
Propositions To Be Voted Upon
In State of Nevada at General
Election, November 3, 1942

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Propositions To Be Voted Upon in State of Nevada at General Election, November 3, 1942.

I, MALCOLM MCEACHIN, the duly elected, qualified, and acting Secretary of State of the State of Nevada, do hereby certify that the following are true, full, and correct copies of the original "Initiative Petition relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds, and fish; creating certain offices, providing the method of selecting the officers therefor, defining the powers and duties of certain officers and other persons; defining certain terms; providing for the licensing of and regulating of hunting, trapping, game farming, and game fishing; providing for a license for fur dealers; authorizing the establishment, control, and regulation of private fish hatcheries, state recreation grounds, sanctuaries and refuges, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds and game fish; providing for the acquisition of property for certain purposes; providing for instruction in the game laws of this state in the public schools of this state; establishing certain funds and regulating expenditures therefrom, providing penalties for violation thereof and other matters properly relating thereto," and Assembly Joint Resolution No. 6 of the thirty-ninth session proposing an amendment to section 1 of article X of the constitution of the State of Nevada, to be voted upon at the General Election in Nevada, November 3, 1942.

QUESTION NO. 1

Amendment to the Constitution

Shall Assembly Joint Resolution proposing an amendment to Section 1 of Article X of the Constitution of the State of Nevada, reading as follows:

Resolved by the Assembly of the State of Nevada, the Senate concurring, That section 1 of article X of the constitution of the State of Nevada be amended to read as follows:

SECTION 1. The legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and

when patented, each patented mine shall be assessed at not less than five hundred dollars (\$500), except where one hundred dollars (\$100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds; shares of stock (except shares of stock in banking corporations), bonds, mortgages, notes, bank deposits, book accounts and credits, and securities and choses in action of like character are deemed to represent interest in property already assessed and taxed, either in Nevada or elsewhere, and shall be exempt. No inheritance or estate tax shall ever be levied, and there shall also be excepted such property as may be exempted by law for municipal, educational, literary, scientific or other charitable purposes.—be approved?

Yes 20,066

No 6,122

(Explanation of Question No. 1)

This amendment, if adopted, will absolutely exempt from taxation in this State all shares of stock (except shares of stock in banking corporations), bonds, mortgages, notes, bank deposits, book accounts and credits, securities and choses in action, and will also prohibit the levying of an inheritance or estate tax, and will effectually prohibit the legislature from ever taxing such property so long as such amendment is in effect. The proposed amendment will not, if adopted, affect the taxation of any property except that expressly above mentioned.

QUESTION NO. 2

Initiative Petition

Shall—*An Act relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds and fish; creating certain offices, providing the method of selecting the officers therefor, defining the powers and duties of certain officers and other persons; defining certain terms; providing for the licensing of and regulating of hunting, trapping, game farming and game fishing; providing for a license for fur dealers; authorizing the establishment, control and regulation of private fish hatcheries, state recreation grounds, sanctuaries and refuges, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds and game fish; providing for the acquisition of property for certain purposes; providing for instruction in the game laws of this state in the public schools of this state; establishing certain funds and regulating expenditures therefrom, providing penalties for violation thereof and other matters properly relating thereto.*

To the Honorable the Secretary of State of the State of Nevada:

We, the undersigned qualified electors of the State of Nevada, by virtue of and in accordance with Section 3 of Article 19 of the Constitution of the State of Nevada, hereby propose by initiative petition the following measure, law or act; and we petition that it be by you transmitted to the Legislature at its next regular session, and if it be not enacted by said Legislature and approved by the Governor, that you submit it to the qualified electors for approval or rejection at the next ensuing general election.

The law or act so proposed by us is as follows:

SECTION 1. (a) The fish and game department is hereby placed under a commission to be known as the "Fish and Game Commission," hereinafter referred to as the commission, which is hereby created.

