a misdemeanor;
10 *provided*, that the possession of such dried shrimp or shrimp
11 shells, for any purpose, shall be *prima facie* evidence of the
12 fact that such dried shrimps or shrimp shells are of shrimps
13 which were caught or taken in the waters of this state; or
14 every person who, between the fifteenth day of February and
15 the fifteenth day of September of each year, buys, sells, takes,
16 catches, kills, or has in his possession any lobster, or crawfish,
17 or who, at any time, has in his possession any lobster or craw-
18 fish of less than nine and one half inches in length, measured

1 from one extremity to the other, exclusive of legs, claws, or
2 feelers, or who shall, at any time, pickle, can, or otherwise
3 preserve any lobster, crab, or crawfish, caught or taken in the
4 waters of this state, or who shall, at any time, sell any crab,
5 lobster, or crawfish meat not in the shell of such crab, lobster,
6 or crawfish, or who shall bring to shore any part or portion
7 of any lobster, crab, or crawfish, without the remaining por-
8 tions of said lobster, crab, or crawfish, in such condition that
9 the size of such lobster, crab, or crawfish cannot be measured,
10 is guilty of a misdemeanor. Every person who, at any time,
11 has in his possession for sale, or sells, or offers for sale, any
12 dressed catfish less than seven inches in length, not including
13 the head; or who, at any time, kills, or has in his possession,
14 any sturgeon of less than twenty-five pounds in weight; or
15 who, between the first day of November and the first day of
16 March of the year following, buys, sells, takes, catches, kills,
17 or has in his possession, any crab; or who, at any time, buys,
18 sells, offers for sale, takes, catches, kills, or has in his posses-
19 sion, any female crab, or any crabs which shall measure less
20 than seven inches across the back, or any person who, between
21 the first day of March and the first day of July of any year,
22 kills, takes, or catches, in the waters of this state, any abalone
23 (*Haliotis*); or who, at any time, buys, sells, offers for sale,
24 takes, catches, kills, or has in his possession, any abalone
25 (*Haliotis*), known to commerce as the red abalone (*Haliotis*
26 *rufescens*), less than seventeen inches around the outer edge
27 of the shell, or any green abalone (*Haliotis fulgens*), less than
28 sixteen inches around the outer edge of the shell, or any pink
29 abalone (*Haliotis corrugata*), less than fourteen inches around
30 the outer edge of the shell, or any black abalone (*Haliotis*
31 *crackerodie*), less than twelve inches around the outer edge
32 of the shell; or who, by whatever means whatsoever, takes or
33 catches, between the first day of July and the twenty-eighth
34 day of February, the red abalone (*Haliotis rufescens*), seven-
35 teen inches or over around the outer edge of the shell, or the
36 green abalone (*Haliotis fulgens*), sixteen inches or over
37 around the outer edge of the shell, or the pink abalone (*Hali-*

1 *tis corrugata*), fourteen inches or over around the outer edge
2 of the shell, or the black abalone (*Haliotis crackerodie*),
3 twelve inches or over around the outer edge of the shell, and
4 does not bring the abalone naturally attached to the shell,
5 alive, to the shore, above high-water mark; or who kills any
6 abalone (*Haliotis*), of lawful size, other than for food pur-
7 poses; or who, at any time, shall use any diving parapher-
8 nalia of whatsoever character, for the taking, gathering, or
9 catching of any abalone (*Haliotis*); or who ships, offers for
10 shipment, or receives for shipment or transportation, from
11 the State of California, to any place in any other state, terri-
12 tory, or foreign country, any abalone (*Haliotis*), abalone
13 (*Haliotis*) meat, or abalone (*Haliotis*) shells, is guilty of a
14 misdemeanor; *provided*, that it shall at all times be lawful
15 for any person or persons, to buy, sell, or have in his posses-
16 sion, any lobster or crawfish of not less than nine inches in
17 length, measured from one extremity to the other, exclusive
18 of legs, claws, or feelers, or any abalone caught or taken with-
19 out the waters of this state, and bearing, after inspection, such
20 evidence of having been so caught or taken as shall be here-
21 after prescribed by the fish and game commission; *and pro-*
22 *vided further*, that the expense of such inspection shall be borne
23 by the person or persons importing lobster or crawfish.

SENATE BILL

No. 712

INTRODUCED BY SENATOR OWENS,

JANUARY 24, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO FURTHER DIVIDE THE STATE INTO FISH AND GAME DISTRICTS BY ESTABLISHING A DISTRICT SPECIALLY SUITED FOR PROPAGATION OF GAME, AND TO PROVIDE FOR THE MANAGEMENT AND PROTECTION THEREOF.

The people of the State of California do enact as follows:

1 SECTION 1. In addition to other fish and game districts,
2 the following described territory, being specially fitted for the
3 propagation of game, is set apart and divided from the other
4 fish and game districts of the state, and shall be known as the
5 "Mount Tamalpais game refuge." Said district shall be
6 composed of that portion of Marin county which is particu-
7 larly described as follows: beginning at the head of inner
8 Bolinas bay, at the intersection of the Bolinas-San Rafael
9 county road with the Bolinas-Olema county road, thence run-
10 ning northwesterly along the Bolinas-Olema county road to
11 its intersection with the boundary line between the lands of
12 Mrs. S. S. Randall and G. Muscio; thence northeasterly along
13 the said boundary line and that line extended to its intersection
14 with the center of the right of way of the Northwestern
15 Pacific railway: thence southeasterly along the center of the

1 right of way of the Northwestern Pacific railroad through
2 railroad stations Lagunitas, Fairfax, San Anselmo, Corte Ma-
3 dera and intermediate stations to Manzanita station, where now
4 located; thence southerly along the road up the east branch
5 of Coyote valley and down Tennessee valley to its mouth on
6 the Pacific ocean; thence northwesterly along the Pacific ocean
7 and Bolinas bay (including inner Bolinas bay) to the point of
8 beginning.

9 SEC. 2. The provisions of law for district number ———,
10 for the protection of fish, shall be in force in said "Mount
11 Tamalpais game refuge;" but there shall be no open season
12 therein for any game animals or birds, and it shall be unlaw-
13 ful to hunt, pursue, take, kill or destroy any such animals or
14 birds within its limits, at any time, except to capture the same
15 to be set at liberty elsewhere, as hereinafter specially pro-
16 vided. The terms, game animals and birds, as used herein,
17 are intended to include all animals and birds which are pro-
18 tected or fostered by any of the laws of the state.

19 SEC. 3. Said Mount Tamalpais game refuge shall be under
20 the government, control and management of a board, to be
21 known as the "managers of the Mount Tamalpais game
22 refuge." Said board shall consist of three members, to be
23 appointed by the governor of the state, and to hold office at
24 his pleasure. Said members shall receive no salary; but when
25 any funds are available for the purpose, may be reimbursed
26 for actual expenses incurred in the performance of their
27 official duties.

28 SEC. 4. Said managers shall have power:

29 a. To exercise control over any lands within the district
30 to which the state may acquire any tenancy or ownership,
31 by lease, purchase, or donation.

32 b. To accept, on behalf of the state, donations of ownership
33 or leasehold interests of any lands within the boundaries of
34 said district, to be used for furtherance of the objects of pro-
35 tecting, feeding, or propagating game.

36 c. To accept, on behalf of the state, donations of game birds
37 and animals, and of money given or appropriated for protec-

tion, feeding, or propagation of game in said district, and use the same for the said purposes; and as nearly as may be, for any particular purpose indicated by the donor.

d. To capture and take alive from said district, game, and set it at liberty in other portions of the state, with the approval of the fish and game commission, but not otherwise.

e. To adopt rules for the government of said board in its own meetings and deliberations; and to make such rules and regulations for the further protection and propagation of game in the district as shall not be inconsistent with this act or other statutes of the state.

f. To appoint and employ wardens for said district, who shall have within said district all the authority and duties of deputy fish and game commissioners, and such other employees as may be needed; and may provide compensation for said wardens and employees when there are funds at the disposal of said board available for such purpose.

g. To issue, in their discretion, and under such restrictions as they may deem best, permits for carrying, using, or having in possession, within said district, firearms, traps, or other instruments or means for killing or taking birds or animals; but no such permits shall allow any person to hunt, kill, destroy or take, any game birds or animals; and no hunting, killing or destruction of wild birds or animals, other than game birds or animals, within said district, shall be allowed, except by persons on their own lands or those of their employer, by wardens or by persons holding special permits for the purpose; and persons holding said special permits shall only be allowed so to do when accompanied either by a member of the fish and game commission, or authorized deputy, a member of the board of managers, or a warden of the district, or the sheriff, or a deputy sheriff of the county.

SEC. 5. Any person who shall do any of the following acts within the limits of said district shall be guilty of a misdemeanor, and shall be punishable by fine not exceeding one thousand dollars, or by imprisonment not exceeding seven months, or by both such fine and imprisonment:

1 a. Hunt, pursue, take, kill or destroy, any game, birds, or
2 animals.

3 b. Hunt, pursue, take, kill or destroy, any other wild birds
4 or animals, except as hereinbefore provided.

5 c. Have in his possession any firearms, traps or other con-
6 trivance, instruments, or means capable of being practically
7 used, for killing, destruction, or capture of game birds or
8 animals, without having a permit therefor from the board of
9 managers; *provided*, this subdivision shall not apply to the
10 legal occupant of privately owned lands, when upon his own
11 lands, nor to the employees of such occupant when employed
12 in killing on the lands of their employer, ground squirrels,
13 gophers, owls, hawks, bluejays, skunks, or other destructive
14 birds or animals which are not game birds or animals, as here-
15 inbefore defined.

16 d. Wilfully violate any rules or regulations of the board of
17 managers.

18 SEC. 6. It shall be the duty of the managers of said Mount
19 Tamalpais game refuge to enforce all the provisions of this
20 act and to institute and assist in prosecutions for violations
21 thereof; and so far as can be done without neglect of other
22 duties, such is likewise the duty of the fish and game com-
23 mission and its deputies and of all peace officers.

24 SEC. 7. Any county may, in the discretion of its board of
25 supervisors, appropriate and pay to said board of managers
26 funds to be used by them, as provided in subdivision c, of
27 section four hereof, or to induce distribution within their
28 respective counties of game birds or animals, as provided in
29 subdivision e of said section; all sums, if any, so paid by
30 counties or individuals, to induce such distribution, shall be
31 treated by the managers as donations, within the meaning of
32 the aforementioned subdivision c, of section four hereof.

SENATE BILL

No. 714

INTRODUCED BY SENATOR RUSH,

JANUARY 24, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION ONE OF AN ACT ENTITLED, "AN ACT TO PROHIBIT THE USE OF NETS, SEINES, TRAPS OR WEIRS IN THE NAPA RIVER AND ITS TRIBUTARIES IN THE COUNTIES OF SONOMA, NAPA AND SOLANO," APPROVED MARCH 4, 1911.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1 of an act entitled "An act to pro-
2 hibit the use of nets, seined, traps or weirs in the Napa river
3 and its tributaries in the counties of Sonoma, Napa and
4 Solano," approved March 4, 1911, is hereby amended to read
5 as follows:

6 Section 1. Any person who in the waters of Napa river
7 from its source to the north side of the first Southern
8 Pacific railroad bridge across said river or in any of the tribu-
9 taries of said river shall take fish of any kind, by means of
10 a net, seine, trap, weir or gang-hook, or who shall have in
11 his possession, or use, or set any net, seine, trap, weir or
12 gang-hook for the purpose of catching any fish in said waters,
13 is guilty of a misdemeanor; *provided*, that nothing in this
14 act contained shall prohibit any person from taking during
15 the open season therefor any fish with hook and line.

16 Section 2. All acts and part of act in conflict with this
17 act are hereby repealed.

SENATE BILL

No. 732

INTRODUCED BY SENATOR LYON,

JANUARY 25, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ESTABLISH A FISH HATCHERY, TO PROVIDE FOR THE PURCHASE OR LEASE OF LAND THEREFOR AND THE CONSTRUCTION OF BUILDINGS AND OTHER IMPROVEMENTS IN CONNECTION THEREWITH IN SOUTHERN CALIFORNIA AND TO MAKE AN APPROPRIATION THEREFOR.

The people of the State of California do enact as follows:

1 SECTION 1. There is hereby appropriated out of any money
2 in the state treasury, not otherwise appropriated, the sum of
3 forty thousand dollars for the purpose of, and to be used
4 in the purchase or lease of land and together with water and
5 water rights appertaining thereto, and the construction of
6 buildings and other improvements in connection therewith and
7 the equipment thereof for fish hatchery purposes.

8 SEC. 2. When a suitable site is selected by the board of fish
9 and game commissioners, the said commission are hereby
10 authorized and empowered to purchase or lease the land so
11 selected together with water and water rights.

12 SEC. 3. The controller of the state is hereby authorized and
13 directed to draw his warrant or warrants for the amount of
14 money appropriated by section one of this act, and the state
15 treasurer is hereby ordered and directed to pay such warrants
16 out of said appropriation.

SENATE BILL

No. 733

INTRODUCED BY SENATOR LYON,

JANUARY 25, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO APPROPRIATE MONEY FOR THE PURCHASE OF A PATROL BOAT FOR
THE USE OF THE FISH AND GAME COMMISSION FOR THE SOUTHERN
CALIFORNIA ISLANDS AND COAST PATROL.

The people of the State of California do enact as follows:

- 1 SECTION 1. There is hereby appropriated out of any moneys
2 in the state treasury not otherwise appropriated the sum of
3 fifteen thousand dollars or so much thereof as may be necessary
4 to be paid to the order of the board of fish and game commis-
5 sioners for the purpose of purchasing and equipping a patrol
6 boat for use of said commission for the patrol of the Southern
7 California islands and coast patrol.
- 8 SEC. 2. The state controller is hereby authorized and
9 directed to draw his warrant or warrants for the amount of
10 money appropriated by section one of this act and the state
11 treasurer is hereby ordered and directed to pay such warrant
12 or warrants out of said appropriation.

SENATE BILL

No. 799

INTRODUCED BY SENATOR THOMPSON,

JANUARY 27, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-SIX *g* OF THE PENAL CODE RELATING TO THE PROTECTION AND PRESERVATION OF TREE SQUIRRELS.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-six *g* of the
2 Penal Code is amended to read as follows:
3 626*g*. Every person who between the first day of January
4 and the first day of September of the same year, hunts, takes,
5 kills, or destroys, or has in his possession, any species of tree
6 squirrel, or who at any time buys, sells, offers for sale, or has
7 in his possession for sale, any tree squirrel, is guilty of a mis-
8 demeanor, and any person who takes, kills, or destroys, or has
9 in his possession more than twelve tree squirrels during any
10 one open season, is guilty of a misdemeanor; *provided*, that
11 none of the provisions of this section shall in any manner
12 apply to the county of Mendocino in said state; *and provided*
13 *further*, that every person in game district number six of the
14 State of California who at any time during the five years next
15 succeeding the passage of this act hunts, takes, kills, or
16 destroys any species of tree squirrels is guilty of a misde-
17 meanor.

SENATE BILL

No. 800

INTRODUCED BY SENATOR THOMPSON.

JANUARY 27, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-SIX *f* OF THE PENAL CODE RELATING TO THE PROTECTION AND PRESERVATION OF MALE DEER.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-six *f* of the
2 Penal Code is amended to read as follows:
3 626*f*. Every person who between the first day of November
4 and the fifteenth day of August of the following year, hunts,
5 pursues, takes, or destroys, or has in his possession, whether
6 taken or killed in the State of California, or shipped into the
7 state from any other state, or territory, or foreign country
8 any male deer, or any deer meat, is guilty of a misdemeanor,
9 except as hereinafter provided; *provided*, that every person in
10 game districts numbers two, four and five of the State of Cali-
11 fornia who between the first day of September and the first
12 day of July of the following year, hunts, pursues, takes or
13 destroys, or has in his possession, whether taken or killed in the
14 State of California, or shipped into the state from any other
15 state, territory, or foreign country, any male deer, or any deer
16 meat, is guilty of a misdemeanor; *provided, further*, that every
17 person in game district number six of the State of California,
18 who at any time during the five years next succeeding the
19 passage of this act hunts, pursues, takes, or destroys any male
20 deer, is guilty of a misdemeanor.

Adds one more fish and game district, making seven districts, by taking Mono out of the third, Inyo out of the sixth, and putting them with Alpine in the seventh.

SENATE BILL

No. 814

INTRODUCED BY SENATOR AVEY,

JANUARY 27, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND AN ACT ENTITLED, "AN ACT TO DIVIDE THE STATE OF CALIFORNIA INTO SIX FISH AND GAME DISTRICTS," APPROVED MARCH 21, 1911, BY ADDING A NEW SECTION THERETO.

The people of the State of California do enact as follows:

1 SECTION 1. An act entitled, "An act to divide the State of
2 California into six fish and game districts," approved March
3 21, 1911, is hereby amended by adding a new section thereto,
4 to be numbered section seven and to read as follows:

5 Section 1. The State of California is hereby divided into
6 seven fish and game districts to be known as and designated
7 the first fish and game district, the second fish and game dis-
8 trict, the third fish and game district, the fourth fish and game
9 district, the fifth fish and game district, the sixth fish and
10 game district and the seventh fish and game district.

11 SEC. 2. The first fish and game district shall consist of and
12 include the counties of Del Norte, Siskiyou, Modoc, Lassen,
13 Shasta, Trinity, Humboldt, Tehama.

14 SEC. 3. The second fish and game district shall consist of
15 and include the counties of Mendocino, Glenn, Colusa, Lake,
16 Sonoma, Napa, Yolo, Solano, Marin.

1 SEC. 4. The third fish and game district shall consist of
2 and include the counties of Plumas, Butte, Sierra, Yuba, Sut-
3 ter, Nevada, Placer, El Dorado, Sacramento, Amador, Cala-
4 veras, Tuolumne, Mariposa.

5 SEC. 5. The fourth fish and game district shall consist of
6 and include the counties of San Joaquin, Stanislaus, Merced,
7 Madera, Fresno, Kings, Tulare, Kern.

8 SEC. 6. The fifth fish and game district shall consist of and
9 include the counties of Contra Costa, Alameda, San Francisco,
10 San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey,
11 San Luis Obispo.

12 SEC. 7. The sixth fish and game district shall consist of and
13 include the counties of Santa Barbara, Ventura, Los Angeles,
14 Orange, San Diego, Imperial, Riverside, San Bernardino.

15 SEC. 8. The seventh fish and game district shall consist of
16 and include the counties of Inyo, Mono, Alpine.

SENATE BILL

No. 932

INTRODUCED BY SENATOR HANS.

JANUARY 29, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO PROMOTE THE ENFORCEMENT OF THE GAME LAWS OF THE STATE OF CALIFORNIA BY DESIGNATING EACH MEMBER OF THE LEGISLATURE AS A GAME WARDEN WITH FULL AUTHORITY OF PEACE OFFICERS FOR THE PURPOSES OF THIS ACT.

The people of the State of California do enact as follows:

1 SECTION 1. To see that the laws for the preservation of fish
2 and game are strictly enforced; and for that purpose only;
3 each and every member of the legislature of the State of Cali-
4 fornia is hereby designated as, and authorized to act as a game
5 warden, during his term of office as a member of the said
6 legislature.

