

CHAPTER 221.

[S. B. 205.]

GAME CODE.

AN ACT relating to and providing for the protection and disposition of wild animals, providing for the licensing and regulation of hunting and fishing, fixing certain seasons when hunting is prohibited, amending Sections 43-a, 47, 50, 51, 56, 57, 58, 59, 60, 63, 64, 65, 75, 95, 106 of Chapter 178 of the Laws of the Extraordinary Session of 1925 and adding thereto one new section to be known as section 90-a.

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

SECTION 1. That chapter 178 of the Laws of the Extraordinary Session of 1925 be amended by adding thereto a new section to be known as section 43a to read as follows:

Adds § 43a to Chap. 178 Laws Ex. Sess. 1925.

Section 43a. Any citizen of the United States, or person who has in good faith declared his intention of becoming a citizen of the United States, who has been an actual resident of this state for six months and who holds a state or county hunting and fishing license may, by paying to a county auditor the sum of five dollars (\$5.00) obtain a supplemental license which shall entitle the holder thereof to hunt elk within the county for which such license is issued until the first day of March next following the date of its issuance, at any time when it is otherwise lawful to hunt elk in such county. Any non-resident of the State of Washington who holds a state hunting and fishing license may obtain such supplemental license to hunt elk upon payment of a fee of twenty-five dollars (\$25.00): *Provided*, That it shall always be unlawful to kill elk in the counties of Clallam, Jefferson, Grays Harbor and Mason.

Supplemental license to hunt elk.

\$5.00 for resident.

\$25.00 non-resident.

Two dollars and fifty cents (\$2.50) of the fee received for each resident license and fifteen dollars (\$15.00) of the fee received for each non-resident

license issued under the provisions of this section shall be paid into the county game fund of the issuing county and two dollars and fifty cents (\$2.50) and ten dollars (\$10.00) of such fees, respectively, shall be paid into the state game fund.

SEC. 2. That section 47 of chapter 178 of the Laws of the Extraordinary Session of 1925, page 519, be amended to read as follows:

Amends § 47,
Chap. 178,
Laws Ex.
Sess. 1925.

Section 47. Any alien by paying to any county auditor the sum of twenty-five dollars (\$25.00), and exhibiting his permit to carry firearms issued in the manner provided by law, may obtain a state hunting and fishing license which shall entitle the holder thereof to hunt game birds and game animals and fish in any county of the state until the first day of March next following the date of its issuance, when it would otherwise be lawful to hunt or fish in such county.

Alien with
permit to
carry fire-
arms, may
obtain hunt-
ing and fish-
ing license.

SEC. 3. That section 50 of chapter 178 of the Laws of the Extraordinary Session of 1925, page 519, be amended to read as follows:

Amends § 50,
Chap. 178,
Laws Ex.
Sess. 1925.

Section 50. Any citizen of the United States or person who has in good faith declared his intention of becoming a citizen of the United States may by paying to a auditor the sum of five dollars (\$5.00), obtain a state hunting license which shall entitle the holder thereof to hunt game birds in any county of the state until the first day of March next, following the date of its issuance, when it would otherwise be lawful to hunt within said county.

\$5.00 for
state hunting
license.

SEC. 4. That section 51 of chapter 178 of the Laws of the Extraordinary Session of 1925, page 520, be amended to read as follows:

Amends § 51,
Chap. 178,
Laws Ex.
Sess. 1925.

Section 51. Any resident citizen over the age of sixteen years by paying to the county auditor in the county in which he desires to trap, the sum of five dollars (\$5.00), may obtain a license which shall entitle the holder thereof to trap fur-bearing an-

\$5.00 for
trapper's
license.

imals for their hides or their pelts only, within the county where such license is issued until the first day of April next, following its issuance. Nothing in this act shall be construed as requiring any land owner or lease holder of any land to obtain or have a license to trap fur-bearing animals on the premises owned or leased by him. And it shall be unlawful to use the flesh of any game bird, or game animal or game fish for trap bait in trapping fur-bearing animals.

Amends §56,
Chap. 178,
Laws Ex.
Sess. 1925.