(b) The commission shall consist of five members, who shall fairly represent the several geographical sections of the state (and not more than three of whom shall be of the same political party). Said commissioners shall be appointed one from each of the five divisions of the state, provided in section 22 hereof, and shall be a legal resident of the division from which he is appointed. The members of the commission shall be appointed by the governor within ten days after the approval of this act, one to serve one year, two to serve three years, and two to serve five years, or until their successors are appointed and qualified; and thereafter as such terms expire their successors shall be appointed for terms of five years. No person shall be appointed a member

of the commission unless he shall be well informed on the subject of wildlife conservation and restoration.

(c) The governor may remove a commissioner for inefficiency, neglect of duty, or misconduct in office, delivering to him a copy of the charges and affording him an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than ten days' notice.

If such commissioner shall be removed, the governor shall file in the office of the secretary of state a complete statement of all charges made against such commissioner and his finding thereon, together with a complete record of the proceedings.

The governor shall fill vacancies by appointment for any unexpired term.

(d) The members of the commission shall receive no compensation for their services as members thereof, except that each commissioner shall be entitled to reimbursement for actual and necessary traveling and other expenses and disbursements incurred or made by him in the discharge of his official duties, to be paid from the fish and game fund.

(e) A majority of the commissioners shall constitute a quorum for the transaction of any business, for the performance of any duty, or the exercise of any power.

(f) The commission shall have its principal office in the state capitol or such other place as may be designated by the commission. The commission is authorized to purchase all supplies, equipment, printed forms, and notices and to issue such publications as it may deem necessary to carry out the purposes of this act.

SEC. 2. (a) The members of the commission shall meet within thirty days after their appointment and shall organize by electing from their membership a chairman and a secretary, and thereafter regular meetings shall be held by the commission at its offices quarterly, and at such other times and places within the state as the commission shall select for the transaction of business.

(b) It shall be unlawful to take or pursue any of the wildlife of the state at any time or in any manner, except at such times and in such manner as the supply of said wildlife may justify, and the said commission is hereby directed to make adequate investigation as to the said supply and thereupon shall, by appropriate rules and regulations:

1. Fix seasons and bag limits, or shorten or close seasons on any species of game, bird, fish, or fur-bearing animal, in any specified locality or localities or the entire state, when it shall find, after said investigation, that such action is necessary to assure the maintenance of an adequate supply thereof. The statutes now governing such subjects shall continue in full force and effect, except as altered or modified by rules and regulations promulgated by the commission.

2. Establish and close to hunting, trapping, or fishing, game, bird, or fish refuges on public lands, and, with the consent of the owner, on private lands; and close streams and lakes, or parts thereof, to hunting, trapping, or fishing.

3. Acquire by purchase, condemnation, lease, agreement, gift, or devise, lands or waters suitable for the purposes hereinafter enumerated, and develop, operate, and maintain the same for said purposes:

- (a) For fish hatcheries, nursery ponds, or game farms;
- (b) Lands or waters suitable for game, bird, fish, or fur-bearing animal restoration, propagation, or protection;
- (c) For public hunting, fishing, or trapping areas, to provide places where the public may hunt, trap, or fish in accordance with the provisions of law or the regulations of the commission.

(d) To extend and consolidate, by exchange, lands or waters suitable for the above purpose.

(e) To capture, propagate, transport, buy, sell, or exchange, any species of game, bird, fish, or fur-bearing animal needed for propagation or stocking purposes, or to exercise control measures of undesirable species.

4. Enter into cooperative agreements with educational institutions and state, federal, or other agencies, to promote wildlife research and to train men for wildlife management.

5. Enter into cooperative agreements with federal agencies, municipalities, corporations, organized groups or land owners, associations, and individuals for the development of game, bird, fish, or fur-bearing animal management and demonstration projects.

(c) Nothing in this act, however, shall be construed to authorize the commission to change any penalty prescribed by law for a violation of its provisions, or to change the amount of license fees or the authority conferred by licenses prescribed by law.