7 SEC. 2. Each member of the legislature of the State of
8 California, during his term of office as such, shall have all of the
9 powers and authority of sheriffs or other peace officers to make
10 arrests for violation of the fish and game laws of the State of
11 California, and to serve all process and notices throughout the
12 state.

13 SEC. 3. Each such game warden shall have all of the
14 powers as specified in section six hundred and forty-two of
15 article XVII of chapter III of the Political Code of the State
16 of California, except that all arrests made by them shall be at

- 1 once reported to the fish and game commission of the State of
- 2 California, and all fines accruing from such arrests shall be
- 3 paid into the fish and game preservation fund.
- 4 SEC. 4. Such game wardens shall receive no compensation.

SENATE BILL

No. 960

INTRODUCED BY SENATOR RUSH,

JANUARY 29, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT THE USE OF NETS, SEINES, TRAPS, OR WEIRS FOR THE CATCHING OF FISH IN CACHE SLOUGH AND ITS TRIBUTARIES IN THE COUNTIES OF SOLANO AND YOLO," APPROVED FEBRUARY 20, 1911.

The people of the State of California do enact as follows:

1 SECTION 1. Section one of an act entitled "An act to pro-
2 hibit the use of nets, seines, traps, or weirs for the catching of
3 fish in Cache slough and its tributaries in the counties of
4 Solano and Yolo," approved February 20, 1911, is hereby
5 amended to read as follows:

6 Section 1. Any person who, in the waters of Cache slough,
7 from its source to Barnhart's Landing, in the counties of
8 Solano and Yolo, State of California, or in any of the tribu-
9 taries of said slough in either county, shall take any fish of
10 any kind, by means of a net, seine, trap, or weir, or who shall
11 have in his possession or use, or set any net, seine, trap, or
12 weir for the purpose of catching any fish in said waters, is
13 guilty of a misdemeanor; *provided*, that nothing in this act
14 contained shall prohibit any person from taking, during the
15 open season therefor, any fish with hook and line.

Steelhead trout. Changes law by cutting out some of the present provisions. Puts a limit of fifty trout per day. Prohibits shipping out of the State steelhead or other trout.

SENATE BILL

No. 961

INTRODUCED BY SENATOR FINN,

JANUARY 29, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED THIRTY-TWO AND ONE HALF OF THE PENAL CODE, RELATING TO THE PROTECTION OF STEEL-HEAD TROUT.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred thirty-two and one half of
2 the Penal Code of the State of California is hereby amended
3 to read as follows:
4 632½. Every person who, between the first day of Novem-
5 ber and the first day of April of the year following, takes,
6 catches, kills, destroys, or has in his possession, any steelhead
7 trout taken above tide water; or who, at any time, takes,
8 catches, or kills, any steelhead trout, except with hook and line;
9 or who has in his possession any steelhead trout which have
10 been taken, caught, or killed, except with hook and line; or
11 who, at any time, takes, catches, kills, or has in his possession,
12 during any one calendar day, more than fifty steelhead trout;
13 or who, at any time, takes, catches, kills, or has in his posses-
14 sion, during any one calendar day, steelhead trout, the total
15 weight of which exceeds fifty pounds caught, taken, or killed
16 in the waters of this state, is guilty of a misdemeanor. Every

1 person who offers for shipment, ships, carries, transports, or
2 receives for shipment or transportation from the State of Cali-
3 fornia to any place in any state, territory, or foreign country
4 any steelhead trout or other trout, caught, or taken in the
5 waters of this state, is guilty of a misdemeanor; *provided*,
6 that the possession of such steelhead or other trout shall
7 be *prima facie* evidence of the fact that such steelhead or
8 other trout were caught or taken in the waters of this state.
9 Nothing herein shall apply to domestically reared steelhead
10 trout or other trout. Every person found guilty of any vio-
11 lation of any of the provisions of this section must be fined
12 in a sum not less than twenty dollars, or be imprisoned in
13 the county jail in the county in which the conviction shall
14 be had, not less than ten days, or by both such fine and
15 imprisonment, and all fines collected for any violation of
16 any of the provisions of this section must be paid into the
17 state treasury, to the credit of the fish commission fund.
18 Nothing in this section prohibits the United States fish com-
19 mission and the fish and game commission of this state from
20 taking at all times such trout as they deem necessary for the
21 purpose of propagation or for scientific purposes.

New section. Prevents the use of salmon roe, steelhead trout roe, or prepared salmon eggs as bait to catch steelhead trout.

SENATE BILL

No. 962

INTRODUCED BY SENATOR FINN,

JANUARY 29, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA, TO BE NUMBERED SIX HUNDRED THIRTY-TWO *c*, RELATING TO THE TAKING OF TROUT BY USING SALMON OR TROUT ROE OR EGGS.

The people of the State of California do enact as follows:

1 SECTION 1. A new section is hereby added to the Penal
2 Code of the State of California, to be numbered six hundred
3 and thirty-two *c*, which shall read as follows:

4 632*c*. Every person, who at any time, takes, catches or
5 kills, any steelhead trout, or any other variety of trout, by
6 using salmon roe, steelhead trout roe, trout roe, or the pre-
7 pared eggs of any salmon or trout in any of the waters of this
8 state other than salt or brackish waters, or who has in his pos-
9 session, any steelhead trout or other trout that were taken,
10 caught or killed by using such salmon roe, steelhead trout roe
11 or the prepared eggs of any salmon or trout as bait in the
12 waters of this state is guilty of a misdemeanor.

Section 627b, cuts out that part defining the construction to be placed upon the section, and adds on, that no common carrier or person offering for shipment be convicted, unless they knew that said game was unlawfully taken. Section 627c. New. No person to be convicted for having quail, ducks, etc., unless they have them, knowing them to be unlawfully killed, and is then hunting them, or has gun.

SENATE BILL

No. 999

INTRODUCED BY SENATOR TYRRELL,

(By request,)

JANUARY 29, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-SEVEN *b* OF THE PENAL CODE OF THE STATE OF CALIFORNIA, AND TO ADD TO SAID PENAL CODE A NEW SECTION, TO BE NUMBERED SECTION SIX HUNDRED AND TWENTY-SEVEN *c*, RELATING TO THE PRESERVATION OF GAME AND FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-seven *b* of the
- 2 Penal Code of the State of California is hereby amended to
- 3 read as follows:
- 4 627b. Every common carrier which receives for shipment
- 5 or transportation from, or which ships or transports for, any
- 6 one person during any one calendar day more than twenty-five
- 7 wild ducks, or black sea brant, or more than twenty quail,
- 8 snipe, curlew, ibis, plover, rail, or other shore birds (*Limicolæ*),
- 9 or more than twenty doves; or which ships or transports, or
- 10 any person offering for shipment or transportation any of the
- 11 said birds, or any deer, or any deer meat, in any quantity.

1 unless such birds, or deer, or deer meat are at all times in
2 open view and tagged or labeled with the name, and residence
3 of the person by whom they are shipped; or any person who
4 shall at the time of such shipment or transportation fail to
5 furnish to any such common carrier a tag or label bearing his
6 name, residence and the exact contents of the package offered
7 for shipment or transportation is guilty of a misdemeanor;
8 *provided, however*, that no common carrier shall be convicted
9 of receiving for shipment or transportation, or of shipping or
10 transporting, and no person shall be convicted of offering for
11 shipment or transportation, any quail, wild duck or ducks,
12 black sea brant, snipe, curlew, ibis, plover, rail, or other shore
13 bird or birds (*Limicolæ*), or any dove or doves, or any num-
14 ber thereof, unless such common carrier receives for shipment
15 or transportation, or ships or transports, or such person offers
16 for shipment or transportation, such quail, wild duck or ducks,
17 black sea brant, snipe, curlew, ibis, plover, rail, or other shore
18 bird or birds, (*Limicolæ*), or such dove or doves, knowing the
19 same to have been unlawfully taken or killed.

20 SEC. 2. A new section is hereby added to the Penal Code
21 of the State of California, to be numbered six hundred and
22 twenty-seven c, and to read as follows:

23 627c. No person shall be convicted of having in his posses-
24 sion any quail, dove or doves, sage-hen or sage-hens, grouse,
25 cotton-tail or bush rabbit or rabbits, wild duck or ducks, black
26 sea brant, snipe, curlew, ibis, plover, rail, or other shore bird
27 or birds (*Limicolæ*), or any number thereof, unless such per-
28 son has in his possession such quail, dove, sage-hen, grouse,
29 cotton-tail or bush rabbit, wild duck, black sea brant, snipe,
30 curlew, ibis, plover, rail or other shore bird (*Limicolæ*),
31 knowing the same to have been unlawfully taken or killed, or
32 unless such person then and there is hunting or pursuing
33 game, or has in his possession any gun, trap or snare.

SENATE BILL

No. 1015

INTRODUCED BY SENATOR BEBAN,

JANUARY 30, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-EIGHT, SECTION SIX HUNDRED AND THIRTY-FIVE AND ONE HALF AND SECTION SIX HUNDRED AND THIRTY-SIX OF THE PENAL CODE OF THE STATE OF CALIFORNIA, ALL RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and twenty-eight of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:

4 628. Every person, who, between the fifteenth day of Feb-
5 ruary and the fifteenth day of September of each year, buys,
6 sells, takes, catches, kills, or has in his possession any lobster or
7 crawfish or who at any time has in his possession any lobster
8 or crawfish of less than nine and one half inches in length,
9 measured from one extremity to the other, exclusive of legs,
10 claws or feelers or who shall at any time pickle, can, or other-
11 wise preserve any lobster, crab, or crawfish caught or taken in
12 the waters of this state, or who shall at any time sell any crab,
13 lobster or crawfish meat not in the shell of such crab, lobster or
14 crawfish, or who shall bring to shore any part or portion of any
15 lobster, crab or crawfish, without the remaining portions of
16 said lobster, crab or crawfish in such condition that the size

1 of such lobster, crab or crawfish can not be measured is guilty
2 of a misdemeanor. Every person who, at any time has in his
3 possession for sale, or sells, or offers for sale any dressed cat-
4 fish less than seven inches in length not including the head,
5 or who at any time kills or has in his possession any sturgeon
6 of less than twenty-five pounds in weight, or who between the
7 first day of November and the first day of March of the year
8 following, buys, sells, takes, catches, kills, or has in his posses-
9 sion, any crab, or who, at any time, buys, sells, offers for sale,
10 takes, catches, kills, or has in his possession any female crab,
11 or any crabs which shall measure less than seven inches across
12 the back, or any person who, between the first day of March
13 and the first day of July of any year, kills, takes or catches in
14 the waters of this state any abalone (*Haliotis*); or who, at any
15 time, buys, sells, offers for sale, takes, catches, kills or has in
16 his possession, any abalone (*Haliotis*) known to commerce as
17 the red abalone (*Haliotis rufescens*), less than seventeen inches
18 around the outer edge of the shell, or any green abalone (*Hali-*
19 *otis fulgens*) less than sixteen inches around the outer edge of
20 the shell, or any pink abalone (*Haliotis corrugata*) less than
21 fourteen inches around the outer edge of the shell, or any black
22 abalone (*Haliotis crackerodie*), less than twelve inches around
23 the outer edge of the shell; or who, by whatever means what-
24 soever takes, or catches between the first day of July and the
25 twenty-eighth day of February the red abalone (*Haliotis*
26 *rufescens*) seventeen inches or over around the outer edge of
27 the shell, or the green abalone (*Haliotis fulgens*) sixteen inches
28 or over around the outer edge of the shell, or the pink abalone
29 (*Haliotis corrugata*) fourteen inches or over around the outer
30 edge of the shell, or the black abalone (*Haliotis crackerodie*)
31 twelve inches or over around the outer edge of the shell and
32 does not bring the abalone naturally attached to the shell alive
33 to the shore above high water mark, or who kills any abalone
34 (*Haliotis*) of lawful size other than for food purposes, is
35 guilty of a misdemeanor; *provided*, that it shall at all times be
36 lawful for any person or persons, to buy, sell, or have in his
37 possession any lobster or crawfish of not less than nine inches

1 in length, measured from one extremity to the other, exclusive
2 of legs, claws, or feelers, or any abalone caught or taken with-
3 out the waters of this state, and bearing, after inspection, such
4 evidence of having been so caught or taken as shall be hereafter
5 prescribed by the fish and game commission; *and provided,*
6 *further,* that the expense of such inspection shall be borne by
7 the person or persons importing lobster or crawfish.

8 SEC. 2. Section six hundred and thirty-five and one half of
9 the Penal Code of the State of California is hereby amended
10 to read as follows:

11 635½. Every person who, at any time, shall cast, extend or
12 use any two-mesh or three-mesh net or trammel net for the
13 catching of fish, or shell fish in the waters of this state,
14 (shrimps excepted) is guilty of a misdemeanor and all the
15 fines imposed and collected for any violation of any of the
16 provisions of this section shall be paid into the state treasury
17 to the credit of the fish and game preservation fund.

18 SEC. 3. Section six hundred and thirty-six of the Penal
19 Code of the State of California is hereby amended to read as
20 follows:

21 636. Every person who shall cast, extend or use, or con-
22 tinue, or who shall assist in casting, extending, using or con-
23 tinuing any "bag net," or a net of a similar character, for the
24 catching of fish, shell fish or crabs in the waters of this state;
25 every person who shall cast, extend, set, use or continue, or
26 have in his possession, or who shall assist in casting, extending
27 or using "Chinese sturgeon lines," set lines, or lines of a sim-
28 ilar character; every person who shall set, use or continue, or
29 shall assist in setting, using or continuing, any pond, wire, set
30 net, set line, trap or bag net, or any other fixed or permanent
31 contrivance for catching fish, shell fish or crabs in the waters of
32 this state (except fyke nets without wings used solely for the
33 purpose of catching catfish above tide water between the
34 fifteenth day of July and the fifteenth day of June in the year
35 following) and every net shall be considered a set net that is
36 secured in any way and not free to drift with the current or
37 tide is guilty of a misdemeanor, and is punishable by a fine

1 of not less than one hundred dollars, or by imprisonment in the
2 county jail in the county in which the conviction shall be had
3 not less than fifty days, or by both such fine and imprisonment;
4 and all the fines imposed and collected for any violation of any
5 of the provisions of this section shall be paid into the fish and
6 game preservation fund; *provided, however,* that nothing
7 herein contained shall prohibit the catching of shrimps by the
8 appliance known as the "Chinese shrimp net."

9 SEC. 4. All acts and parts of acts in conflict with this act
10 are hereby repealed.

11 SEC. 5. This act shall take effect immediately.

SENATE BILL

No. 1021

INTRODUCED BY SENATOR STROBRIDGE,

JANUARY 30, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO GRANT ADDITIONAL POWERS TO THE FISH AND GAME COMMISSION OF THE STATE OF CALIFORNIA TO PROTECT FISH, AND WILD GAME BIRDS AND ANIMALS IN DANGER OF EXTERMINATION, AND TO PROVIDE FOR THE EXERCISE THEREOF.

The people of the State of California do enact as follows:

1 SECTION 1. A new section is hereby added to the Penal
2 Code to be numbered ---- and to read as follows:

3 Any citizen of the state may file with the commission a
4 petition in writing requesting it to give any species of fish,
5 other than migratory food fish of the sea, or game protected
6 by law additional or other protection. Such petition shall
7 state the grounds upon which such protection is considered
8 necessary, and shall be signed by the petitioner with his address.
9 The commission shall hold a hearing in the fish and game dis-
10 trict or districts to be affected upon the allegations of such
11 petition within twenty days from the filing thereof. At least
12 ten days prior to such hearing notice thereof, stating the time
13 and place at which such hearing shall be held, shall be adver-
14 tised in a newspaper published in the district to be affected
15 by such additional or other protection. Such notice shall
16 state the name and address of the petitioner, together with a
17 brief statement of the grounds upon which such application

1 is made, and a copy thereof shall be mailed to the petitioner
2 at the address given in such petition at least ten days before
3 such hearing. If upon such hearing the commission shall
4 determine that such species of fish or game, by reason of
5 disease, danger of extermination, or from any other cause or
6 reason, requires such additional or other protection, in any
7 locality or throughout the state, the commission shall have
8 power to prohibit or regulate, during the open season therefor,
9 the taking of such species of fish or game. Such prohibition or
10 regulation may be made general throughout the state or
11 confined to a particular fish or game district thereof. Any
12 order made by the commission under the provisions of this
13 section shall be signed by it, and entered in its minute book.
14 At least twenty days before such prohibition or regulation
15 shall take effect, copies of the same shall be filed in the office
16 of the county clerk issuing hunting licenses for the district to
17 which the prohibition or regulation applies. It shall be the
18 duty of said clerks to issue a copy of said prohibition or regu-
19 lation to each person to whom a hunting license is issued by
20 them; to mail a copy of such prohibition or regulation to each
21 holder of a hunting license theretofore issued by them and at
22 that time in effect, and to post a copy thereof in a conspicuous
23 place in their office. At least twenty days before such prohi-
24 bition or regulation shall take effect the commission shall cause
25 a notice thereof to be advertised in a newspaper published in
26 the county wherein such prohibition or regulation shall take
27 effect. Any person violating the provisions of such prohibi-
28 tion, rule or regulation shall be guilty of a misdemeanor and
29 shall, upon conviction, be subject to a fine of not to exceed one
30 hundred dollars, or shall be imprisoned for not more than
31 thirty days, or both, for each offense, in addition to the pen-
32 alties hereinafter provided for taking fish, birds or animals in
33 the close season.

SENATE BILL

No. 1119

INTRODUCED BY SENATOR ANDERSON,

JANUARY 30, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO PREVENT THE DESTRUCTION OF WILD GAME WITHIN CERTAIN TERRITORY LYING WITHIN THE BOUNDARIES OF THE CLEVELAND NATIONAL FOREST, IN THE STATE OF CALIFORNIA, AND PROVIDING A PENALTY THEREFOR.

The people of the State of California do enact as follows:

1 SECTION 1. Every person who shall hunt, pursue, kill or
2 destroy any wild game of any kind within that certain terri-
3 tory embraced in the Cleveland national forest, more particu-
4 larly described as follows, to wit: "The east one half of town-
5 ship five south, range seven west; all of township seven;
6 all of township five south, range six west, except sections one,
7 two, three, four, ten, eleven and twelve; all of township six
8 south, range five west; all in San Bernardino base and
9 meridian, in the State of California," is guilty of a misde-
10 meanor, and upon conviction shall be punished by a fine of not
11 less than one hundred, nor more than five hundred dollars, or
12 by imprisonment in the county jail of the county in which the
13 conviction shall be had, not less than fifty days nor more than
14 two hundred days, or by both such fine and imprisonment.

15 SEC. 2. The provisions of this act shall not apply to the
16 hunting, pursuing, killing or destroying of California lions,
17 wild-cats or coyotes under a permit therefor issued by the fish
18 and game commission of California.