SEC. 5. That section 56 of chapter 178 of the Laws of the Extraordinary Session of 1925, page 521, be amended to read as follows:

Rabbits,
squirrels—
closed
season.

Section 56. It shall be unlawful for any person to hunt or trap any cottontail rabbit, snowshoe rabbit, gray squirrel or black squirrel between the first day of May and the fifteenth day of September of any one year. It shall be unlawful to hunt or trap any bear between the first day of April and the fifteenth day of September of any one year: *Provided*, That it shall be lawful for any stockman, land owner or lease holder to kill any predatory bear at

Bear—
closed
season.

Predatory
bear.

any time when they have reason to believe that such predatory bear is destroying or damaging property. *And provided further*, That United States predatory animal hunters may by and with the consent and direction of the county game commissioners kill any predatory bear when directed by the county game commission so to do. It shall be unlawful to hunt or trap any bull-frog between the first day of December in any year and the first day of July of the following year.

Bull-frogs.

Amends § 57,
Chap. 178,
Laws Ex.
Sess. 1925.

SEC. 6. That section 57 of chapter 178 of the Laws of the Extraordinary Session of 1925, pages 521 and 522, be amended to read as follows:

Section 57. It shall be unlawful for any person to hunt, trap, kill, catch, take, ship, convey, or cause

to be shipped or transported by common or private carrier to any person either within or without the state, or to purchase, sell, expose for sale, have in possession with intent to sell, or have in possession or under his control at any time any elk, moose, antelope, mountain sheep, mountain goat, caribou, deer, or fawn, or the meat thereof, or the hides, hoofs, horns or teeth of any elk, moose, antelope, mountain goat, mountain sheep or caribou unless lawfully acquired: *Provided*, That any person having in force a hunting license issued under the provisions of this act may kill, catch, take, ship, convey or cause to be conveyed by common or private carrier, and have in his possession for his personal use between the fifteenth day of September and the fifteenth day of November in any year, one buck deer with visible horns, killed, caught or taken in the manner provided by law: *Provided further*, That any person having in force a supplemental license to hunt elk issued under the provisions of this act may kill, catch, take, ship, convey or cause to be conveyed by common or private carrier, and have in his possession for his personal use between the first day of November and the tenth day of November, both dates inclusive, in any one year one elk killed, caught or taken in the manner provided by law. Any person violating the provisions of this section shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than \$250.00 and not more than \$1,000.00 or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment, and any person killing, conveying, or having in his possession more than one buck deer with visible horns or more than one elk during the open season in any year, as herein above defined, shall be guilty of a gross misdemeanor and punished by a fine of not less than \$100.00 or more than \$250.00 or by imprisonment in the county jail for not less

Elk, moose,
antelope,
mountain
sheep,
mountain
goat, caribou,
deer, or
fawn.

Lawful to
take one
buck deer
with visible
horns.

Penalties for
violation.

than thirty or more than ninety days, or both such fine and imprisonment.

Amends § 58,
Chap. 178,
Laws Ex.
Sess. 1925.

SEC. 7. That section 58 of chapter 178 of the Laws of the Extraordinary Session of 1925 be amended to read as follows:

Deer or
elk tag.

Section 58. It shall be unlawful for any person to hunt any deer or elk unless he shall have in his possession a deer or elk tag numbered to correspond with and attached to his license.

Attached to
carcass.

Any person having lawfully killed a deer or elk shall immediately attach and leave attached to the carcass or part thereof the deer or elk tag corresponding to his license; and it shall be unlawful for any person to have in his possession or under his control or have in storage or as a common carrier any such carcass before being dismembered, without having such tag attached, and it shall be unlawful for any person to so mutilate the carcass of any deer or elk that the sex cannot be determined.

Amends § 59,
Chap. 178,
Laws Ex.
Sess. 1925.

SEC. 8. That section 59 of chapter 178 of the Laws of the Extraordinary Session of 1925 be amended to read as follows:

Deer or elk
in water.

Section 59. It shall be unlawful for any person to shoot or kill in any manner any deer or elk when such deer or elk is in any river or lake, or body of water, and it shall be unlawful for any person to hunt deer or elk with dogs.

Amends § 60,
Chap. 178,
Laws Ex.
Sess. 1925.