(d) The commission shall establish such departmental bureaus or divisions and shall authorize the director to employ such experts, clerks, or other employees as it may deem necessary for the conduct of the work of the commission, and it shall fix their salaries or other compensation, which shall be paid out of the fish and game fund.

The commission shall authorize such scientific and other studies as may be deemed necessary to its work, and shall collect, classify, and disseminate such statistics, data, and information as in its discretion will tend to promote the objects of this act.

The commission shall have the power to enter into agreement with other states in issuing reciprocal fishing licenses and to set cost of part-season fishing licenses for tourists.

SEC. 3. (a) The office of director of the fish and game commission is hereby created. Upon the organization of the

commission hereinbefore provided for, said commission shall appoint a director of the fish and game department, who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration of the wildlife resources of the state. The director shall serve for an indefinite term. The director shall not hold any other public office and shall devote his entire time to the service of the state in the discharge of his official duties. He shall not be influenced by, nor participate in political activities, nor be required to contribute to any political party.

(b) The director shall receive such compensation as the commission may determine, and shall be reimbursed for all actual and necessary traveling and other expenses incurred by him in the discharge of his official duties.

(c) Before entering upon the duties of his office, the director shall take and subscribe to the constitutional oath of office and shall, in addition thereto, swear or affirm that he holds no other public office, nor any position under any political committee or party. Such oath, or affirmation, shall be filed in the office of the secretary of state. Said director shall furnish a good and sufficient bond to the State of Nevada, for the faithful performance of the duties of his office, in the sum of five thousand (\$5,000) dollars.

(d) The director shall have general supervision and control of all activities, functions, and employees of the fish and game department, under the supervision and direction of the commission, and shall enforce all the provisions of the laws of this state relating to wild animals, birds, and fish, and shall exercise all necessary powers incident thereto not specifically conferred on the commission.

SEC. 4. (a) The director is hereby authorized to appoint, with the approval of the commission, as many conservation officers as may be required to enforce efficiently the laws for the protection of wild animals, birds and fish. All appointments of conservation officers hereafter made shall be under rules adopted and promulgated by the commission, as a result of examination which shall embrace an investigation of the character, habits, and qualifications, of each applicant, as well as his knowledge of the state fish and game laws, and the duties and responsibilities appertaining to the position of conservation officer.

(b) While retaining the right to vote as he may please and to express privately his opinion on all political subjects, no employee or officer of the commission shall take any active part in political management or in political campaigns, nor shall he use his official authority or influence for the purpose of interfering with an election or affecting the results thereof, or for the purpose of coercing the political action of any person or group of persons; nor shall he be required to contribute funds to any political party.

SEC. 5. For the purposes of this act, wild animals shall

be classified as follows: Game animals, fur-bearing animals, and predatory animals.

The words "game animal," wherever used in this act, shall be held to mean and include the elk, antelope, deer, mountain sheep, mountain goat, black or brown or grizzly bear, cottontail rabbit, mountain hare, and all species of jack-rabbit, and squirrels other than ground squirrels.

The words "fur-bearing animal," wherever used in this act, shall be held to mean and include the raccoon, marten or sable, fisher, beaver, wolverine, silver fox, red fox, muskrat, badger, otter, mink and swift fox.

The words "predatory animal," wherever used in this act, shall be held to mean and include bobcat, lynx, wolf, mountain lion, coyote, weasel and skunk.

SEC. 6. For the purposes of this act wild birds shall be classified as follows: Upland game birds, migratory game birds, predatory birds, and nongame birds.

The words "migratory game birds," wherever used in this act, shall be held to mean and include anatidae, or waterfowl, commonly known as geese, brant, swan, river and diving ducks, and Wilson snipes, doves, band-tailed pigeons, rails, and coots.

The words "predatory birds," wherever used in this act, shall be held to mean and include sharp-shinned hawk, Cooper's hawk, duck hawk, pigeon hawk, western goshawk, prairie falcon, blackbilled magpie, crow, raven, horned owl, English sparrow, blue-jay and starlings.