SENATE BILL

No. 1174

INTRODUCED BY SENATOR FLINT,

JANUARY 31, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA, TO BE NUMBERED SIX HUNDRED TWENTY-SIX *q*, RELATING TO THE FEEDING OR BAITING OF WILD DUCKS OR OTHER WILD BIRDS.

The people of the State of California do enact as follows:

- 1 SECTION 1. A new section is hereby added to the Penal Code
- 2 of the State of California, to be numbered six hundred twenty-
- 3 six *q* and to read as follows:
- 4 626*q*. Every person who places any feed or bait on or near
- 5 any pond or water course, with the intent to feed or entice any
- 6 wild ducks or other wild birds for the purpose of killing the
- 7 same, is guilty of a misdemeanor.

Pismo clams. Reduces size of Pismo clam to eight and one half inches. Prohibits sale of Pismo clam meat not in shell. Makes a closed season on all varieties of clams.

SENATE BILL

No. 1175

INTRODUCED BY SENATOR FLINT,

JANUARY 31, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-EIGHT *f* OF THE PENAL CODE,
RELATING TO THE PROTECTION OF CLAMS.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred twenty-eight *f* of the Penal
2 Code is hereby amended to read as follows:
3 628*f*. Every person who takes, gathers, catches, or has in
4 his possession, any clam, known as the Pismo clam (*Tivela*
5 *stultorum*), which shall measure less than eight and one half
6 inches around the outer edge of the shell; or who, during any
7 one calendar day, takes, gathers, catches, or has in his posses-
8 sion, more than two hundred of said clams; or who shall, at
9 any time, sell or offer for sale any Pismo clam meat not in the
10 shell of such Pismo clam; or who shall bring to shore any Pismo
11 clam in such condition that the size of such Pismo clam can not
12 be measured; or who, between the first day of May and the first
13 day of October in any year, takes, gathers, catches, or has in
14 his possession any variety of clam, shall be guilty of a mis-
15 demeanor.

SENATE BILL

No. 1176

INTRODUCED BY SENATOR FLINT,

JANUARY 31, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA, TO BE NUMBERED SIX HUNDRED THIRTY-SIX AND ONE HALF, TO PREVENT THE USE OR POSSESSION OF LOMPARA NETS AND PARANZELLA NETS, AND PROVIDING THE PENALTY THEREFOR.

The people of the State of California do enact as follows:

1 SECTION 1. A new section is hereby added to the Penal
2 Code of the State of California, to be numbered six hundred
3 and thirty-six and one half, to read as follows:
4 636½. Every person who shall cast, extend, set, draw, use,
5 or continue, or have in his possession, any lompara net or any
6 paranzella net, for catching fish, shell-fish, shrimp, or crabs,
7 in the waters of this state, is guilty of a misdemeanor, and
8 is punishable by a fine of not less than two hundred and fifty
9 dollars, or by imprisonment in the county jail in the county
10 in which the conviction shall be had, not less than one hundred
11 and twenty-five days, or by both such fine and imprisonment;
12 and all the fines imposed and collected for any violation of
13 any of the provisions of this section shall be paid into the fish
14 and game preservation fund.

SENATE BILL

No. 1177

INTRODUCED BY SENATOR FLINT,

JANUARY 31, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED THIRTY-SIX OF THE PENAL CODE,
RELATING TO UNLAWFUL NETS AND LINES.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and thirty-six of the Penal
2 Code is hereby amended to read as follows:
3 636. Every person who shall cast, extend, use, or continue,
4 or who shall assist in casting, extending, using, or continuing,
5 any "Chinese shrimp or bag-net," or a net of similar charac-
6 ter, for the catching of fish, shellfish, shrimp, or crabs, in the
7 waters of this state; every person who shall cast, extend, set,
8 use, or continue, or have in his possession, or who shall assist
9 in casting, extending, or using "Chinese sturgeon lines," set
10 lines, or lines of a similar character; every person who shall
11 set, use, or continue, or shall assist in setting, using, or con-
12 tinuing, any pound, weir, set-net, set-line, trap, "Chinese
13 shrimp or bag-net," or any other fixed or permanent con-
14 trivance for catching fish, shellfish, shrimp, or crabs, in the
15 waters of this state, except fyke nets, without wings, used
16 solely for the purpose of catching catfish, above tidewater,
17 between the fifteenth day of July and the fifteenth day of

1 June in the year following, and except two-mesh or three-mesh
2 or trammel nets, the mesh of which, when drawn closely
3 together and measured inside the knot, shall measure not
4 less than six and one half inches, and used not less than
5 one mile from the shore of any bay,—and every net shall
6 be considered a set-net that is secured in any way and not free
7 to drift with the current or tide,—is guilty of a misdemeanor,
8 and is punishable by a fine of not less than one hundred dollars,
9 or by imprisonment in the county jail, in the county in which
10 the conviction shall be had, not less than fifty days, or by both
11 such fine and imprisonment; and all fines imposed and collected
12 for any violation of any of the provisions of this section shall
13 be paid into the fish and game preservation fund.

Prohibits hunting or killing at any time of doves, wood duck, plover, curlew,
and shore birds.

SENATE BILL

No. 1190

INTRODUCED BY SENATOR BREED,

JANUARY 31, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX *a* OF THE PENAL CODE
OF THE STATE OF CALIFORNIA, RELATING TO THE PRESERVATION
AND PROTECTION OF WILD GAME.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred twenty-six *a* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:

4 626*a*. Every person who at any time hunts, pursues, takes,
5 kills, or destroys, or has in his possession any dove, wood duck,
6 ibis, and any shore birds (*Limicolæ*) including stilts, sand-
7 pipers, dunlins, willets, plovers, curlew, killdeers, and oyster-
8 catchers, or rail, or wild pigeon, is guilty of a misdemeanor.

Provides regulations for shipping into this State from any other State of fresh salmon, fresh steelhead trout or live crabs during the closed season in this State.

SENATE BILL

No. 1204

INTRODUCED BY SENATOR FINN,

JANUARY 31, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND THIRTY-SEVEN *b* OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO IMPORTED FISH AND GAME.

The people of the State of California do enact as follows:

1 SECTION 1. Section 637*b* of the Penal Code of the State
2 of California is hereby amended to read as follows:

3 637*b*. The provisions of this chapter prohibiting any per-
4 son from having in his possession any fish or game or parts
5 thereof at any time, or during the seasons herein specified,
6 shall, unless express provisions be made herein to the con-
7 trary, apply to all such fish or game or parts thereof, whether
8 the said fish or game or the fish or game from which the
9 parts were taken were caught or killed in the State of Cali-
10 fornia, or the said fish or game or parts thereof were shipped
11 into this state from any other state, territory or foreign
12 country, except that when any fresh salmon or fresh steel-
13 head trout or live crabs are shipped into this state from any
14 other state, territory, district or foreign country, during
15 the closed season in this state for such salmon, steelhead

1 trout or crabs the same shall be accompanied by an invoice
2 in duplicate showing the name and address of the consignor
3 and consignee, together with the specific number and pounds
4 in weight of such salmon, steelhead trout or crabs. Upon
5 receiving any such consignment of fish or shell fish the con-
6 signee shall forthwith transmit to the fish and game com-
7 mission the invoice as herein provided, and no wholesale or
8 retail dealer in fish, or other person, shall have any such
9 imported fish or shell fish in their possession without the
10 invoice or a copy thereof as herein provided.

Provides license and regulations for market hunters. Must give bond of \$500 and make affidavit when applying for license. Make written report each month; wholesale dealer and common carrier also make monthly report. Infractions of the law cause forfeiture of license for five years.

SENATE BILL

No. 1337

INTRODUCED BY SENATOR HANS,

FEBRUARY 1, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO REGULATE AND LICENSE THE VOCATION OF HUNTING WILD GAME
BIRDS AND ANIMALS AND TO PROVIDE THEREFROM REVENUE FOR
GAME PRESERVATION AND RESTORATION.

The people of the State of California do enact as follows:

1 SECTION 1. Every person engaged or employed in the voca-
2 tion of hunting wild game birds or animals for profit within
3 the State of California must first obtain a license before engag-
4 ing in such vocation.

5 SEC. 2. Every person engaged in the vocation of hunting
6 wild game birds or animals for profit shall make application to
7 the fish and game commissioners upon blanks furnished by the
8 commissioners, giving the name of the applicant, his resident
9 address, his description by age, height, nationality, color of
10 eyes and hair, and the location of his hunting grounds. Said
11 application shall also contain an affidavit stating that the appli-
12 cant is familiar with the laws for the preservation of fish and
13 game of the State of California; that he has not heretofore
14 violated any of the said laws; that he has never had any hunt-
15 ing license revoked; and that he will uphold and comply with
16 the said laws and the bag limits therein specified. Said affida-
17 vit must be sworn to before an officer authorized to administer
18 oaths; and must be accompanied by a bond in the sum of five

1 hundred dollars, signed by the principal and some responsible
2 sureties, guaranteeing full and faithful compliance by the
3 principal with all of the laws for the preservation of fish and
4 game, and the bag limits therein specified.

5 SEC. 3. If upon examination of the application it is found
6 that the said applicant has not been convicted of any violation
7 of the laws for the preservation of fish and game, and that he
8 has had no hunting license revoked during the five years next
9 preceding his application; and if his bond is found satisfactory
10 and approved; then the board of fish and game commissioners
11 may issue the said license to the said applicant. They shall
12 also deliver to the said applicant a bound copy of the laws for
13 the preservation of fish and game of the State of California,
14 and a sufficient number of monthly report blanks.

15 SEC. 4. The controller of the state shall prepare suitable
16 licenses, of the classes designated by the fish and game com-
17 missioners, which shall purport to license the holder thereof
18 to hunt, pursue, or kill wild game birds or animals within the
19 State of California, in accordance with the laws of said state,
20 for the term of one year from the first day of April of one
21 year to the first day of April of the year following. The
22 licenses shall be numbered consecutively beginning with num-
23 ber one; shall be marked with the words "market hunter"
24 together with the name and description of the holder as given
25 in the application. On the reverse side shall be shown in a
26 concise manner the bag limits and open seasons on game. The
27 controller shall sign all licenses and deliver the same to the
28 fish and game commissioners, on demand, who shall be charged
29 for the same by the controller. Each license, before delivery
30 to the applicant for a license, must be countersigned by the
31 president of the board of fish and game commissioners, and
32 the president of the board of fish and game commissioners shall
33 execute a bond to the people of the state of California, in the
34 sum of two thousand dollars, for the faithful performance of
35 the duties imposed upon him by this act.

36 SEC. 5. Each and every person engaged or employed in the
37 vocation of hunting wild game birds or animals for profit shall

1 furnish to the board of fish and game commissioners at their
2 office, by mail or otherwise, not later than the fifth day of each
3 and every month, a written report, in the English language,
4 upon the blanks furnished by the said commissioners, show-
5 ing by this report the kind, and number of each kind, of wild
6 game birds or animals killed by him on each day of the pre-
7 ceding month; giving the day and date; the quantity or num-
8 ber of each kind shipped or sold each day and to whom shipped.

9 SEC. 6. Licenses shall be issued and delivered upon applica-
10 tion to the state board of fish and game commissioners. The
11 licenses herein provided for shall be issued as follows: To
12 any citizen of the United States upon payment of two and
13 one-half (\$2.50) dollars. No license shall be issued to any
14 person not a citizen of the United States. Not more than one
15 license shall be issued to any one person for the same year,
16 except upon an affidavit that the one issued has been lost or
17 destroyed, and no license issued as herein provided shall be
18 transferable or used by any other person than the one to
19 whom it was issued. Every person having a license as herein
20 provided, must carry the same upon his person at all times
21 when in the pursuit of game birds or animals and refusal to
22 exhibit such license upon demand of any officer or game
23 warden authorized to enforce the laws for the preservation of
24 fish and game of this state, or any peace officer of this state;
25 or who transfers or disposes of the same to another person; or
26 who kills any wild game birds or animals in excess of the
27 established bag limits; or who in any manner violates any of
28 the laws for the preservation of fish and game of this state,
29 shall forfeit this license and shall thereby forfeit any and all
30 right to have issued to him such a license as herein provided
31 for a period of five years.

32 SEC. 7. Any person, who, under the provisions of this act
33 has forfeited his hunting license, and who by use of a fictitious
34 name or by fraud and deceit procures or has issued to him
35 by the board of fish and game commissioners or any of its
36 agents or representatives, another such license as herein pro-
37 vided, is guilty of a misdemeanor. Any person, who, under

1 the provisions of this act has been granted a license as by this
2 act provided, and who ships any wild game birds or animals
3 under a fictitious name, or as purporting to have been killed
4 by and thus being owned by any other person; or who makes
5 any false report upon the blanks as in this act specified, with
6 intent to deceive, is guilty of a misdemeanor.

7 SEC. 8. Every wholesale dealer in wild game birds or
8 animals, shall, not later than the fifth day of each and every
9 month, send to the office of the board of fish and game com-
10 missioners of this state a report in the English language, on
11 blanks provided by the said commissioners, showing the kind,
12 and the number of each kind of wild game birds or animals
13 received by him on each day of the preceding month, giving
14 the day and date, the name and address of the party or parties
15 sending them, and the name of the common carrier by whom
16 transported.

17 SEC. 9. Each common carrier, express or transportation
18 company, and each agent of such common carrier, express or
19 transportation company in the State of California; who
20 receives any wild game birds or animals for transportation
21 from any point on its line to another point, shall not later
22 than the fifth day of each and every month, send to the
23 office of the board of fish and game commissioners of the State
24 of California, a report, on the blanks furnished by the said
25 commissioners, showing the kind, and the number of each kind
26 of wild game birds and animals received by him and trans-
27 ported over the lines of, or by the common carrier, express
28 or transportation company by whom he is employed, during
29 the preceding month, giving the day and date, the name and
30 address of the shipper; and the name and address of the
31 party or parties to whom the said wild game birds or ani-
32 mals were delivered.

33 SEC. 10. The board of fish and game commissioners of the
34 State of California shall prepare suitable blanks and reports
35 so as to comply with the provisions of this act, and shall
36 distribute them to all hunters, dealers in game birds or ani-
37 mals, and to all agents of common carriers, express and trans-

1 portation companies in the State of California as is in this
2 act provided, and shall use all efforts to carry out the pro-
3 visions of this act. They shall also each year in January issue
4 a report giving the statistics showing the number of hunting
5 licenses issued under this act and the number and kinds of
6 game birds and animals killed by the licensees under this
7 act. Each of the commissioners and such person or persons
8 designated by them, is and are hereby empowered to arrest
9 any person hunting wild game birds or animals without a
10 license, contrary to the provisions of section one of this act.

11 SEC. 11. The said license fees must be paid to the fish and
12 game commissioners, or to some one designated by them for
13 that purpose.

14 SEC. 12. The money collected from the sale of such
15 licenses shall be paid by the board of fish and game commis-
16 sioners into the state treasury to the credit of the fish and
17 game preservation fund.

18 SEC. 13. The violation of any provision of this act is
19 hereby declared to be a misdemeanor, and every person
20 violating any of its provisions, shall, upon conviction thereof,
21 be fined in a sum not less than twenty nor more than five hun-
22 dred dollars, or by imprisonment in the county jail for a term
23 of not less than ten nor more than one hundred days, or by both
24 such fine and imprisonment; and all fines collected for any vio-
25 lation of any of the provisions of this act shall be paid into the
26 state treasury to the credit of the fish and game preservation
27 fund.

28 SEC. 14. All acts or parts of acts in conflict with this act
29 are hereby repealed.

SENATE BILL

No. 1362

INTRODUCED BY SENATOR CASSIDY,

FEBRUARY 1, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND FIFTY-SIX OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE OWNERSHIP OF WILD ANIMALS WHILE LIVING.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred fifty-six of the Civil Code
- 2 of the State of California is hereby amended so as to read as
- 3 follows:
- 4 656. Animals wild by nature are the subjects of ownership,
- 5 while living, only when tamed, or taken and held in possession,
- 6 or disabled and immediately pursued.

Changes "hunting license" to "hunting and fishing license." This makes a license necessary in order to fish or angle for trout. The license being good for both hunting and fishing, will put a tax on those who do not hunt but who catch trout, and who at present pursue the sport of trout fishing without contributing anything to the expense of propagating trout. Also allows issuance of licenses to persons under fifteen years on payment of ten cents; also provides a tag system on deer; also compels person taking out a license to make a contract with the State agreeing to exhibit any game in his possession to a regularly appointed Fish and Game Commission deputy; also legalizes the ten per cent commission paid county clerks.

SENATE BILL

No. 1421

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE OR LICENSE THE HUNTING OF WILD BIRDS AND ANIMALS AND TO PROVIDE REVENUE THEREFROM FOR GAME AND FISH PRESERVATION AND RESTORATION," APPROVED MARCH 22, 1909.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section one of an act to regulate and license the
- 2 hunting of wild birds and animals and to provide revenue
- 3 therefrom for game and fish preservation and restoration
- 4 approved March 22, 1909, is hereby amended to read as follows:
- 5 Section 1. Every person in the State of California, who
- 6 hunts, pursues or kills, any of the wild birds or animals, except-
- 7 ing predatory birds or animals, or who takes, catches, or kills,
- 8 any trout with hook and line and in the manner commonly

1 known as angling, without first procuring a license therefor, as
2 provided in this act is guilty of a misdemeanor.

3 SEC. 2. Section two of an act to regulate and license the
4 hunting of wild birds and animals and to provide revenue
5 therefrom for game and fish preservation and restoration
6 approved March 22, 1909, is hereby amended to read as follows :

7 Section 2. Licenses granting the privilege to hunt, pursue,
8 or kill wild birds or animals and to take, catch, and kill trout
9 with hook and line and in the manner commonly known as
10 angling, shall be issued and delivered upon application by the
11 county clerk of any of the counties of this state, or by the state
12 board of fish commissioners, who shall prepare suitable licenses
13 of convenient form and size, and have printed or stamped
14 thereon the words: "Hunting and fishing license No. -----,
15 State of California, expires June 30, 19--" with the registra-
16 tion number, and appropriate year printed or stamped thereon,
17 which said license shall be prepared and furnished to the
18 county clerk, and for their own disposition, by the state board
19 of fish commissioners, which board shall take receipt therefor
20 by number and quantity, from the several county clerks, and
21 the county clerk shall be responsible therefor and shall account
22 for the same to the controller of the state every three months,
23 beginning with July first of each year. For each license, sold,
24 registered and accounted for by any person excepting by a fish
25 and game commissioner, he shall be allowed as compensation
26 out of the game preservation fund, ten per cent of the amount
27 accounted for.

28 SEC. 3. Section three of an act to regulate and license the
29 hunting of wild birds and animals and to provide revenue
30 therefrom for game and fish preservation and restoration
31 approved March 22, 1909, is hereby amended to read as follows :

32 Section 3. Licenses herein provided for shall be issued as
33 follows :

34 *First*—To any citizen of the United States over the age of
35 fifteen years who is a bona fide resident of the State of Cali-
36 fornia, upon the payment of one dollar.

37 *Second*—To any citizen of the United States over the age of

1 fifteen years, not a bona fide resident of the State of California,
2 upon the payment of ten dollars.