SEC. 9. That section 60 of chapter 178 of the Laws of the Extraordinary Session of 1925 be amended to read as follows:

Dogs unlaw-
ful in
wooded
section.

Section 60. It shall be unlawful for any person to have with him either loose or in leash any dog in any wooded section of any county of the state during the time in each year when it is lawful to hunt deer or elk in such county, without having first obtained and having in force a written permit so to do, issued by the unanimous vote or action of the game com-

missioners of such county. *Provided*, That nothing in this section shall be construed to prohibit stockmen from having either loose or in leash any dog in any wooded section of any county where such stock are grazing during the time in each year when it is lawful to hunt deer or elk in such county. *And provided, further*, That bird dogs or dogs used for hunting upland game birds may be trained or used at any time except during the months of April, May, June and July of each year, during which months it shall be unlawful for any such dogs to run at large. The county game commissioners by unanimous action and with the approval of the supervisor of game and game fish may permit field trials during closed months, of bird dogs in such portion of their respective counties as in their judgment will not injure the upland game birds thereon.

Dogs permitted with grazing stock.

Bird dogs.

SEC. 10. That section 64 of chapter 178 of the Laws of the Extraordinary Session of 1925, page 524, be amended to read as follows:

Amends § 64, Chap. 178, Laws Ex. Sess. 1925.

Section 64. It shall be unlawful for any person to hunt or possess any upland game bird between the fifteenth day of November in any year and the fifteenth day of September in the following year.

Upland game birds—closed season.

SEC. 11. That section 65 of chapter 178 of the Laws of the Extraordinary Session of 1925, pages 524 to 525, be amended to read as follows:

Amends § 65, Chap. 178, Laws Ex. Sess. 1925.

Section 65. It shall be unlawful for any person to hunt or possess any migratory game birds at the times prohibited by, and in violation of, the rules and regulations established by the United States department of agriculture.

Migratory game birds.

SEC. 12. That section 75 of chapter 178 of the Laws of the Extraordinary Session of 1925, page 528, be amended to read as follows:

Amends § 75, Chap. 178, Laws Ex. Sess. 1925.

Section 75. It shall be unlawful for any person to lay, set, use or prepare any drug, poison, lime, medicated bait, nets, fish berries, formaldehyde,

Drugs, poison, lime, medicated bait, etc. prohibited.

Dynamite, or
explosives.

Trot line.

Officials may
take game
and game
fish.

Adds § 90a
to Chap. 178,
Laws Ex.
Sess. 1925.

Gross mis-
demeanor to
remove only
head, hide,
horns, etc.

Dress and
care for
game ani-
mal killed.

dynamite or other explosives, or any other deleterious substance, or to lay, stretch or place any tip-up, snare or net or trot line or any wire, string, rope or cable of any kind, class or description in any of the waters of this state with intent thereby to catch, take or kill any game fish. It shall be unlawful for any person, other than a regular game officer, to molest any of the above names [named] devices without first notifying the game department of the location of such illegal device, and then not until some game official is present: *Provided*, That nothing in this section shall prevent the supervisor of game and game fish anywhere in the state, or any county game commission by unanimous vote, within its county, from killing or taking by any means, any of the fish in any waters.

SEC. 13. That chapter 178 of the Laws of the Extraordinary Session of 1925 be amended by adding thereto a new section, to be known as section 90-a, to read as follows:

Section 90-a. Any person who, at any time, kills, captures or destroys any game animal of this state, and detaches or removes from the carcass only the head, hide, antlers, horns, tusks or any or all of the aforesaid parts, is guilty of a gross misdemeanor, and upon conviction thereof shall be fined not less than \$250.00 and not more than \$1,000.00 or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment. The purpose and intent of this section is to protect game animals of the state from wanton, ruthless or wasteful destruction or mutilation for their heads, hides, antlers, horns or teeth or tusks alone, and its provisions are to be so construed. The failure of any person to properly dress and care for any game animal killed by such person or persons, within twenty-four hours, and to take or transport to the camp of such person or persons such carcass and

there properly take care of the same, shall be *prima facie* evidence of the violation of the provisions of this section. Any person who, at any time, after killing any game animal, game bird, game fish, or fur-bearing animal of this state, leaves such animal, bird, or fish to needlessly go to waste, shall be guilty of a misdemeanor.