The words "upland game birds," wherever used in this act, shall be held to mean and include sagehen or sagecock, grouse, wild turkeys, pheasants, partridge, bob-white quail, mountain quail, valley quail, Gambel quail, Hungarian partridge, and Chukar partridge.

The words "nongame birds," wherever used in this act, shall be held to mean and include all wild birds other than those hereinbefore defined as migratory game birds, upland game birds, or predatory birds.

The fish and game commission may add any bird not now upon the above lists or take any bird from the above lists, when it is in the public interest so to do.

SEC. 7. The words "game fish," wherever used in this act, shall be held to mean and include steelhead and all other trout, charr, whitefish, salmon or landlocked salmon, large-mouthed black bass, small-mouthed black bass, perch, and all varieties of sunfish, crappie, calico bass, and catfish.

SEC. 8. It shall be unlawful at any time for any person or persons to hunt, kill, capture, or possess or attempt to hunt, kill, capture, or possess any wild birds other than those hereinbefore defined in this act as migratory game birds, upland game birds, or predatory birds, except as further provided in this act by permit to take for scientific purposes.

SEC. 9. Licenses granting the privilege to hunt, fish or

trap during the open season as fixed by law shall be issued and delivered upon application by the county clerk of each county or his duly authorized agents. Said licenses shall have written thereon the words:

Expires December 31, 19.....

State of Nevada, County of.....

Fishing License—Hunting License

Trapping License

Name

Age..... Height.....

Eyes, color..... Hair, color.....

Residence.....

I, the holder of this license, am a legal resident of the State of....., and hereby agree to exhibit any fish, game, or furs in my possession to any regularly appointed state or county warden or deputy warden upon demand.

Owner's signature.....

No..... Date issued.....

Not transferable.

The fish and game commission shall designate the class of license issued to each person by printing, or stamping across the face and stub thereof words indicating the class, as designated in the following section, together with the sum paid therefor.

SEC. 10. The licenses shall be issued upon payment of the following fee to a person authorized to issue said licenses:

1. To any citizen of the United States, who has been a bona fide resident of the State of Nevada for six months prior to application, upon the payment of one dollar and fifty cents (\$1.50) for fishing license and two dollars and fifty cents (\$2.50) for a hunting license.

2. To any citizen of the United States, not a bona fide resident, upon the payment of three dollars (\$3) for fishing license, or ten dollars (\$10) for a hunting license.

3. To any person not a citizen of the United States, upon the payment of seven dollars and fifty cents (\$7.50) for a fishing license.

4. To any person, not a citizen of the United States, who shall have declared his intention to become such citizen according to the law made and provided for such purposes, who is a bona fide resident of the State of Nevada, upon the payment of ten dollars (\$10) for a hunting license; *provided*, that after he has declared his intention to become a citizen he must complete his naturalization at the earliest period allowed by law; *provided further*, that said applicant shall make and subscribe an oath that he has not claimed his citizenship in a foreign country as a basis for avoiding service in the armed forces of the United States, and the person issuing such license is hereby empowered to administer such oath.

5. To any person, not a citizen of the United States, upon the payment of twenty-five dollars (\$25) for a hunting license; *provided*, that said applicant shall make and subscribe an oath that he has not claimed his citizenship in a foreign country as a basis for avoiding service in the armed forces of the United States, and the person issuing such license is hereby empowered to administer such oath.

6. Every resident, nonresident or alien trapper must have a trapping license, and shall pay therefor a license fee as follows: Resident citizen trapper, one dollar (\$1); non-resident citizen trapper, ten dollars (\$10); alien declarant trapper, ten dollars (\$10); alien trapper, twenty-five dollars (\$25).

SEC. 11. Every person in the State of Nevada, over the age of fourteen years, who hunts any of the wild birds or animals or who fishes without having first procured a license therefor, as provided in this act, shall be guilty of a misdemeanor.