3 *Third*—To any person not a citizen of the United States over
4 the age of fifteen years, upon the payment of twenty-five
5 dollars.

6 *Fourth*—To any person under the age of fifteen years, upon
7 the payment of ten cents.

8 SEC. 4. Section four of an act to regulate and license the
9 hunting of wild birds and animals and to provide revenue
10 therefrom for game and fish preservation and restoration
11 approved March 22, 1909, is hereby amended to read as follows:

12 Section 4. Every person applying for and procuring a
13 license as herein provided, shall furnish to the county clerk
14 and state board of fish commissioners, his name, resident
15 address, which information shall be by the clerk or board
16 entered in a book kept for that purpose, and provided by the
17 state board of fish commissioners, together with a statement
18 of the date of issuance and the number of the license issued to
19 such person. Such applicant shall also furnish to the county
20 clerk or fish commissioner a written description of himself, by
21 age, height, nationality, and color of eyes and hair.

22 SEC. 5. Section five of an act to regulate and license the
23 hunting of wild birds and animals and to provide revenue
24 therefrom for game and fish preservation and restoration
25 approved March 22, 1909, is hereby amended to read as follows:

26 Section 5. All licenses issued as herein provided shall be
27 valid, and shall authorize the person to whom issued to hunt,
28 pursue, and kill wild game and animals, excepting predatory
29 birds and animals, and take, catch, and kill trout with hook
30 and line in the manner commonly known as angling, on and
31 from the first day of July of the year in which such license
32 is issued, until the date of expiration written or stamped
33 thereon, but no license shall continue in force for a period longer
34 than one year, nor shall such license be issued to any person un-
35 less the holder thereof shall agree to exhibit any fish or game in
36 his possession to any regular appointed deputy fish and game
37 commissioner upon demand, said agreement to be contained in

1 said license. Every person violating any of the provisions of
2 this section is guilty of a misdemeanor.

3 SEC. 6. Section six of an act to regulate and license the
4 hunting of wild birds and animals and to provide revenue
5 therefrom for game and fish preservation and restoration
6 approved March 22, 1909, is hereby amended to read as follows :

7 Section 6. All moneys collected from licenses and provided
8 herein and all fines and forfeitures imposed and collected for
9 the violation of any of the provisions hereof, shall be paid into
10 the state treasury and credited to the fish and game preserva-
11 tion fund.

12 SEC. 7. Not more than one license shall be issued to any
13 one person for the same fiscal year, except upon an affidavit by
14 the applicant that the one issued has been lost or destroyed,
15 and no license issued as herein provided shall be transferrable
16 or issued by any other person than the one to whom it was
17 issued.

18 SEC. 8. Section eight of an act to regulate and license the
19 hunting of wild birds and animals and to provide revenue
20 therefrom for game and fish preservation and restoration
21 approved March 22, 1909, is hereby amended to read as follows :

22 Section 8. Every person having a license as provided herein
23 who while hunting refuses to exhibit such license upon demand
24 of any officer authorized to enforce the game and fish laws of
25 this state, or any peace officer of the state, shall be guilty of a
26 misdemeanor.

27 SEC. 9. All licenses as herein provided shall have attached
28 two deer tags, each tag to be in duplicate and each tag bearing
29 a number corresponding to the number of the license to which
30 said coupons are attached and all coupons shall be signed by
31 the holder of said license at the time of the issuance thereof ;
32 two of said tags shall be marked "Deer tag" one of which shall
33 be attached to the shin of the deer immediately after it is
34 killed, two of said tags shall be marked "Record tag" which
35 tag is a duplicate of the tag attached to the shin of said deer
36 and must within ten days after the killing of said deer be
37 mailed to the fish and game commission, San Francisco, with the

1 postage thereon prepaid; said tags to contain a space for the
2 date when said deer was killed or taken and the place and
3 county in which said deer was killed or taken which must be
4 filled out by the person killing or taking said deer; or every
5 person who hunts, pursues, takes or kills any deer after such
6 tags have been used; or every person who makes any false
7 statement as to any facts required by the fish and game com-
8 mission before a license can be issued or who makes any false
9 statement as to any facts required as to the taking or killing
10 of any deer is guilty of a misdemeanor. Said tag shall be
11 attached to the hide of said deer for a period of sixty days
12 after the taking of said deer and every person who has in his
13 possession any fresh deer hide not having a tag attached thereto
14 is guilty of a misdemeanor.

15 SEC. 10. Section nine of an act to regulate and license the
16 hunting of wild birds and animals and to provide revenue
17 therefrom for game and fish preservation and restoration
18 approved March 22, 1909, is hereby amended to read as follows:

19 Section 9. Every person violating any of the provisions of
20 this act shall, upon conviction thereof, be punished by a fine
21 of not less than twenty-five nor more than one hundred dollars,
22 or by imprisonment in the county jail for a term of not less
23 than ten days nor more than one hundred days, or by both
24 such fine and imprisonment, and shall forfeit said license, and
25 no new license shall be issued for the remainder of the year.

26 SEC. 11. All acts and parts of acts in conflict with this
27 act are hereby repealed.

28 SEC. 12. This act shall take effect and be in force on and
29 after July first, 1913.

New Act. Any person packing, canning, drying, smoking, or selling more than one thousand dollars of fresh salmon in one year, pays a tax of \$1 on each 1,000 pounds of salmon.

SENATE BILL

No. 1422

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO REGULATE THE VOCATION OF DEALING IN SALMON BY WHOLESALE FOR PROFIT AND TO PROVIDE THEREFROM REVENUE FOR THE PROPAGATION AND RESTORATION OF FISH IN THE STATE OF CALIFORNIA.

The people of the State of California do enact as follows:

1 SECTION 1. Every person engaged in the vocation of deal-
2 ing in wholesale packing, canning, drying, smoking or other-
3 wise preserving salmon, for profit; and every person engaged
4 in the vocation of dealing in, buying and selling salmon, for
5 profit, at wholesale, in this state, shall pay into the state
6 treasury at the end of each quarter, to the credit of the fish
7 and game preservation fund for the restoration and preserva-
8 tion of fish, a tax at the rate of one dollar on each one thousand
9 pounds of salmon, fresh packed, canned, dried, smoked, or
10 otherwise preserved or dealt in, bought or sold by wholesale;
11 *provided, further,* every person engaged in the wholesale pack-
12 ing, canning, drying, smoking, or otherwise preserving salmon,
13 for profit, every person engaged in the vocation of dealing in,
14 buying, and selling salmon at wholesale for profit, shall upon
15 receipt of any salmon, fresh, packed, canned, dried, smoked,
16 or otherwise preserved, enter at the time of the receipt thereof

1 in a register kept by him for that purpose, in the English
2 language and in legible handwriting, the date, the kind, and
3 weight of all fresh, packed, canned, dried, smoked, or other-
4 wise preserved salmon, and the name, and residence of the
5 person or persons from whom the same was received or pur-
6 chased; *provided, further*, every person engaged in the whole-
7 sale packing, canning, drying, smoking or otherwise preserv-
8 ing salmon for profit, or every person engaged in dealing in
9 the vocation of dealing in, and selling salmon at wholesale for
10 profit, who fails or refuses or neglects to produce for inspec-
11 tion his register to any fish and game commissioner of this
12 state, or any duly appointed, qualified and acting assistant
13 thereof; *provided, further*, every person engaged in the whole-
14 sale packing, canning, drying, smoking, or otherwise preserv-
15 ing salmon for profit, or every person engaged in the vocation
16 of dealing in, buying, and selling salmon at wholesale for
17 profit, who fails to make a statement under oath, to the state
18 controller, of the kind, and weight of all fresh, packed, canned,
19 dried, smoked, or otherwise preserved salmon, or who makes
20 any false entry in said register in which any record by this act
21 is required to be kept, or who makes any false statement with
22 reference to the purchase or sale of any fresh, packed, canned,
23 dried, smoked, or otherwise preserved salmon, is guilty of a
24 misdemeanor. A wholesale dealer for profit, for the purposes
25 of this act, is any person, packing, canning, drying, smoking
26 or otherwise preserving salmon, and every person engaged in
27 dealing in, buying, and selling fresh salmon, in an amount
28 over one thousand dollars in any one year other than the per-
29 son actually engaged in the vocation of fishing and actually
30 taking or catching salmon. Every person found guilty of
31 violating any of the provisions of this act must be fined in a
32 sum not less than one thousand dollars or imprisoned in the
33 county jail of the county in which the conviction shall be
34 had, not less than six months, or by both such fine and
35 imprisonment.

This provides for taking fish or game from one district to another district when the laws of the districts do not harmonize, and makes it possible to have game in possession in one district where the season happens to be closed, provided the game has been legally taken in another district where the season happens to be open.

SENATE BILL

No. 1423

INTRODUCED BY SENATOR HANS;

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA TO BE NUMBERED SIX HUNDRED AND THIRTY-FIVE *b*, RELATING TO THE PROTECTION OF FISH AND GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. A new section is hereby added to the Penal Code
2 of the State of California to be numbered six hundred and
3 thirty-five *b* and to read as follows:
4 635*b*. Any person may have any fish or game or parts
5 thereof, lawfully taken and had in the open season, into any
6 district in which the season is closed as to that particular fish or
7 game, or parts thereof, by first making an affidavit before an
8 officer authorized to administer oaths, showing when said fish or
9 game was killed, name of the city or town and county in which
10 said fish or game or parts thereof was taken, and a copy of such
11 affidavit must be attached to said fish or game or parts thereof
12 at all times during the possession and transportation thereof,

1 and shall remain attached to said fish or game or parts thereof
2 until said fish or game or parts thereof is consumed, and at all
3 times said fish or game must be in open view. No affidavit will
4 be valid for more than twenty days after the issuance thereof;
5 *provided, further*, any person may have in his possession, not
6 more than twenty-five pounds of dried or smoked venison law-
7 fully taken in any of the game districts of this state, upon a
8 permit issued by the fish and game commissioners. Said permit
9 shall not be issued until it satisfactorily appears to the fish and
10 game commissioners, that the dried or smoked venison was law-
11 fully taken and possessed; said permit must be attached to such
12 dried or smoked venison until the same is consumed. All per-
13 mits shall expire at the end of the closed season in which said
14 permit is issued; *provided, further*, that every person violating
15 any of the provisions of this section is guilty of a misdemeanor,
16 and upon conviction thereof, shall be punished by a fine not less
17 than twenty-five dollars nor more than five hundred dollars, or
18 imprisonment in the county jail of the county in which the con-
19 viction shall be had, not less than twenty-five days nor more
20 than one hundred fifty days, or by both such fine and imprison-
21 ment; and all fines and forfeitures imposed and collected for
22 violation of any of the provisions of this section shall be paid
23 into the state treasury to the credit of the fish and game preser-
24 vation fund.

Regulates the diversion of water from the streams at low stages in order to assure not less than 10 per cent of the water flowing over dams or through fishways to support fish life, and also provides for a diversion according to the proportion of water diverted when several parties are using such water.

SENATE BILL

No. 1424

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA TO BE NUMBERED SIX HUNDRED TWENTY-NINE AND ONE HALF, RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. A new section is hereby added to the Penal
2 Code of the State of California to be numbered six hundred
3 twenty-nine and one half, and to read as follows:
4 629½. Any person, company or corporation owning in
5 part or in whole, or leasing, operating, or having in charge,
6 any dam diverting the water from any stream, river, or creek,
7 in California, shall allow during the low stage, or at the mini-
8 mum flow of water, not less than ten per cent of the amount
9 of water in the stream, to flow over said dam or through any
10 fishway required by the board of fish and game commissioners,
11 to support the fish life below the dam. Where there is more
12 than one dam on the stream, river, or creek, the said ten per
13 cent of the flow shall be divided according to the proportion
14 that each person, company or corporation diverts from such
15 stream, river, or creek, provided that the water shall at all
16 times amount to ten per cent of the minimum flow below the

1 lowest dam on any stream, river, or creek, measured midway
2 from its source to its mouth. In the meaning of this section,
3 the terms, creek, river or stream, shall apply to the water
4 flowing from the water-shed of any river, creek, or stream, to
5 its mouth in another body of water, where the local or geo-
6 graphical name is different.

7 SEC. 2. Every person found guilty of a violation of any
8 of the provisions of this section must be fined in a sum not
9 less than one hundred dollars or be imprisoned for not less
10 than one hundred days in the county jail of the county in
11 which the conviction shall be had, or by both such fine and
12 imprisonment. All fines collected for any violation of any
13 of the provisions of this act must be paid into the state treas-
14 ury to the credit of the support and maintenance of hatcheries
15 fund.

This provides a legal means for recovery by the public, through a joint condemnation by state and county, of fishing rights on innavigable streams not running through cultivated lands, which said streams have been supplied with fish by the State.

SENATE BILL

No. 1425

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION FOUR THOUSAND EIGHTY-FIVE AND ONE HALF OF THE POLITICAL CODE OF THE STATE OF CALIFORNIA, RELATING TO AUTHORIZING THE BOARD OF SUPERVISORS OF THE SEVERAL COUNTIES OF THIS STATE TO DECLARE INNAVIGABLE STREAMS HIGHWAYS FOR THE PURPOSE OF FISHING, AND PROVIDING FOR THE USE OF THE SAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section four thousand eighty-five and one half
2 of the Political Code of the State of California is hereby
3 amended to read as follows:
4 4085½. On the application of any individual, association or
5 corporation interested, the board of supervisors of any county
6 of this state may, by ordinance, declare all or any portion of
7 any slough, river or stream, except those portions which do lie
8 within or run through cultivated land lying within the county
9 which is stocked or supplied, in whole or in part, with fish, by
10 the state or counties and which has not been declared by law

1 to be navigable, and which, in fact, is not navigable for com-
2 mercial purposes, to be a public highway for the purpose of
3 fishing in said slough, river or stream, or any part thereof,
4 and the same shall thereupon become and be a public highway
5 for such purpose, subject only to the reservations hereinafter
6 contained. In case any owner of land adjacent to or across
7 which such slough, river or stream flows does not consent to
8 the use of the slough, river or stream for such purpose with
9 the right to pass along the banks for the purpose of fishing
10 and grant the same to the county by suitable instrument in
11 writing, on application, the board of supervisors may contract
12 for and purchase any and all such rights; or if the same
13 cannot be purchased at a satisfactory price the attorney gen-
14 eral upon application by the board of supervisors of any
15 county shall begin action in the name of the county making
16 such application, in the manner directed by title seven part
17 three of the Code of Civil Procedure. The county making
18 such application shall pay one half of the purchase price of
19 said right of way and the State of California shall pay one
20 half of the purchase price of said right of way.

This defines the powers and duties of the Fish and Game Commission.

SENATE BILL

No. 1426

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED FORTY-TWO OF THE POLITICAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE FISH AND GAME COMMISSIONERS AND THEIR ASSISTANTS AND PRESCRIBING THEIR POWERS AND DUTIES.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred forty-two of the Political
2 Code of the State of California is hereby amended to read
3 as follows:

4 642. It is the duty of the fish and game commissioners

5 1. To see that the laws for the preservation of fish and
6 game are strictly enforced; and for that purpose they may,
7 from time to time, employ such assistants as they shall deem
8 necessary, which persons so appointed as assistants shall be
9 public officers and shall have all the powers and authority of
10 sheriffs or other peace officers to make arrests for violation of
11 such laws and to serve all processes and notices throughout the
12 state. The fish and game commissioners or their assistants shall
13 seize and take possession of any and all game or fish or any
14 part thereof which have been caught, taken, killed, or had in

1 possession, or under control, or sold or offered for sale, or
2 shipped or offered for shipment, contrary to any of the law of
3 this state, and all such game, fish or any part thereof which
4 may be so seized and taken possession of by the fish and game
5 commissioners or their assistants shall be donated by them to
6 some charitable or public institution. .

7 2. To establish and maintain fish-breederics and to acquire
8 by purchase, gift or lease or otherwise such land as may be
9 deemed necessary for the purpose of establishing state fish-
10 breederics for stocking the waters of this state with foreign
11 and native fish.

12 3. To purchase and import spawn or ova of fish suitable for
13 food.

14 4. To stock with such spawn the waters of this state.

15 5. To appoint a secretary and an attorney and to employ
16 persons skilled in fish breeding to assist them in their duties.

17 6. To furnish plans for and direct and compel the con-
18 struction and repair of fish ladders and ways upon dams and
19 obstructions.

20 7. To provide for the importation of game birds or animals
21 and for the propagation, distribution and protection of
22 imported and domestic game birds or animals, and for that pur-
23 pose to acquire by purchase, gift, lease or otherwise such lands
24 as may be deemed necessary for the purpose of establishing
25 state game farms and to distribute the output of such game
26 farm or farms on public lands, or where, in the judgment of the
27 fish and game commissioners, such birds or animals will receive
28 adequate protection.

29 8. To report biennially to the governor a statement of all
30 their transactions and disbursements.

31 SEC. 2. All acts and parts of acts in conflict with this act
32 are hereby repealed.

This aims to strengthen and reinforce a law already on the statute books limiting the taking of surf fish in southern California through hook and line methods by forbidding the sale.

SENATE BILL

No. 1427

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-⁸EIGHT *e* OF THE PENAL CODE RELATING TO THE PROTECTION OF FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred twenty-eight *e* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:
4 628^e. Every person who at any time except with hook and
5 line, and in the manner commonly known as angling, takes,
6 catches or kills, or who buys, sells or offers for sale, any Cali-
7 fornia Whiting (*Menticirrhus undulatus*) also known as cor-
8 bina and surf-fish; or any yellowfin (*Umbrina littoralis*); or
9 any spotfin croaker (*Roncador stearnsi*), is guilty of a misde-
10 meanor. All fines and forfeitures imposed and collected for any
11 violation of any of the provisions of this section shall be paid
12 into the state treasury to the credit of the fish commission fund.

The purpose of this bill is to force users of irrigating or power water to provide suitable or proper screens to keep fish out of their intakes.

SENATE BILL

No. 1428

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-NINE OF THE PENAL CODE OF THE STATE OF CALIFORNIA RELATING TO THE PROTECTION OF FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-nine of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:
- 4 629. Any person, company, or corporation, owning, in
5 whole or in part, or leasing, operating, or having in charge,
6 any mill-race, irrigating ditch, pipe, flume, or canal, taking or
7 receiving its waters from any river, creek, stream, or lake, in
8 which fish have been placed, or may exist, shall put, or cause
9 to be placed and maintained, over the inlet of such pipe, flume,
10 ditch, canal, or mill-race, a screen of such construction and
11 fineness, strength, and quality as shall prevent any such fish
12 from entering such ditch, pipe, flume, canal, or mill-race,
13 when required to do so by the state board of fish commission-
14 ers. Any person, company, or corporation, violating any of

1 the provisions of this section, or who shall neglect or refuse
2 to put up or maintain such screen, shall be guilty of a misde-
3 meanor, and, upon conviction thereof, shall be punished by a
4 fine of not less than one hundred dollars or imprisoned in
5 the county jail of the county in which the conviction shall be
6 had, not less than fifty days, or by both such fine and impris-
7 onment; and all fines imposed and collected for violation of
8 any of the provisions of this section shall be paid into the
9 state treasury to the credit of the fish commission fund; *pro-*
10 *vided*, that the continuance from day to day of the neglect or
11 refusal, after notification in writing by the state board of
12 fish commissioners, shall constitute a separate offense for each
13 day.