SEC. 14. That section 106 of chapter 178 of the Laws of the Extraordinary Session of 1925, pages 539 to 540, be amended to read as follows:

Amends § 106, Chap. 178, Laws Ex. Sess. 1925.

Section 106. For the purpose of encouraging game farming and the domestication and propagation of wild animals, except foxes, and the domestication and propagation of game fish and game birds, a game farmer's license, which shall authorize the licensee to engage in the business of purchasing, breeding and selling game animals, fur-bearing animals, and game fish, as defined by this act, game birds or non-game birds, shall be issued, subject to the provisions of this act by the supervisor of game and game fish to any responsible resident person duly applying therefor, such license to expire on March 31st following the date of its issuance. The fee for such license shall be twenty dollars (\$20.00). After such license has been issued, it shall be valid as long as said licensee pays the supervisor of game and game fish, for the benefit of the game fund, an annual fee of ten dollars (\$10.00), unless otherwise determined under the provisions of this act: *Provided, however,* That this section shall not be construed to require the granting of licenses to free public parks or to persons domesticating such animals or birds for pleasure and not for profit but such persons shall before domesticating any such animals or birds secure a permit so to do from the county game commission of the county where he resides.

Domestication of wild animals.

Game farmers' license.

Fee.

Public parks.

Amends § 95,
Chap. 178,
Laws Ex.
Sess. 1925.

SEC. 15. That section 95 of chapter 178 of the Extraordinary Session of 1925, page 535 be amended to read as follows:

Lawful to possess skin, hide, head, etc., game fish, game bird when lawfully taken.

Section 95. It shall be lawful for any person, firm or corporation to have in possession at any time the skin, hide, head or dead body of any game or fur-bearing animal, or game or non-game bird, or game fish, or any part thereof, lawfully taken outside the boundaries of the State of Washington or lawfully taken within the state for purposes of sale, tanning, manufacturing, mounting or ornamental purposes with the right to dispose of same in the usual course of trade: *Provided*, That each specimen retained for mounting or ornamental purposes shall be reported in writing within three days to the supervisor of game and game fish or the county game commission of the county where the same is to be mounted, who shall tag or mark the same for identification and shall be authorized to charge and collect for tagging and marking the sum of twenty-five cents (\$0.25) for each tag, and in addition thereto the usual mileage fee charged by sheriffs in the county where the services are to be performed.

Mounting and ornamental purposes.

Amends § 63,
Chap. 178,
Laws Ex.
Sess. 1925.

SEC. 16. That section 63 of chapter 178 of the Laws of the Extraordinary Session of 1925, page 524, be amended to read as follows:

Beaver protected.

Section 63. It shall be unlawful for any person to in any manner hunt or trap any beaver in this state, except as otherwise provided in this act, or have in his possession alive or dead any beaver or part thereof that has been caught or killed in this state. Nothing in this section, however, shall be construed to prevent any person residing in this state from having in his possession or from buying, selling or handling skins of beaver lawfully caught or killed outside of this state. Before any beaver skins are shipped or brought into this state it shall be the duty of the consignee or person in whose

Beaver skins.

possession the beaver skins are, to make an affidavit before some person authorized to administer oaths, that each and every skin was lawfully taken without the State of Washington. Which affidavit shall accompany each shipment and the person, firm or corporation to whom the skins are delivered shall forthwith notify in writing the supervisor of game and game fish, and the county game commission, of the place where said skins are stored, or may be inspected and said supervisor of game and game fish, or county game commission, shall inspect said skins and if satisfied from said affidavit and an examination of each skin that they were not killed within the State of Washington shall, upon the payment of a fee of ten cents (\$0.10) for each skin, stamp said skins with the words "killed outside the State of Washington" together with a fac simile signature of the supervisor of game and game fish. On said skins being so stamped, they may be offered for sale, and all fees so collected shall be paid one-half into the state game fund and one-half into the county game fund of the county in which the same were stamped.

Passed the Senate February 15, 1929.

Passed the House March 11, 1929.

Approved by the Governor March 22, 1929.