SEC. 12. Every person applying for and procuring a license, as herein provided, shall give to the county clerk his name and resident address, which information shall be by the clerk or board entered in a book kept for that purpose, together with a statement of the date of issuance, the number of licenses issued to such person, and description of such person, by age, height, race, and color of the eyes and hair.

SEC. 13. All licenses issued as herein provided shall be valid, and shall authorize the person to whom issued to hunt game birds and animals, to trap fur-bearing animals, or to fish only during the open seasons fixed therefor by law, on and from the date of issuance of the license until the date of expiration printed hereon. No license shall be issued for a period longer than one year.

SEC. 14. Not more than two licenses shall be issued to any one person for the same fiscal year, except upon an affidavit by the applicant that either one issued has been lost or destroyed. The fee for such duplicate license shall be fifty cents (.50). No license as herein provided shall be transferable or used by any other person than the one to whom it was issued.

SEC. 15. Every person having licenses as provided herein who while hunting, trapping, or fishing refuses to exhibit such licenses upon the demand of any officer authorized to enforce the fish and game laws of the state, or any other peace officer of the state, shall be guilty of a misdemeanor, and every person lawfully having said licenses who transfers or disposes of the same to another person to be used as a hunting, fishing, or trapping license shall forfeit the same and shall be guilty of a misdemeanor.

SEC. 16. The licenses herein provided for may be used in any county in the State of Nevada.

SEC. 17. It shall be unlawful at all times of the year for

any person to destroy, injure, or remove the nest or eggs of any of the birds mentioned in this act, except predatory birds, unless so authorized as provided in Sec. 46.

SEC. 18. Rules, regulations and orders of the commission shall be published in the following manner: Those having general application throughout the state shall be published at least once in some newspaper published in and having general circulation throughout the state; those of special character having local application only shall be published at least once in some newspaper published in and having general circulation in the locality wherein such rules, regulations and orders are applicable; but, if no such newspaper is so published and circulated, copies of such rules, regulations and orders shall be posted in at least three conspicuous places in the locality in which they are applicable. Such rules, regulations and orders may also be given such other publicity as the commission may deem desirable.

SEC. 19. (a) The county clerks, the commission, and the director of the fish and game department shall promptly pay to the state treasurer all moneys received by them, respectively, from the sale of all licenses or from any other source connected with the administration of the provisions of this act, or any law or regulation for the protection of wild animals, birds, or fish, and the state treasurer shall deposit all such moneys in a special fund to be known as the "Fish and Game Fund," which is hereby reserved, set aside, appropriated, and made available until expended as may be directed by the commission in carrying out the purposes of this act, or any law or regulation for the protection of wild animals, birds, or fish, and shall be used for no other purpose. All warrants shall be drawn on said fund in the manner provided by the constitution or by statute.

(b) All funds provided by statute appropriations, and moneys provided for the purpose of administering or enforcing the fish and game laws of this state, and all funds, appropriations, property, and moneys under the control of the present fish and game department, or other funds of the state in custody or control of any other officer or person connected with the office of the present fish and game department, or under the supervision of the said department, shall be and hereby are transferred to the commission or the fish and game fund, and made available to and placed under the control of the commission herein created.

(c) The commission shall govern the financial policies of the department and shall fix the budget for the operation and maintenance of its work for each fiscal year, which budget shall not be exceeded by the director. Funds to the credit of the commission shall be withdrawn by the director by warrant against the fish and game fund for such purposes as the commission may direct. All such warrants shall

have attached thereto or contained therein an itemized statement showing the purposes of said expenditure. The commission shall not contract any indebtedness or obligation beyond the funds available, or presently to be available, for its use.

(d) The commission shall have the exclusive power to expend for the protection, conservation, propagation, and restoration of game, birds, fish, and fur-bearing animals, all funds of the state acquired for the protection, conservation, propagation, or restoration of birds, animals, or fish, arising from the state appropriations, licenses, gifts, or otherwise.