The purpose of this bill is to force those maintaining dams or other obstructions in streams to provide proper fishways and forbids the taking of fish within three hundred feet of such fishways, with nets.

SENATE BILL

No. 1429

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND THIRTY-SEVEN OF THE PENAL CODE OF THE STATE OF CALIFORNIA RELATING TO THE PROTECTION OF FISH.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and thirty-seven of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:

4 637. It shall be the duty of the state board of fish com-
5 missioners to examine, from time to time, all dams and artifi-
6 cial obstructions in all rivers and streams in this state natur-
7 ally frequented by salmon, shad, trout, or other fish; and if,
8 in their opinion, there is not free passage for fish over or
9 around any dam or artificial obstruction, to notify the owners
10 or occupants thereof to provide the same, within a specified
11 time, with a durable and efficient fishway, of such form and
12 capacity, and in such location as shall be determined by the
13 fish commissioners, or persons authorized by them, and such

1 fishway must be completed by the owners or occupants of such
2 dam or artificial obstruction to the satisfaction of said com-
3 missioners, within the time specified; and it shall be incum-
4 bent upon the owners or occupants of all dams or artificial
5 obstructions, where the state board of fish commissioners re-
6 quire such fishways to be provided, to keep the same in repair
7 and open and free from obstructions to the passage of fish at
8 all times; and no person shall wilfully destroy, injure or ob-
9 struct any such fishway, or at any time take or catch any
10 salmon, shad, or other fish or trout, except by hook and line,
11 within three hundred feet of any fishway required by the
12 state board of fish commissioners to be provided and kept
13 open, or at any time take or catch any such fish in any man-
14 ner within fifty feet of such fishway; and every person violat-
15 ing any of the provisions of this act is guilty of a misde-
16 meanor, and every person found guilty of a violation of any
17 of the provisions of this act must be fined in a sum not less
18 than one hundred dollars, or imprisonment in the county jail
19 of the county in which the conviction shall be had, not less
20 than fifty days, or by both such fine and imprisonment; and
21 all fines imposed and collected for any violations of the pro-
22 visions of this act shall be paid into the state treasury to the
23 credit of the fish commission fund; *provided*, that the continu-
24 ance from day to day of the neglect or refusal, after notifica-
25 tion in writing by the state board of fish commissioners, shall
26 constitute a separate offense for each day.

This fixes seasons, bag limits, methods, a 7-inch size limit, etc., for black bass.

SENATE BILL

No. 1430

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-EIGHT *b* OF THE PENAL CODE,
RELATING TO THE PROTECTION OF FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred twenty-eight *b* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:
4 628*b*. Every person who between the first day of January
5 and the first day of June of each year, buys, sells, offers for
6 sale, takes, catches, kills, or has in his possession any black
7 bass; or who at any time, except with hook and line and in the
8 manner commonly known as angling, takes, catches, kills any
9 black bass; or who takes, catches, kills, or has in his possession
10 more than twenty-five black bass during any one calendar
11 day; or who takes, catches, kills, or has in his possession any
12 black bass of less than seven inches in length is guilty of a
13 misdemeanor; *provided*, that in game district number two
14 every person who between the first day of April and the first
15 day of July of each year, buys, sells, offers for sale, takes,
16 catches, kills, or has in his possession any black bass; or who

1 at any time, except with hook and line and in the manner
2 commonly known as angling, takes, catches, kills any black
3 bass; or who takes, catches, kills, or has in his possession more
4 than twenty-five black bass during any one calendar day; or
5 who takes, catches, kills, or has in his possession any black
6 bass of less than seven inches in length is guilty of a misde-
7 meanor; *provided, further*, that in game district number three
8 every person who between the first day of January and the
9 first day of May of each year, buys, sells, offers for sale, takes,
10 catches, kills, or has in his possession any black bass; or who
11 at any time except with hook and line and in the manner
12 commonly known as angling, takes, catches, kills any black
13 bass; or who takes, catches, kills, or has in his possession more
14 than twenty-five black bass during any one calendar day; or
15 who takes, catches, kills, or has in his possession, any black
16 bass of less than seven inches in length is guilty of a mis-
17 deemeanor; *provided, further*, that in game district number
18 four every person who between the first day of September and
19 the first day of May of each year, buys, sells, offers for sale,
20 takes, catches, kills, or has in his possession any black bass; or
21 who at any time except with hook and line and in the manner
22 commonly known as angling, takes, catches, kills any black
23 bass; or who takes, catches, kills, or has in his possession more
24 than twenty-five black bass during any one calendar day; or
25 who takes, catches, kills, or has in his possession, any black
26 bass of less than seven inches in length is guilty of a mis-
27 demeanor.

This fixes seasons, bag limits, methods, a 3-pound size limit, etc., for striped bass, and prohibits the exportation of these fish from California.

SENATE BILL

No. 1431

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-EIGHT *a* OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and twenty-eight *a* of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:

4 628*a*. Every person who, at any time, buys, sells, or offers
5 for sale, any striped bass of less than three pounds in weight,
6 or who takes, catches, or kills, or has in his possession, any
7 striped bass of less than three pounds in weight except taken,
8 caught, or killed, with hook and line, in the manner commonly
9 known as angling, or who, takes, catches, kills, or has in his
10 possession during any one calendar day more than ten striped
11 bass, less than three pounds in weight; or who, between the
12 fifteenth day of September and the twentieth day of November
13 inclusive, of each year, buys, sells, offers for sale, or who, takes,
14 catches or kills, or has in his possession, any striped bass

1 except taken, caught, or killed with hook and line, and in the
2 manner commonly known as angling, or who between the
3 fifteenth day of September and the twentieth day of Novem-
4 ber of each year, buys, sells, or offers for sale, ships, offers for
5 shipment, or receives for shipment, or transportation, any
6 striped bass, or who at any time offers for shipment, ships, or
7 receives for shipment or transportation, from the State of Cali-
8 fornia to any place in any other state, territory or foreign
9 country, any striped bass, caught or taken in the waters of this
10 state; is guilty of a misdemeanor; *provided*, that the possession
11 of such striped bass shall be *prima facie* evidence of the fact
12 that such striped bass were caught or taken in the waters of
13 this state.

This Act regulates the shipment of game and fish, prevents common carrier accepting from one person more than limit for one day; all shipments to be tagged with name and address of shipper, also name and address of party to whom shipped; shipper must present his hunting license to agent, and agent must mark the number of license on the shipping tag.

SENATE BILL

No. 1432

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SEVEN *b* OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION OF FISH AND GAME.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred twenty-seven *b* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:

4 627*b*. Every common carrier which receives for shipment or
5 transportation from, or which ships or transports or has in its
6 possession for, any one person during any one calendar day
7 more than the limit of any kind of fish or wild game allowed by
8 this chapter to be had or possessed by any person in any one cal-
9 endar day or which ships, or transports, or has in its possession,
10 or any person offering for shipment or transportation more than
11 the limit of any kind of fish or game allowed by this chapter to
12 be had and possessed by any one person during any one calen-

1 dar day, or which ships or transports, or any person offering
2 for shipment or transportation any fish or game unless said fish
3 or game is in open view and tagged with the name and resi-
4 dence of the person by whom such fish or game is shipped and
5 the name and residence of the person to whom said fish or game
6 is shipped, or who ships or transports, or offers for shipment or
7 transportation, any game without presenting his hunting
8 license, and the person receiving for shipment or transportation
9 must mark on the shipping tag attached to said game the name
10 and number of the license of the person offering such game for
11 shipment, or any person who shall at the time of such shipment
12 or transportation fail to furnish to any such common carrier a
13 tag or label bearing his name and residence and the exact con-
14 tents of the package offered for shipment or transportation is
15 guilty of a misdemeanor; *provided*, that, nothing in this section
16 contained shall be construed to permit any person to have in his
17 possession any game or fish contrary to the provisions of this
18 chapter; nor to permit any common carrier to have in its pos-
19 session more than the limit of any fish or game allowed by this
20 chapter to be had or possessed by any one person during any
21 one calendar day, though lawfully received, except during the
22 shipment or transportation; *provided, further*, that every rail-
23 road company, express company, transportation company, or
24 other common carrier, its officers, agents or servants who
25 refuses any regular deputy of the fish and game commission to
26 inspect any package labeled or tagged "fish or game" is guilty
27 of a misdemeanor and the right is hereby given any regular
28 deputy of the fish and game commission the right to inspect all
29 packages while in the possession of any railroad company,
30 express company, transportation company or other common
31 carrier, its officers, agents or servants.

32 SEC. 2. All acts and parts of acts inconsistent with this act
33 are hereby repealed.

This proposed enactment makes a season for the taking of black, brown or cinnamon bear and forbids taking them with traps.

SENATE BILL

No. 1433

INTRODUCED BY SENATOR HANS,

(By request.)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA TO BE NUMBERED SECTION SIX HUNDRED TWENTY-SEVEN *e*, RELATING TO THE PROTECTION AND PRESERVATION OF GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. A new section is hereby added to the Penal
- 2 Code of the State of California to be numbered six hundred
- 3 twenty-seven *e*, and to read as follows:
- 4 627*e*. Every person who in game district number one
- 5 between the thirtieth day of April and the first day of October
- 6 of any year, hunts, takes, pursues, or has in his possession any
- 7 black, brown or cinnamon bear, or who in game district num-
- 8 ber four between the thirtieth day of November and the first
- 9 day of September of the following year, hunts, takes, pursues,
- 10 or has in his possession any black, brown or cinnamon bear,
- 11 or who uses, takes, catches, or kills any bear in the State of
- 12 California by means of a steel trap is guilty of a misdemeanor,
- 13 and every person found guilty of a violation of any of the
- 14 provisions of this act must be fined in a sum not less than

1 twenty-five dollars nor more than five hundred dollars, or by
2 imprisonment in the county jail of the county in which the
3 conviction shall be had of not less than ten days nor more
4 than one hundred and fifty days or by both such fine and
5 imprisonment, and all fines and forfeitures imposed and col-
6 lected for any violation of the provisions of this act shall be
7 paid into the state treasury to the credit of the "fish commis-
8 sion" fund.

This proposed enactment adds spike bucks for a male deer younger than forked horns to the protected list under the same penalty as does, and also includes the antelope and mountain sheep.

SENATE BILL

No. 1434

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX *e* OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION AND PRESERVATION OF GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred twenty-six *e* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:
4 626*e*. Every person who pursues, takes, kills, or destroys,
5 or has in his possession, any female deer, any male deer
6 younger than a forked horn, or spotted fawn, or spike buck,
7 or any antelope, mountain sheep, or part thereof, is guilty of
8 a misdemeanor.

This fixes the season on golden trout August 1st to September 30th, inclusive, limits the taking to hook and line method and 25 per day with a minimum size limit of 5 inches.

SENATE BILL

No. 1435

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED THIRTY-THREE OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and thirty-three of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:

4 633. Every person who, at any time, between the thirtieth
5 day of September and the first day of August inclusive, of the
6 year following, takes, catches, kills, or destroys, or has in his
7 possession, any variety of golden trout, or who, at any time
8 takes, catches, kills, or destroys, any variety of golden trout
9 except with hook and line and in the manner commonly known
10 as angling, or who at any time, takes, catches, kills, or destroys,
11 or has in his possession during any one calendar day, more than
12 twenty-five golden trout, or has in his possession any variety
13 of golden trout of less than five inches in length, is guilty of a

1 misdemeanor. Every person found guilty of any violation of
2 any of the provisions of this section must be fined in a sum not
3 less than twenty dollars, nor more than five hundred dollars or
4 be imprisoned in the county jail in which the conviction shall
5 be had, not less than ten days nor more than one hundred and
6 fifty days, or be punished by both such fine and imprisonment,
7 and all fines or forfeitures imposed and collected for any viola-
8 tion of any of the provisions of this section must be paid into
9 the state treasury to the credit of the fish commission fund.
10 Nothing in this section shall prohibit the fish commission of this
11 state from taking at all times such golden trout as they deem
12 necessary for the purpose of propagation or for scientific pur-
13 poses.

This proposed enactment fixes seasons in the various districts for ducks, snipe, shore birds, quail, mountain quail, grouse or sage hen; provides seasons in certain districts for meadowlarks, robins and blackbirds, and extends protection to them in districts where the Fish and Game Commission survey has shown them to be beneficial.

SENATE BILL

No. 1436

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-SIX OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION OF FISH AND GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-six of the
2 Penal Code is hereby amended to read as follows:
3 626. Every person who between the first day of March and
4 the fifteenth day of October inclusive, of any year, hunts,
5 pursues, takes, kills, or destroys, or has in his possession, any
6 kind or wild duck, ibis, or other shore bird (*Limicola*); or who,
7 between the first day of April and the thirty-first day of
8 October inclusive, of any year, hunts, pursues, takes, kills, or
9 destroys, or has in his possession any Wilson snipe; or who,
10 between the sixteenth day of February and the fifteenth day of
11 October inclusive of any year, hunts, pursues, takes, kills, or
12 destroys, or has in his possession, any desert or valley quail;

1 or who, between the first day of December and the thirtieth
2 day of August inclusive of the following year, hunts, pursues,
3 takes, kills, or has in his possession, any grouse or sage hen;
4 or who, between the first day of January and the thirty-first
5 day of August inclusive in any year, hunts, takes, kills, pur-
6 sues, or destroys, or has in his possession any mountain quail;
7 or who between the first day of April and the thirty-first day
8 of May inclusive, of any year, hunts, pursues, takes, kills, or
9 has in his possession any cottontail rabbit or bush rabbit; or
10 who, between the first day of March and the thirty-first day
11 of October inclusive, of any year, hunts, pursues, takes, kills,
12 or has in his possession any meadow-lark, black-bird, or robin,
13 is guilty of a misdemeanor, except as herein provided; *pro-*
14 *vided*, that in game district one of the State of California, any
15 person who, between the first day of March and the thirtieth
16 day of September inclusive, of any year, hunts, takes, kills,
17 pursues, or destroys, or has in his possession, any kind of wild
18 duck, ibis, or other shore bird (*Limicolæ*); or who, in game
19 districts two and six, between the sixteenth day of February
20 and the thirtieth day of September inclusive, in any year,
21 hunts, takes, kills, pursues, or destroys, or has in his possession,
22 any kind of wild duck, ibis, or other shore bird (*Limicolæ*);
23 or who in game district four, between the sixteenth day of
24 February and the fifteenth day of October inclusive, in any
25 year, hunts, takes, kills, pursues, or destroys, or has in his
26 possession, any kind of wild duck, ibis, or other shore bird
27 (*Limicolæ*); or who, in game district two, between the first day
28 of April and the thirtieth day of September inclusive, of any
29 year, hunts, pursues, takes, kills, or destroys, or has in his
30 possession, any Wilson snipe; or who, in the game district three,
31 between the first day of May and the first day of November
32 inclusive, in any year, hunts, pursues, takes, kills, or destroys,
33 or has in his possession, any Wilson snipe; or who, in game
34 district four, between the sixteenth day of February and the
35 fifteenth day of October inclusive, in any year, hunts, pursues,
36 takes, kills, or destroys, or has in his possession, any Wilson
37 snipe; or who in game district five, between the first day of

1 March and the fifteenth day of October inclusive, of any year,
2 hunts, pursues, takes, kills, or destroys, or has in his possession,
3 any Wilson snipe; or who, in game district six, between the
4 first day of May and the thirtieth day of September inclusive,
5 in any year, hunts, pursues, takes, kills, or destroys, or has in
6 his possession, any Wilson snipe; or who in game district
7 two, between the first day of February and the thirty-first day
8 of October inclusive, in any year, hunts, pursues, takes, kills, or
9 destroys, or has in his possession, any desert or valley quail;
10 or who, in game district three, between the first day of January
11 and the fifteenth day of October inclusive, in any year, hunts,
12 pursues, takes, kills, or destroys, or has in his possession, any
13 desert or valley quail; or who in game district five, between
14 the sixteenth day of February and the thirty-first day of
15 October inclusive, in any year, hunts, takes, pursues, kills, or
16 destroys, or has in his possession, any desert or valley quail;
17 or who in game district six, between the first day of January
18 and the thirty-first day of October inclusive, in any year, hunts,
19 takes, pursues, kills, or destroys, or has in his possession,
20 any desert or valley quail; or who in game district one,
21 between the sixteenth day of February and the fifteenth
22 day of October inclusive, in any year, hunts, pursues,
23 kills, or destroys, or has in his possession, any mountain
24 quail; or who, in game district two, between the first
25 day of February and the thirty-first day of October inclusive,
26 in any year, hunts, pursues, takes, kills, or destroys, or has in
27 his possession any mountain quail; or who, in game districts
28 three, five and six between the first day of December and
29 the thirty-first day of August inclusive, of the following year,
30 hunts, pursues, takes, kills, destroys, or has in his possession
31 any mountain quail; or who in game district three, between the
32 first day of April and the thirty-first day of May inclusive, of
33 any year, hunts, pursues, takes, kills, or destroys, or has in his
34 possession, any cottontail or bush rabbit; that in game districts
35 two, four and six, it shall be lawful to hunt, pursue, take, kill,
36 or destroy or have in possession, cottontail or bush rabbit at all
37 times; or who, in game district four, between the first day of

1 February and the thirty-first day of October inclusive, of any
2 year, hunts, pursues, takes, kills, or destroys, or has in his
3 possession, any robin; or in game district four, any person
4 who, hunts, pursues, takes, kills, or destroys, or has in his
5 possession, any meadow lark, black-bird; or in game districts
6 one, five and six, any person who hunts, pursues, takes, kills,
7 or destroys or has in his possession any meadow lark, black-
8 bird or robin; or in game districts two and three, any person
9 who between the first day of March and the thirty-first day of
10 October inclusive, hunts, pursues, takes, kills, or destroys or
11 has in his possession any meadow lark, black-bird, or robin is
12 guilty of a misdemeanor.

This makes a close season on tree squirrels, protects them by no sale, and makes a daily bag limit of four.

SENATE BILL

No. 1437

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX *g* OF THE PENAL CODE,
RELATING TO THE PROTECTION OF TREE SQUIRRELS.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-six *g* of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:
4 626*g*. Every person who, between the sixteenth day of De-
5 cember and the thirty-first day of August of the following year,
6 hunts, takes, kills, or destroys, or has in his possession, any
7 species of tree squirrels, or who at any time buys, sells, or
8 offers for sale, or has in his possession for sale, any tree squirrel,
9 is guilty of a misdemeanor, and every person who takes, kills,
10 or destroys, or has in his possession more than four tree squir-
11 rels during any one calendar day is guilty of a misdemeanor.

This bill changes the counties comprising the first and second fish and game districts by removing Humboldt and Del Norte counties from the first (present) to the second district, to which they belong because of similarity of wild life conditions and seasons; changes the present fourth district by dividing the deer of the Sierra Nevadas from the earlier-maturing deer of the Coast range, and takes Inyo County from the sixth district, with which it has nothing in common, placing it with the fourth district.

SENATE BILL

No. 1438

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO DIVIDE THE STATE OF CALIFORNIA INTO SIX FISH AND GAME DISTRICTS," APPROVED MARCH 21, 1911, BY AMENDING SECTIONS TWO, THREE, FIVE, SIX AND SEVEN.

The people of the State of California do enact as follows:

1 SECTION 1. Section two of an act entitled "An act to
2 divide the State of California into six fish and game dis-
3 tricts," approved March 21, 1911, is hereby amended to read
4 as follows:

5 Section 2. The first fish and game district shall consist of
6 and include the counties of Siskiyou, Modoc, Lassen, Shasta,
7 Trinity and Tehama.

8 SEC. 2. Section three of an act entitled "An act to divide
9 the State of California into six fish and game districts," ap-
10 proved March 21, 1911, is hereby amended to read as follows:

1 Section 3. The second fish and game district shall consist
2 of and include the counties of Del Norte, Humboldt, Mendo-
3 cino, Glenn, Colusa, Lake, Sonoma, Napa, Yolo, Solano, Marin.

4 SEC. 3. Section five of an act entitled "An act to divide
5 the State of California into six fish and game districts," ap-
6 proved March 21, 1911, is hereby amended to read as follows:

7 Section 5. The fourth fish and game district shall consist
8 of and include the counties and those parts of counties de-
9 scribed as follows: Madera, Tulare, Inyo, that part of San
10 Joaquin county east of the west bank of the San Joaquin
11 river; that part of Stanislaus county east of the west bank
12 of the San Joaquin river; that part of Merced county east
13 of the west bank of the San Joaquin river; that part of
14 Fresno county east of the west bank of the San Joaquin river;
15 Fresno slough, Fish slough, Summit lake and Kings river
16 channel between Summit lake and Tulare lake; that part of
17 Kings county east of the west bank of Kings river between
18 Summit lake and Tulare lake; that part of Kings county east
19 of the west bank of Tulare lake and east of the west bank of
20 Bull slough; that part of Kern county east of the west bank
21 of Bull slough and the west bank of Buena Vista lake to the
22 southwest extremity of that lake; that part of Kern county
23 on the northerly side from this point to the southeast corner
24 of section eight, township ten north, range twenty west, San
25 Bernardino base and meridian at a point where the county
26 road cuts said section corner, such a point being on the
27 boundary of the Fort Tejon rancho; that part of Kern county
28 on the northerly side of a line from this point following the
29 boundary of the Fort Tejon rancho to where this boundary
30 intersects the main line of the Southern Pacific railroad; that
31 part of Kern county on the easterly side of the main line of
32 the Southern Pacific railroad from this point to where the said
33 railroad crosses the south line of Kern county.

34 SEC. 4. Section six of an act entitled "An act to divide
35 the State of California into six fish and game districts," ap-
36 proved March 21, 1911, is hereby amended to read as follows:

37 Section 6. The fifth fish and game district shall consist of

1 and include the counties and those parts of counties described
2 as follows: Contra Costa, Alameda, San Mateo, San Francisco,
3 Santa Clara, San Benito, Santa Cruz, Monterey, San Luis
4 Obispo, and such parts of San Joaquin, Stanislaus, Merced,
5 Fresno, Kings and Kern counties not included in fish and
6 game district number four.

7 SEC. 5. Section seven of an act entitled "An act to divide
8 the State of California into six fish and game districts," ap-
9 proved March 21, 1911, is hereby amended to read as follows:

10 Section 7. The sixth fish and game district shall consist of
11 and include the counties of Santa Barbara, Ventura, Los
12 Angeles, Orange, San Diego, Imperial, Riverside, San Ber-
13 nardino.

An Act to regulate the wholesale dealing in fish and game. This fixes a license of \$10 for citizens, \$100 for aliens and corporations. It also provides for forfeiting same in case of conviction for violation of the game and fish laws.

SENATE BILL

No. 1439

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION THREE OF AN ACT ENTITLED "AN ACT TO REGULATE THE VOCATION OF DEALING IN FISH AND IN WILD GAME AND ANIMALS BY WHOLESALE FOR PROFIT AND TO PROVIDE THEREFROM REVENUE FOR THE PROPAGATION AND RESTORATION OF FISH AND GAME IN THE STATE OF CALIFORNIA," APPROVED APRIL 14, 1911.

The people of the State of California do enact as follows:

1 SECTION 1. Section three of an act entitled "An act to
2 regulate the vocation of dealing in fish and in wild game and
3 animals by wholesale for profit and to provide therefrom
4 revenue for the propagation and restoration of fish and game
5 in the State of California," approved April 14, 1911, is
6 hereby amended to read as follows:

7 Section 3. Licenses shall be issued and delivered upon
8 application to the state board of fish and game commissioners,
9 or their deputies. The licenses herein provided for shall be
10 issued as follows: To any citizen of the United States and to
11 any person who has duly made his declaration of intention to
12 become a citizen of the United States, as provided by law,

1 upon the payment of ten dollars; to any person not a citizen
2 of the United States upon the payment of one hundred dol-
3 lars; to any corporation upon the payment of one hundred
4 dollars. Not more than one license shall be issued to any one
5 person or corporation for the same year, except upon an affi-
6 davit by the applicant that the one issued has been lost or
7 destroyed, and no license issued as herein provided shall be
8 transferable or used by any other person than the one to
9 whom it was issued. Every person having a license as pro-
10 vided herein, who refuses to exhibit such license upon demand
11 of any officer authorized to enforce the fish and game laws of
12 this state, or any peace officer of this state, or who transfers
13 or disposes of the same to any other person to be used as a
14 license, or who is convicted for violating any of the fish or
15 game laws of this state, shall forfeit this license.

This amendment forbids the exportation of shrimp or shrimp shells; fixes a close season on spiny lobsters or crawfish of the months of November, December, January, and February (such close season applying to all lobsters, thus breaking up the Mexican monopoly of these shellfish); regulates the crab traffic, limits the taking of catfish to hook and line, with an 8-inch size limit on sale; regulates the taking of abalones by season and size limit on the different species, fixes the daily limit, and forbids diving apparatus in the sixth district.

SENATE BILL

No. 1440

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-EIGHT OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-eight of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:
4 628. Every person who, at any time, offers for shipment,
5 ships, or receives for shipment, or transportation from the
6 State of California to any place in any other state, territory
7 or foreign country, or who has in his possession for any pur-
8 pose, any dried shrimp, or shrimp shells of shrimp caught or
9 taken in the waters of this state, is guilty of a misdemeanor;
10 *provided*, that the possession of such dried shrimp or shrimp

1 shells, for any purpose, shall be prima facie evidence of the
2 fact that such dried shrimp or shrimp shells are of shrimps
3 which were caught or taken in the waters of this state; and
4 every person who, between the twenty-eighth day of February
5 and the thirty-first day of October inclusive, of each year,
6 buys, sells, takes, catches, or kills, or has in his possession, any
7 lobster, or crawfish, less than nine inches in length, measured
8 from one extremity to the other, exclusive of legs, claws or
9 feelers; or who shall, at any time, pickle, can, or otherwise
10 preserve, any lobster, crab (*Cancer magister*) or crawfish,
11 caught or taken in the waters of this state, or who shall at any
12 time, sell any crab (*Cancer magister*), lobster, or crawfish
13 meat not in the shell of such crab (*Cancer magister*), lobster
14 or crawfish, or who shall bring to shore any part or portion of
15 any lobster, crab (*Cancer magister*) or crawfish, without the
16 remaining portions of said lobster, crab (*Cancer magister*) or
17 crawfish, in such condition that the size of such lobster, crab
18 (*Cancer magister*), or crawfish cannot be measured, is guilty
19 of a misdemeanor. Every person who at any time takes, or
20 catches, any catfish other than with hook and line in the
21 manner commonly known as angling, or who at any time has
22 in his possession for sale, or sells, or offers for sale, any
23 dressed catfish less than eight inches in length, not including
24 the head, or who at any time, kills, or has in his possession,
25 any sturgeon of less than twenty-five pounds in weight, or
26 who, between the first day of August and the fifteenth day of
27 November of any year buys, sells, takes, catches, kills, or has
28 in his possession, any crab (*Cancer magister*), or who at any
29 time buys, sells, offers for sale, takes, catches, kills, or has in
30 his possession any female crab (*Cancer magister*), or any crab
31 (*Cancer magister*) which shall measure less than seven inches
32 across the back, or any person who, between the first day of
33 March and the first day of July of any year kills, takes, or
34 catches in the waters of this state any abalone (*Haliotis*)
35 known to commerce as the red abalone (*Haliotis refuscens*)
36 less than seventeen inches around the outer edge of the shell.
37 or any green abalone (*Haliotis fulgens*) less than sixteen

1 inches around the outer edge of the shell, or any pink abalone
2 (*Haliotis corrugata*) less than fourteen inches around the
3 outer edge of the shell, or any black abalone (*Haliotis crack-*
4 *erodie*) less than twelve inches around the outer edge of the
5 shell; or who by any means whatsoever takes, or catches,
6 between the first day of July and the twenty-eighth day of
7 February the red abalone (*Haliotis refuscens*), seventeen
8 inches or over around the outer edge of the shell, or the green
9 abalone (*Haliotis fulgens*), sixteen inches or over around the
10 outer edge of the shell, or the pink abalone (*Haliotis corru-*
11 *gata*), fourteen inches or over around the outer edge of the
12 shell, or the black abalone (*Haliotis crackerodie*), twelve inches
13 or over around the outer edge of the shell, and does not bring
14 the abalone naturally attached to the shell alive to the shore,
15 above high water mark, or who kills any abalone (*Haliotis*)
16 of lawful size, other than for food purposes, or who takes,
17 catches, or kills any abalone (*Haliotis*) in any of the waters
18 of this state with spears or grab-hooks, is guilty of a misde-
19 meanor. Every person who in game district six uses any div-
20 ing apparatus for taking or catching any abalone (*Haliotis*),
21 or who takes, catches, kills, or has in his possession more than
22 twenty abalones (*Haliotis*) any one calendar day, is guilty of
23 a misdemeanor.

This proposed amendment fixes bag limits, daily and weekly, on duck, quail, doves, snipe, or shore birds, grouse, rabbits in some districts, sage hens; fixes a bag limit for the first time for geese and band-tailed pigeons. Limits are, ducks, 25 per day, 50 per week; geese, 25; valley quail, 15; mountain quail, 10 per day, 30 per week.

SENATE BILL

No. 1441

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX *d* OF THE PENAL CODE,
RELATING TO THE PROTECTION OF GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred twenty-six *d* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:
4 626*d*. Every person who, during any one calendar day,
5 takes, kills, or destroys, or has in his possession or in the pos-
6 session of any other person, transportation company or com-
7 mon carrier, or cold storage company, for his use or benefit,
8 more than twenty-five wild ducks or black sea brant, or more
9 than fifty wild ducks between sunrise of one Sunday and sun-
10 rise of the following Sunday; or who during any one calendar
11 day, takes, kills, or destroys, or has in his possession or in the
12 possession of any other person, transportation company, or
13 common carrier or cold storage company for his use or benefit

1 more than twenty-five wild geese, or who during any one calen-
2 dar day, takes, kills or destroys, or has in his possession, or in
3 the possession of any other person, transportation company,
4 common carrier, or cold storage company, for his use or benefit,
5 more than fifteen desert or valley quail, or ten mountain quail,
6 or more than thirty desert or valley or mountain quail between
7 sunrise of one Sunday and sunrise of the following Sunday, or
8 who during any one calendar day has in his possession, or in
9 the possession of any other person, transportation company,
10 common carrier, or cold storage company, for his use or benefit,
11 more than twenty doves, or more than twenty shore birds
12 (*Limicolæ*) between sunrise of one Sunday and sunrise of the
13 following Sunday or more than fifteen band tail or wild pigeon,
14 or more than four grouse, or more than four sage hens, or more
15 than fifteen cottontail or bush rabbits; *provided*, that in game
16 district number three every person who in any one calendar
17 day, takes, kills, or destroys or has in his possession, or in the
18 possession of any other person, transportation company, com-
19 mon carrier, or cold storage company, more than five cotton-
20 tail or bush rabbits, is guilty of a misdemeanor.

Section 635 $\frac{1}{2}$ is amended hereby to permit the use of trammel nets in the waters of the sixth district of not less than 7 $\frac{1}{2}$ inches mesh, giving one year for the disposition of nets of less than that mesh now in possession.

SENATE BILL

No. 1442

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND THIRTY-FIVE AND ONE HALF OF
THE PENAL CODE OF THE STATE OF CALIFORNIA.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and thirty-five and one-half
2 of the Penal Code of the State of California is hereby amended
3 to read as follows:
4 635 $\frac{1}{2}$. Every person who, at any time shall cast, extend, or
5 use any two mesh or three mesh net or trammel net, for the
6 catching of fish, shrimp, or shellfish in the waters of this state is
7 guilty of a misdemeanor, and is punishable by a fine of not less
8 than one hundred dollars nor more than five hundred dollars,
9 or by imprisonment in the county jail in which the conviction
10 shall be had not less than fifty days nor more than one hun-
11 dred and fifty days, or by both such fine and imprisonment;
12 *provided*, that in fish and game district number six it shall be
13 lawful to cast, extend, or use any three mesh or trammel net
14 any of the meshes of which are, when drawn closely together

1 and measured inside the knot, less than seven and one half
2 inches in length, for taking or catching fish, shrimp, or shell-
3 fish in the ocean waters thereof; *provided, further*, that in
4 game district number six every person who shall cast, extend,
5 or use any three mesh or trammel net for the taking or catching
6 of fish, shrimp, or shellfish within one mile from the ocean
7 shore line thereof is guilty of a misdemeanor, and is punish-
8 able by a fine of not less than one hundred dollars nor more
9 than five hundred dollars, or imprisonment in the county jail
10 in the county in which the conviction shall be had not less than
11 fifty days nor more than one hundred and fifty days, or by both
12 such fine and imprisonment; and all fines and forfeitures
13 imposed and collected for any violation of any of the provi-
14 sions of this section shall be paid into the fish and game preser-
15 vation fund.

This proposed law defines game birds, non-game birds, and predatory birds, prohibits traffic in skins or plumage of non-game birds, and gives specific permission to kill certain species in certain sections, and allows killing, but neither shipping nor selling of wild birds by owners or tenants where such birds are found destroying crops. Certain fish-destroying birds are exempted from protection by this bill.

SENATE BILL

No. 1443

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED THIRTY-SEVEN *a* OF THE PENAL CODE OF THE STATE OF CALIFORNIA RELATING TO THE PROTECTION OF FISH AND GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred thirty-seven *a* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:
4 637*a*. Every person in the State of California who shall at
5 any time kill or catch, or have in his possession, living or dead,
6 any wild bird other than a game bird, or who shall purchase,
7 offer or expose for sale, transport or ship within or out of the
8 state, any such wild bird after it has been killed or caught,
9 except as permitted by this act, shall be guilty of a misde-
10 meanor. No part of the plumage, skin or body of any bird
11 protected by this section shall be sold or had in possession for
12 sale, irrespective of whether said bird was captured or killed

1 within or without the state. For the purposes of this act the
2 following only shall be considered game birds: The *Anatidæ*,
3 commonly known as swans, geese, brant, and river and sea
4 ducks; the *Rallidæ*, commonly known as rails, coots, mud-hens,
5 and gallinules; the *Limicolæ*, commonly known as shore-birds,
6 plover, surf-birds, snipe, sand-pipers, tattlers, and curlews; the
7 *Gallinæ*, commonly known as wild turkeys, grouse, prairie-chick-
8 ens, pheasants, partridges, and quails; the species of *Colum-*
9 *bidæ*, known as wild pigeons and doves, and the birds known as
10 reed birds, robins, blackbirds, and meadowlarks. All other
11 species of wild birds, either resident or migratory, shall be con-
12 sidered non-game birds; *provided*, that the English or Euro-
13 pean house-sparrow, the great-horned owl, sharp-shinned hawk,
14 Cooper's hawk, duck-hawk, butcher-bird, blue-jay, house finch,
15 commonly known as California linnet, crow, magpie and the
16 king-fisher, are not included among the birds protected by this
17 act; *and provided, further*, that the wood duck is hereby taken
18 from the list of game birds, and added to the list of non-game
19 birds; *provided, further*, that nothing in this section shall pro-
20 hibit the killing of a meadowlark, robin, or other wild bird,
21 by the owner or tenant of any premises, where such bird is
22 found destroying berries, fruit or crops growing on such
23 premises, but the birds so killed shall not be shipped or sold;
24 *provided, further*, that in game district number one of the State
25 of California, it is lawful to hunt, pursue, take, kill, destroy, or
26 have in possession, the blue heron; *provided, further*, that in
27 game districts numbers two, three, four, and six, it is lawful to
28 hunt, pursue, take, kill, destroy or have in possession the birds
29 known as pelicans, shag or cormorant; and nothing in this act
30 shall prevent a citizen of California from taking or keeping any
31 wild non-game birds as domestic pets if such birds shall not be
32 sold or offered for sale, or transported out of the state, a permit
33 to keep the same having first been obtained from the state board
34 of fish and game commissioners.

This amendment modifies the deer law by fixing seasons in the various districts in conformity with the Fish and Game Commission survey of life zones and conditions affecting the deer.

SENATE BILL

No. 1444

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX *f* OF THE PENAL CODE,
RELATING TO THE PROTECTION AND PRESERVATION OF MALE DEER.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred twenty-six *f* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:

4 626*f*. Every person who hunts, pursues, takes, kills or
5 destroys, or has in his possession, whether taken or killed in
6 the State of California, or shipped into the state from any other
7 state, or territory, or foreign country, any male deer, or any deer
8 meat, is guilty of a misdemeanor except as hereinafter pro-
9 vided; *provided*, that every person in game district number
10 one of the State of California who between the thirty-first day
11 of October and the first day of September of the following year,
12 hunts, pursues, takes, kills, or destroys, or has in his possession,
13 whether taken or killed in the State of California, or shipped
14 into the state from any other state, or territory, or foreign
15 country, any male deer or any deer meat, is guilty of a misde-

1 meanor; *provided, further*, that every person in game districts
2 numbers two and five of the State of California who between
3 the thirtieth day of September and the first day of August of
4 the following year, hunts, pursues, takes, kills or destroys, or
5 has in his possession, whether taken or killed in the State of
6 California, or shipped into the state from any other state, or
7 territory, or foreign country, any male deer or any deer meat, is
8 guilty of a misdemeanor; *provided, further*, that every person
9 in game district number three of the State of California who
10 between the fifteenth day of November and the first day of
11 September of the following year, hunts, pursues, takes, kills,
12 or destroys, or has in his possession, whether taken or killed in
13 the State of California, or shipped into the state from any other
14 state, or territory, or foreign country, any male deer or any deer
15 meat, is guilty of a misdemeanor; *provided, further*, that every
16 person in game district number four of the State of California
17 who between the thirty-first day of October and the sixteenth
18 day of September of the following year, hunts, pursues, takes,
19 kills, or destroys, or has in his possession, whether taken or
20 killed in the State of California, or shipped into the state from
21 any other state, or territory, or foreign country, any male deer
22 or any deer meat, is guilty of a misdemeanor; *provided, fur-*
23 *ther*, that every person in game district number six of the State
24 of California who between the fifteenth day of September and
25 the sixteenth day of August of the following year, hunts, pur-
26 sues, takes, kills, or destroys, or has in his possession whether
27 taken or killed in the State of California, or shipped into the
28 state from any other state, or territory, or foreign country, any
29 male deer or deer meat, is guilty of a misdemeanor.

This measure provides for an appropriation of \$60,000 to be devoted to hatchery and other fish work for the sixty-fifth and sixty-sixth fiscal years.

SENATE BILL

No. 1445

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

PROVIDING FOR AN APPROPRIATION FOR THE RESTORATION AND PRESERVATION OF FISH FOR THE SIXTY-FIFTH AND SIXTY-SIXTH FISCAL YEARS.

The people of the State of California do enact as follows:

1 SECTION 1. There is hereby appropriated out of any money
2 in the state treasury not otherwise appropriated, the sum of
3 sixty thousand dollars, to be expended by the board of fish
4 and game commissioners for the restoration and preservation
5 of fish for the sixty-fifth and sixty-sixth fiscal years.

6 SEC. 2. The state controller is hereby directed to draw his
7 warrant in favor of the board of fish and game commissioners
8 for the money herein appropriated and the state treasurer is
9 hereby directed to pay said warrants.

New Act. This fixes the limits within which netting may be done in the fourth district on the San Joaquin River.

SENATE BILL

No. 1446

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA, TO BE NUMBERED SIX HUNDRED AND THIRTY-FOUR *a*, RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. A new section is hereby added to the Penal
2 Code of the State of California to be numbered six hundred and
3 thirty-four *a*, and to read as follows:
- 4 634*a*. Every person who in fish and game district number
5 four casts, extends, or uses any seine, gill-net, or dragnet, to
6 take any fish, or who takes, catches, kills, or destroys, or has in
7 his possession any fish which have been taken, caught, or killed
8 except with hook and line, and in the manner commonly known
9 as angling, except in the San Joaquin river and its tributaries
10 north of the Southern Pacific bridges crossing said river and
11 tributaries between the towns of Banta and Lathrop, San Joa-
12 quin county, is guilty of a misdemeanor. Every person found
13 guilty of any violation of any of the provisions of this section
14 must be fined in a sum not less than twenty dollars nor more
15 than five hundred dollars, or by imprisonment in the county

1 jail of the county in which the conviction is had not less than
2 ten days nor more than one hundred and fifty days, or by both
3 such fine and imprisonment; all fines and forfeitures imposed
4 and collected for any violation of the provisions of this section
5 must be paid into the state treasury to the credit of the fish and
6 game preservation fund. Nothing in this section prohibits the
7 United States fish commission and the fish and game commis-
8 sion from taking at all times such fish as they deem necessary
9 for purposes of propagation and scientific purposes, nor the
10 taking or catching of bait with a minnow net not larger than
11 four feet wide by fifteen feet long.

New sections. This section fixes penalties for violations of the general laws, and increases (doubles) the penalties for infractions of the deer law.

SENATE BILL

No. 1447

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED THIRTY-ONE *a*, SECTION SIX HUNDRED THIRTY-ONE *b*, SECTION SIX HUNDRED THIRTY-ONE *c* OF THE PENAL CODE OF THE STATE OF CALIFORNIA AND TO ADD THERETO THREE NEW SECTIONS TO BE NUMBERED SIX HUNDRED THIRTY-ONE *d*, SIX HUNDRED THIRTY-ONE *e* AND SIX HUNDRED THIRTY-ONE *f*, ALL RELATING TO THE PROTECTION OF GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred thirty-one *a* of the Penal
2 Code of the State of California is hereby amended to read
3 as follows:
4 631*a*. Every person found guilty of a violation of any of
5 the provisions of section six hundred twenty-six, six hundred
6 twenty-six *a*, six hundred twenty-six *b*, six hundred twenty-six
7 *c*, six hundred twenty-six *d*, six hundred twenty-six *g*, six
8 hundred twenty-six *h*, six hundred twenty-six *i*, six hundred
9 twenty-six *j*, six hundred twenty-six *k*, six hundred twenty-
10 six *m*, six hundred twenty-six *n*, six hundred twenty-six *o*,
11 six hundred twenty-seven, six hundred twenty-seven *a*, six

1 hundred twenty-seven *b*, and six hundred thirty-one must
2 be fined in a sum not less than twenty-five dollars, nor more
3 than five hundred dollars, or imprisonment in the county jail
4 of the county in which the conviction shall be had, not less
5 than twenty-five days or more than one hundred and fifty days,
6 or by both such fine and imprisonment.

7 SEC. 2. Section six hundred thirty-one *c* of the Penal Code
8 of the State of California is hereby amended to read as follows:

9 631*c*. Every person found guilty of a violation of any
10 of the provisions of section six hundred twenty-six *e* must be
11 fined in a sum not less than one hundred dollars, nor more
12 than five hundred dollars, or imprisonment in the county jail
13 of the county in which the conviction shall be had, not less
14 than fifty days nor more than one hundred and fifty days,
15 or by both such fine and imprisonment.

16 SEC. 3. Section six hundred thirty-one *b* of the Penal Code
17 of the State of California is hereby amended to read as follows:

18 631*b*. All fines or forfeitures paid or collected for the viola-
19 tion of any of the provisions of sections six hundred twenty-six,
20 six hundred twenty-six *a*, six hundred twenty-six *b*, six hundred
21 twenty-six *c*, six hundred twenty-six *d*, six hundred twenty-six
22 *e*, six hundred twenty-six *f*, six hundred twenty-six *g*, six hun-
23 dred twenty-six *h*, six hundred twenty-six *i*, six hundred
24 twenty-six *j*, six hundred twenty-six *k*, six hundred twenty-six
25 *m*, six hundred twenty-six *n*, six hundred twenty-six *o*, six
26 hundred twenty-six *p*, six hundred twenty-seven, six hundred
27 twenty-seven *a*, six hundred twenty-seven *b*, six hundred
28 thirty-one, six hundred thirty-one *e* and six hundred thirty-
29 one *f* of this chapter, must be paid by the court in which the
30 conviction shall be had or forfeiture made into the state
31 treasury to the credit of the game preservation fund, which
32 fund is hereby created, and the moneys in said fund shall be
33 applied to the payment of claims approved by the game com-
34 missioner or the state board of fish commissioners for the
35 expense of protecting, restoring, and introducing game into
36 the state, and to the payment of the expenses incurred in the

1 prosecution of offenders against the provisions of the above
2 named sections.

3 SEC. 4. A new section is hereby added to the Penal Code of
4 the State of California to be numbered six hundred thirty-
5 one *e* and to read as follows:

6 631*e*. Every person found guilty of a violation of any of
7 the provisions of section six hundred twenty-six *f* must be fined
8 in a sum not less than fifty dollars nor more than five hundred
9 dollars, or imprisonment in the county jail of the county in
10 which the conviction shall be had, not less than fifty days nor
11 more than one hundred and fifty days, or by both such fine and
12 imprisonment.

13 SEC. 5. A new section is hereby added to the Penal Code of
14 the State of California to be numbered section six hundred
15 thirty-one *f*.

16 631*f*. Every person found guilty of a violation of any of
17 the provisions of sections six hundred thirty seven *a*, six hun-
18 dred thirty-seven *e* and six hundred thirty-six *p* must be fined
19 in a sum not less than ten dollars nor more than five hundred
20 dollars, or imprisonment in the county jail in the county in
21 which the conviction shall be had, not less than ten days nor
22 more than fifty days, or by both such fine and imprisonment.

23 SEC. 6. All acts and parts of acts in conflict with this act
24 are hereby repealed.

This proposed amendment fixes seasons and bag limits on the various kinds of trout in the different districts; regulates fishing in the mountain lakes, with a view to prohibiting the taking of fish at times to interfere with spawning, and provides for tidewater steelhead fishing in the different districts.

SENATE BILL

No. 1448

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTIONS SIX HUNDRED AND THIRTY-TWO AND SIX HUNDRED AND THIRTY-TWO AND ONE HALF OF THE PENAL CODE OF THE STATE OF CALIFORNIA RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and thirty-two of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:

4 632. Every person who, in game district one, between the
5 thirtieth day of November and the first day of May of the
6 year following, buys, sells, offers for sale, takes, catches, kills,
7 or has in his possession, any variety of trout; or who at any
8 time, takes, catches, or kills, or has in his possession, during any
9 one calendar day more than fifty trout; or who at any time,
10 takes, catches, kills, or has in his possession, during any one
11 calendar day, trout, the total weight of which exceeds ten
12 pounds, and one fish; *provided, further*, that in game district

1 two, every person who, between the thirty-first day of October
2 and the sixteenth day of April of the year following, buys,
3 sells, offers for sale, takes, catches, kills, or has in his posses-
4 sion, any variety of trout except steelhead trout; *provided*,
5 *further*, that in game district three, every person who, between
6 the thirty-first day of October and the first day of May of the
7 year following, buys, sells, offers for sale, takes, catches, kills,
8 or has in his possession, any variety of trout except steelhead
9 trout; or who at any time, takes, catches, or kills, or has in his
10 possession, during any one calendar day, more than fifty trout;
11 or who at any time takes, catches, kills, or has in his possession
12 during any one calendar day, trout, other than steelhead trout,
13 and *Salmo mykiss henshawii*, and *Salmo tahoensis* (also known
14 as *Salmo regalis*) both species known as Tahoe trout, or black
15 spotted trout, the total weight of which exceeds ten pounds and
16 one fish; *provided, further*, that in game district three, every
17 person who, between the thirty-first day of October and the
18 first day of August of the year following, buys, sells, offers
19 for sale, takes, catches, kills, or has in his possession, any trout
20 taken from any stream two miles from its mouth, toward its
21 source, or who takes, kills, catches, any trout within twenty-
22 five hundred feet of the mouth of any stream flowing into,
23 lakes Bigler (Tahoe), Donner, and Meadow Dam lake, in
24 Nevada county, Independence in Nevada and Sierra counties,
25 Silver, and Bear River dam lake, in Amador county, Upper
26 and Lower Blue lakes, and Twin lakes at the source of Silver
27 Fork American river, in Alpine county, and Webber and Wood
28 lakes in Sierra county, is guilty of a misdemeanor; *provided*,
29 *further*, that in game district four, every person who, between
30 the thirtieth day of November and the first day of May of the
31 year following, buys, sells, takes, catches, kills, or has in his
32 possession, any variety of trout, except steelhead trout; or who
33 at any time, takes, catches, or kills, or has in his possession,
34 during any one calendar day, more than fifty trout; or who at
35 any time, takes, catches, kills, or has in his possession during
36 any one calendar day, trout, other than steelhead trout, the
37 total weight of which exceeds ten pounds, and one fish; *pro-*

vided, further, that in game districts five and six, every person who, between the thirty-first day of October and the first day of May of the following year, buys, sells, takes, catches, kills, or has in his possession any variety of trout except steelhead trout, every person who, buys, sells, takes, catches, kills, or has in his possession, any variety of trout, except steelhead trout, or who at any time, takes, catches, or kills, any trout except with hook and line in the manner commonly known as angling, or who at any time, takes, catches, or kills or has in his possession, during any one calendar day, more than fifty trout, or ten pounds and one fish, other than steelhead trout; provided, that in game district three, every person who, takes, catches, or kills, or has in his possession, during any one calendar day, more than twenty *Salmo mykiss henshawii*, *Salmo tahoensis* (also known as the *Salmo regalis*), both species commonly known as cutthroat trout, Tahoe trout, or black spotted trout, is guilty of a misdemeanor. Every person found guilty of any of the provisions of this section must be fined in a sum not less than twenty dollars, or be imprisoned in the county jail in the county in which the conviction shall be had not less than ten days, or be punished by both such fine and imprisonment; and all fines and forfeitures collected for any violation of any of the provisions of this section must be paid into the state treasury to the credit of the fish and game preservation fund. Nothing in this section prohibits the fish and game commission of this state from taking at all times such trout as they deem necessary for purposes of propagation or for scientific purposes.

SEC. 2. Section six hundred and thirty-two and one half of the Penal Code of the State of California is hereby amended to read as follows:

632½. Every person who, between the first day of November and the first day of April of the year following, takes, catches, kills, destroys, or has in his possession, taken above tide water, any steelhead trout; every person who, between the first day of April and the thirty-first day of October of the same year, takes, catches, kills, destroys, or has in his possession any steel-

1 head trout taken above tide water, which have been caught or
2 killed except with hook and line, and in the manner commonly
3 known as angling; every person who, between the first day of
4 February and the twentieth day of November of the same year,
5 buys, sells, offers or exposes for sale, any steelhead trout; every
6 person who, at any time, takes, catches, kills, destroys, or has
7 in his possession, any steelhead trout taken in the waters of
8 the state, which have been taken, caught, or killed, except with
9 hook and line and in the manner commonly known as angling,
10 is guilty of a misdemeanor; every person who, during any one
11 calendar day, takes, catches, kills, destroys, or has in his posses-
12 sion, more than fifty steelhead trout, or ten pounds and one
13 fish, or one fish weighing ten pounds or over, except as here-
14 after provided; *provided*, that in game district two, every per-
15 son who, between October thirty-first and April the fifteenth
16 of the following year, takes, catches, kills, or destroys, any
17 steelhead trout, above tide water, except that steelhead trout
18 two pounds in weight or over may be taken above tide water
19 with hook and line in the manner commonly known as angling,
20 between January first and March first of the same year; *pro-*
21 *vided, further*, that in game districts five and six, every per-
22 son who, between the thirty-first day of October and the first
23 day of May of the following year, takes, catches, kills, or has
24 in his possession any steelhead trout; every person who, during
25 any one calendar day, takes, catches, kills, destroys, or has in
26 his possession, more than fifty steelhead trout, or ten pounds
27 and one fish, or one fish weighting ten pounds or over, is guilty
28 of a misdemeanor; *provided, further*, except in Bear Valley
29 lake, San Bernardino county, every person may during the
30 open season, take, catch, kill, or destroy, or have in his
31 possession, steelhead trout, not to exceed thirty pounds in
32 weight and one fish; *provided, further*, that where steelhead
33 trout have been or may be planted in streams that do not have
34 a run of steelhead trout direct from the ocean or salt water
35 bays, the same law shall apply to them, as to all other trout,
36 except where they are specifically mentioned in this act.
37 Nothing herein shall apply to domestically reared steelhead

1 trout. Every person found guilty of any violation of any of
2 the provisions of this section must be fined in a sum not less
3 than twenty dollars, or be imprisoned in the county jail in the
4 county in which the conviction shall be had, not less than ten
5 days, or by both such fine and imprisonment, and all fines and
6 forfeitures collected for any violation of any of the provisions
7 of this section must be paid into the state treasury to the
8 credit of the fish and game preservation fund. Nothing in
9 this section prohibits the fish and game commission of this
10 state from taking at all times such trout as they deem necessary
11 for the purpose of propagation or for scientific purposes.

This amendment fixes fines and penalties for violations of the game and fish laws, minimum \$20, maximum \$500, imprisonment 20 days to 150 days, or both.

SENATE BILL

No. 1449

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED AND TWENTY-EIGHT *d* OF THE PENAL CODE OF THE STATE OF CALIFORNIA.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and twenty-eight *d* of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:

4 628*d*. Every person found guilty of violation of the provi-
5 sions of sections six hundred and twenty-eight, six hundred
6 and twenty-eight *a*, six hundred and twenty-eight *b*, six hun-
7 dred and twenty-eight *c*, six hundred and twenty-eight *e*, and
8 six hundred and twenty-eight *f* shall be punished by a fine not
9 less than twenty dollars nor more than five hundred dollars
10 or by imprisonment in the county jail in the county in which
11 the conviction is had not less than twenty days nor more than
12 one hundred fifty days, or by both such fine and imprisonment.
13 All fines or forfeitures imposed and collected for any violation
14 of any of the provisions of said sections must be paid into the
15 state treasury to the credit of the fish and game preservation
16 fund.

This section relates to doves, fixing seasons in the various districts.

SENATE BILL

No. 1450

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX *a* OF THE PENAL CODE,
RELATING TO THE PROTECTION OF DOVES.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred twenty-six *a* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:

4 626*a*. Every person who hunts, takes, kills, pursues, de-
5 stroys, or has in his possession, any dove, except as hereinafter
6 provided, is guilty of a misdemeanor; *provided*, that in game
7 districts numbers one and three, every person who between the
8 first day of October and the fifteenth day of July of the year
9 following inclusive, hunts, takes, kills, pursues, destroys, or
10 has in his possession, any dove, is guilty of a misdemeanor;
11 *provided, further*, that in game district number two of the
12 State of California, every person who between the sixteenth
13 day of October and the thirty-first day of August of the year
14 following inclusive, hunts, takes, kills, pursues, destroys, or
15 has in his possession, any dove, is guilty of a misdemeanor;
16 *provided, further*, that in game district number four of the

1 State of California, every person who between the sixteenth
2 day of October and the fifteenth day of August of the year
3 following inclusive, hunts, takes, kills, pursues, destroys, or has
4 in his possession, any dove, is guilty of a misdemeanor; *pro-*
5 *vided, further,* that in game district number six of the State
6 of California every person who between the first day of Octo-
7 ber and the fifteenth day of August of the year following inclu-
8 sive, hunts, takes, kills, pursues, destroys, or has in his pos-
9 session, any dove, is guilty of a misdemeanor; *provided, further,*
10 that in game district number five of the State of California
11 every person who hunts, takes, kills, pursues, destroys, or has
12 in his possession, any dove is guilty of a misdemeanor.

This proposed law relates to the sale of game birds and animals. Prohibits sale of duck, quail, dove, snipe, deer meat, etc.

SENATE BILL

No. 1451

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-SIX *k* OF THE PENAL CODE,
RELATING TO THE PROTECTION OF FISH AND GAME.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred twenty-six *k* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:

4 626*k*. Every person who buys, sells, offers, or exposes for
5 sale, barter or trade, any quail, wild duck, partridge, dove,
6 pheasant, grouse, sage hen, rail, ibis, plover, or any snipe, or
7 other shore bird (*Limicolæ*), meadow lark, blackbird, or robin,
8 or any deer meat, whether taken or killed in the State of Cali-
9 fornia or shipped into the state from any other state, territory
10 or foreign country is guilty of a misdemeanor.

This bill proposes to protect the spawning grounds of the sea fish about Santa Catalina Island by closing the waters thereof to all commercial fishery.

SENATE BILL

No. 1452.

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA TO BE NUMBERED SIX HUNDRED THIRTY-FOUR AND ONE HALF, RELATING TO THE PROTECTION OF FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. A new section is hereby added to the Penal
2 Code of the State of California to be numbered six hundred
3 thirty-four and one half and to read as follows:
4 634½. Every person who takes, catches, or kills any fish
5 except with hook and line in the manner commonly known as
6 angling within three miles of shore line of Santa Catalina
7 Island, is guilty of a misdemeanor. Every person found
8 guilty of any of the provisions of this section must be fined
9 not less than twenty dollars nor more than five hundred dol-
10 lars, or be imprisoned in the county jail of the county in
11 which the conviction shall be had, not less than ten days nor
12 more than one hundred and fifty days, or be punished by
13 both such fine and imprisonment; and all fines or forfeitures
14 imposed and collected for any violation of any of the pro-

1 visions of this section must be paid into the state treasury to
2 the credit of the fish and game preservation fund. Nothing
3 in this section prohibits the United States fish commission and
4 the fish and game commission of this state from taking at all
5 times such fish and in such manner as they deem necessary
6 for purposes of propagation or for scientific purposes.

This bill fixes a minimum size limit of twelve inches and a daily limit of 100, forbidding sale of clam meat not in shell.

SENATE BILL

No. 1453

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED TWENTY-EIGHT *f* OF THE PENAL CODE,
RELATING TO THE PROTECTION OF PISMO CLAMS.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred twenty-eight *f* of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:
4 628*f*. Every person who takes, gathers, catches, or has in
5 his possession, any clam, known as the Pismo clam (*Tivela*
6 *stultorum*), which shall measure less than twelve inches
7 around the outer edge of the shell; or who, during any one
8 calendar day, takes, gathers, catches, or has in his possession,
9 or control, more than one hundred of said clams; or who
10 shall, at any time, sell or offer for sale any Pismo clam meat
11 not in the shell of such Pismo clam; or who shall bring to
12 shore any Pismo clam in such condition that the size of such
13 Pismo clam cannot be measured, shall be guilty of a misde-
14 meanor.

This bill changes the night shooting law from half an hour before and after sunset to sunrise and sunset for all game, and fixes the time for fishing for trout, whitefish, or black bass, from an hour before sunrise to an hour after sunset (this is 626m). Also forbids the use of any animal as a blind (626n). Forbids shooting from a power boat, or automobile, or other vehicle (626o), and regulates use of artificial decoys (626p).

SENATE BILL

No. 1454

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTIONS SIX HUNDRED AND TWENTY-SIX *m*, SIX HUNDRED AND TWENTY-SIX *n*, AND SIX HUNDRED AND TWENTY-SIX *o*, AND TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA TO BE NUMBERED SIX HUNDRED AND TWENTY-SIX *p*, RELATING TO THE PROTECTION OF FISH AND GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section six hundred and twenty-six *m* of the
2 Penal Code of the State of California is hereby amended to
3 read as follows:
4 626m. Every person who at any time between sunset of
5 any one day and before sunrise of the following day hunts,
6 pursues, takes, catches, kills, or destroys any of the game birds
7 or animals of this state, or who between one hour after sunset
8 of any one day and one hour before sunrise of the following
9 day takes, catches, kills, or destroys any trout, white-fish or
10 black bass is guilty of a misdemeanor.

1 SEC. 2. Section six hundred and twenty-six *n* of the Penal
2 Code of the State of California is hereby amended to read as
3 follows:

4 626*n*. Every person who at any time shall use any animal
5 as a blind or use such animal for the purpose of approaching
6 any wild bird or animal of this state or who at any time takes,
7 kills or has in his possession any wild bird or animal taken by
8 any such methods, is guilty of a misdemeanor; *provided, how-*
9 *ever,* that nothing herein contained shall prevent the use of
10 dogs in hunting or approaching such wild birds or animals.

11 SEC. 3. Section six hundred and twenty-six *o* of the Penal
12 Code of the State of California is hereby amended to read as
13 follows:

14 626*o*. Every person who in the State of California, shoots
15 at any kind of wild bird or animal from any power boat or
16 boat drawn by any power boat, or from any automobile or
17 other vehicle, is guilty of a misdemeanor.

18 SEC. 4. A new section is hereby added to the Penal Code
19 of the State of California, to be numbered six hundred and
20 twenty-six *p* and to read as follows:

21 626*p*. Every person who places any artificial decoys in or
22 upon any of the public waters of this state earlier than one
23 hour before sunrise of any day or permits such decoys to
24 remain in or upon such waters later than one hour after sunset
25 is guilty of a misdemeanor.

Providing for an appropriation of \$5,000 for an investigation of the relation of birds to agriculture and spreading of information thus gained during the sixty-fifth and sixty-sixth fiscal years.

SENATE BILL

No. 1455

INTRODUCED BY SENATOR HANS,

(By request,)

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

PROVIDING FOR AN APPROPRIATION FOR INVESTIGATION IN ECONOMIC ORNITHOLOGY AND FOR THE DISSEMINATION OF INFORMATION GAINED THEREBY, FOR THE SIXTY-FIFTH AND SIXTY-SIXTH FISCAL YEARS.

The people of the State of California do enact as follows:

- 1 SECTION 1. There is hereby appropriated out of any money
2 in the state treasury not otherwise appropriated, the sum of
3 five thousand dollars, to be expended by the board of fish and
4 game commissioners for investigation in economic ornithology
5 and for the dissemination of information gained thereby for
6 the sixty-fifth and sixty-sixth fiscal years.
- 7 SEC. 2. The state controller is hereby directed to draw his
8 warrant in favor of the board of fish and game commissioners
9 for the money herein appropriated, and the state treasurer is
10 hereby directed to pay said warrants.

SENATE BILL

No. 1470

INTRODUCED BY SENATOR ANDERSON,

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA, TO BE NUMBERED SECTION SIX HUNDRED THIRTY-FIVE AND ONE-HALF *a*, TO PERMIT THE USE OF TRAMMEL NETS.

The people of the State of California do enact as follows:

- 1 SECTION 1. A new section is hereby added to the Penal
- 2 Code of the State of California, to be numbered six hundred
- 3 thirty-five and one half *a*, to read as follows:
- 4 635½*a*. It shall be permissable for trammel nets to be used
- 5 in the catching of fish in the open waters of the Pacific ocean;
- 6 *provided*, that a smaller mesh than eight inches be not used.

Makes it lawful to fish with seines for smelt in the Pacific Ocean in the sixth district. This cuts out the previous prohibition against the use of mesh and trammel nets.

SENATE BILL

No. 1471

INTRODUCED BY SENATOR ANDERSON,

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION SIX HUNDRED THIRTY-FIVE AND ONE HALF OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE FISHING FOR SMELT OR BAIT WITH SEINES IN THE SIXTH DISTRICT.

The people of the State of California do enact as follows:

1 SECTION 1. Section six hundred and thirty-five and one half
2 of the Penal Code of the State of California is hereby amended
3 to read as follows:

4 635½. It shall be lawful to fish with seines for smelt or bait
5 in the open waters of the Pacific ocean in the sixth district;
6 *provided*, that all surf fish caught with the smelt or bait shall
7 immediately be returned to the water.

SENATE BILL

No. 1472

INTRODUCED BY SENATOR ANDERSON,

FEBRUARY 3, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO ADD A NEW SECTION TO THE PENAL CODE OF THE STATE OF CALIFORNIA, TO BE NUMBERED SIX HUNDRED AND THIRTY-SIX AND ONE HALF, TO PREVENT THE USE OR POSSESSION OF LOMPARA NETS, PARANZELLA NETS, TRAWL OR DRAG NETS, AND PROVIDING THE PENALTY THEREFOR.

The people of the State of California do enact as follows:

1 SECTION 1. A new section is hereby added to the Penal
2 Code of the State of California, to be numbered six hundred
3 and thirty-six and one half, and to read as follows:
4 636½. Every person who shall cast, extend, set, draw, use
5 or continue, or have in his possession, any lompara net or any
6 paranzella net, or trawl or drag net, for catching fish, shell-
7 fish, shrimp, or crabs, in the waters of this state, is guilty of a
8 misdemeanor, and is punishable by a fine of not less than two
9 hundred and fifty dollars, or by imprisonment in the county jail
10 in the county in which the conviction shall be had, not less than
11 one hundred and twenty-five days, or by both such fine and im-
12 prisonment; and all fines imposed and collected for any violation
13 of any of the provisions of this section shall be paid into the
14 fish and game preservation fund.

Section 626. Changes closed season on quail in district six. Makes it first of October to first of September. Section 626a. Changes closed season on doves in district six. Makes it first of October to first of August. Section 626d. Reduces bag limit on ducks to 15 a day or 30 per week; reduces bag limit on quail to 15 per day; takes limit off of cottontails. Section 626f. Changes closed season on deer in district six.

SENATE BILL

No. 1634

INTRODUCED BY SENATOR THOMPSON,

FEBRUARY 4, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTIONS 626, 626a, 626d, AND 626f OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION OF FISH AND GAME.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 626 of the Penal Code of the State of
2 California is hereby amended to read as follows:
- 3 626. Every person who, between the first day of March and
4 the fifteenth day of October of any year, hunts, pursues, takes,
5 kills, or destroys, or has in his possession any kind of wild
6 duck, ibis, or other shore bird (*Limicola*), or who, between the
7 thirtieth day of April and the fifteenth day of November of
8 any year, hunts, pursues, takes, kills, or destroys, or has in
9 his possession any Wilson snipe, plover or curlew; or who, be-
10 tween the fifteenth day of February and the fifteenth day of
11 October of any year, hunts, pursues, takes, kills, or destroys or
12 has in his possession any desert or valley quail; or who, be-
13 tween the first day of December and the first day of Septem-
14 ber of the following year, hunts, pursues, takes, kills, or de-

1 stroy, or has in his possession any mountain quail, grouse,
2 or sage-hen; or who, between the first day of February and
3 the thirty-first day of July of any year, hunts, takes, kills, or
4 has in his possession any cottontail rabbit, or bush rabbit; or
5 who, at any time prior to the first day of November, 1912,
6 hunts, takes, kills, or has in his possession any rail, or who
7 thereafter between the first day of December of any year and
8 the first day of November of the following year, hunts, takes,
9 kills, or has in his possession any rail is guilty of a misde-
10 meanor, except as hereinafter provided; *provided*, that in game
11 districts Nos. 1 and 6 of the State of California every person
12 who, between the first day of March and the first day of
13 October of any year, hunts, takes, kills, or destroys, or has
14 in his possession any kind of wild duck, ibis or other shore
15 bird (*Limicolæ*), or who in game district 6, between the first
16 day of October of any year and the first day of September of
17 the following year, hunts, takes, kills, or destroys or has in
18 his possession any desert or valley quail is guilty of a
19 misdemeanor.

20 SEC. 2. Section 626a of the Penal Code of the State of
21 California is hereby amended to read as follows:

22 626a. Every person who, between the first day of October
23 and the fifteenth day of July of the following year, hunts,
24 takes, kills, pursues or destroys or has in his possession any
25 dove is guilty of a misdemeanor, except as hereinafter pro-
26 vided; *provided*, that in game district No. 4 of the State of
27 California every person who, between the first day of Novem-
28 ber and the first day of September of the following year, hunts,
29 takes, kills, or pursues or destroys or has in his possession
30 any dove is guilty of a misdemeanor; *provided, further*, that
31 every person in game districts Nos. 2, 5 and 6 of the State of
32 California who, between the first day of October, and the first
33 day of August of the following year, hunts, takes, kills, pur-
34 sues or destroys or has in his possession any dove is guilty of
35 a misdemeanor.

36 SEC. 3. Section 626d of the Penal Code of the State of
37 California is hereby amended to read as follows:

1 626*d*. Every person who, during any one calendar day,
2 takes, kills, or destroys or has in his possession more than fif-
3 teen wild ducks, or black sea brant, or more than fifteen
4 desert or valley quail, snipe, curlew, ibis, plover, rail, or any
5 other shore birds (*Limicolæ*), or more than twenty doves, or
6 more than ten mountain quail, or more than four grouse, or
7 more than four sage-hens, is guilty of a misdemeanor; *pro-*
8 *vided, also*, that any person who between sunrise of one Sunday
9 and sunrise of the following Sunday, takes, kills, or destroys
10 more than thirty ducks, or black sea brant is guilty of a
11 misdemeanor.

12 SEC. 4. Section 626*f* of the Penal Code of the State of
13 California is hereby amended to read as follows:

14 626*f*. Every person who between the first day of Novem-
15 ber and the fifteenth day of August of the following year
16 hunts, pursues, takes or destroys, or has in his possession,
17 whether taken or killed in the State of California, or shipped
18 into the state from any other state, or territory, or foreign
19 country any male deer, or any deer meat, is guilty of a misde-
20 meanor, except as hereinafter provided; *provided*, that every
21 person in game districts Nos. 2, 4, 5, and 6 of the State of
22 California who, between the first day of September and the
23 first day of July of the following year, hunts, pursues, takes,
24 or destroys, or has in his possession, whether taken or killed
25 in the State of California, or shipped into the state from any
26 other state, territory, or foreign country, any male deer, or
27 any deer meat, is guilty of a misdemeanor.

SENATE BILL

No. 1635

INTRODUCED BY SENATOR THOMPSON,

FEBRUARY 4, 1913.

REFERRED TO COMMITTEE ON FISH AND GAME.

AN ACT

TO AMEND SECTION 632 $\frac{1}{2}$ OF THE PENAL CODE OF THE STATE OF CALIFORNIA, RELATING TO THE PROTECTION AND PRESERVATION OF FISH.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 632 $\frac{1}{2}$ of the Penal Code of the State of
2 California is hereby amended to read as follows :
3 632 $\frac{1}{2}$. Every person who between the first day of November
4 and the first day of March of the year following, takes, catches,
5 kills, destroys or has in his possession, any steelhead trout taken
6 above tide water ; every person who, between the first day of
7 March and the first day of November of the same year, takes,
8 catches, kills, destroys or has in his possession, any steelhead
9 trout, taken above tide water, which have been taken, caught or
10 killed except with hook and line ; every person who between the
11 first day of February and the twenty-third day of October of
12 the same year, buys, sells, offers or exposes for sale, any steel-
13 head trout ; every person who at any time, takes, catches, kills,
14 destroys or has in his possession any steelhead trout taken in
15 tide waters, which have been taken, caught or killed except with
16 hook and line, is guilty of a misdemeanor ; *provided*, that it shall
17 be lawful to take, catch, kill and have in possession any steel-

1 head trout taken in tide water, with gill nets, the meshes of
2 which are, when drawn closely together and measured inside the
3 knot, six and one half or more inches in length, between the
4 twenty-third day of October and the first day of February of
5 the year following. Nothing herein shall apply to domestically
6 reared steelhead trout. Every person found guilty of any vio-
7 lation of any of the provisions of this section must be fined in a
8 sum not less than twenty (\$20) dollars, or be imprisoned in the
9 county jail in the county in which the conviction shall be had,
10 not less than ten (10) days, or by both such fine and imprison-
11 ment, and all fines collected for any violation of any of the pro-
12 visions of this section must be paid into the state treasury to the
13 credit of the fish and game preservation fund. Nothing in this
14 section prohibits the United States fish commission and the
15 board of fish and game commissioners of this state from taking
16 at all times such trout as they deem necessary for the purpose
17 of propagation or for scientific purposes.

SENATE COMMITTEE ON FISH AND GAME.

GEO. J. HANS, Chairman.

JOHN N. ANDERSON.

D. J. BEBAN.

E. S. BIRDSALL.

A. H. BREED.

WM. E. BROWN.

E. F. BRYANT.

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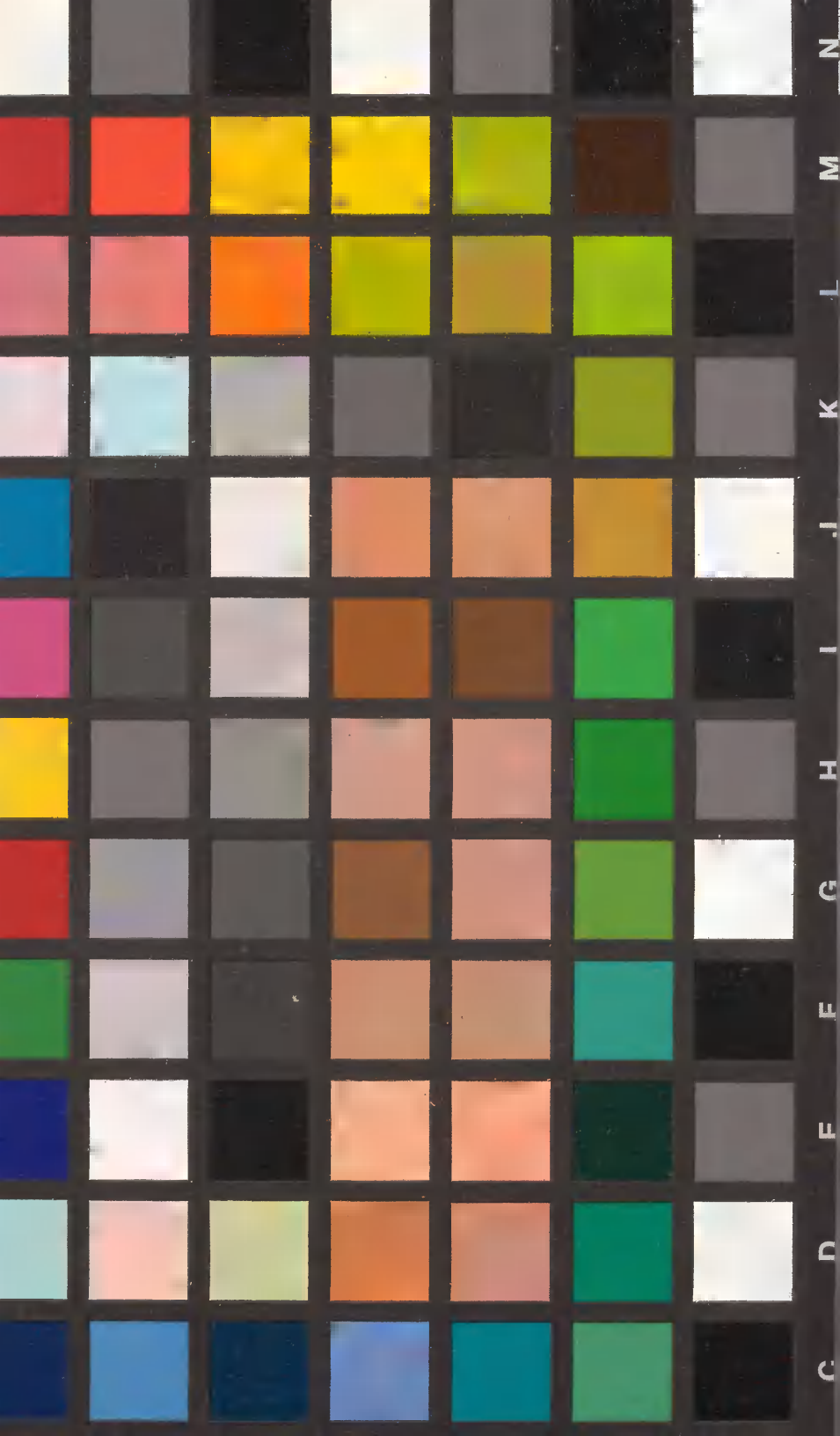
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