SEC. 20. For the purposes specified in this act, the State of Nevada is divided into separate and distinct districts and divisions for the protection of fish in waters of said districts and divisions.

SEC. 21. District No. 1 shall consist of all of the waters and lands of Washoe County, including the waters of Lake Tahoe, in the State of Nevada, and the tributaries thereto lying in Washoe County, and all the waters of Pyramid Lake. District No. 2 shall consist of all the waters and lands of Churchill County. District No. 3 shall consist of all the waters and lands of Pershing County. District No. 4 shall consist of all the waters and lands of Humboldt County. District No. 5 shall consist of all of the waters and lands of Elko County. District No. 6 shall consist of all of the waters and lands of Eureka County. District No. 7 shall consist of all the waters and lands of Lander County. District No. 8 shall consist of all of the waters and lands of Storey County. District No. 9 shall consist of all the waters and lands of Ormsby County. District No. 10 shall consist of all the waters and lands of Douglas County. District No. 11 shall consist of all the waters and lands of Lyon County. District No. 12 shall consist of all the waters and lands of Mineral County, and also the Walker Rivers and the Walker Lake. District No. 13 shall consist of all the waters and lands of White Pine County. District No. 14 shall consist of all the waters and lands of Lincoln County. District No. 15 shall consist of all the waters and lands of Nye County. District No. 16 shall consist of all the waters and lands of Esmeralda County. District No. 17 shall consist of all the waters and lands of Clark County.

SEC. 22. For administrative purposes, the above districts are grouped into five divisions as follows:

Division No. 1 shall consist of district No. 1, district No. 8, and district No. 9, which includes Washoe, Storey, and Ormsby Counties.

Division No. 2 shall consist of district No. 2, district No. 3, district No. 10, district No. 11, and district No. 12, which includes Churchill, Pershing, Douglas, Lyon, and Mineral Counties.

Division No. 3 shall consist of district No. 4, district No. 5, and district No. 7, which includes Humboldt, Elko, and Lander Counties.

Division No. 4 shall consist of district No. 6, district No. 13, district No. 15, and district No. 16, which includes Eureka, White Pine, Nye, and Esmeralda Counties.

Division No. 5 shall consist of district No. 14 and district No. 17, which includes Lincoln County and Clark County.

SEC. 23. All persons in the employ of the fish and game department shall continue in service under the direction of the commission hereby created until such time as transfers or changes in personnel are deemed necessary for the good of the service.

SEC. 24. Except as herein specifically or otherwise provided, all laws relating to the collection, carrying, transfer, custody, or disbursements of funds, appropriations, and moneys, or relating to any clerical or ministerial act involved in the collecting, carrying, transfer, custody, or disbursement of funds appropriated or made available for the administration of the fish and game laws of the state, or in the custody or control of the fish and game department or any other officer or person connected with said department, or under the jurisdiction of said custody, and disbursement of said funds when under the control of the commission herein created, shall continue in full force and effect until amended or rescinded.

SEC. 25. All existing rules, orders and regulations of the state fish and game commission shall continue in full force and effect as rules, orders, and regulations of the commission hereby created, until amended or rescinded by it.

SEC. 26. It shall be the duty of each justice of the peace or clerk of the court, before whom any prosecution under this act or any law or regulation for the protection of wild animals, birds, or fish may be commenced, or shall go on appeal, and within twenty days after a decision has been rendered therein, to report in writing to the director or secretary of the Fish and Game Commission the result of the prosecution, the amount of fine collected or penalty imposed, if any, therein. It shall be the duty of each justice of the peace or clerk of the court to remit to the Director all cash bail within thirty days after forfeiture—such money to be added to the fish and game fund.

SEC. 27. Any person may establish a private fish hatchery for the artificial propagation, culture and maintenance of food fishes; and any person lawfully conducting any such private fish hatchery, and engaged in the artificial propagation, culture, and maintenance of fishes, may take them in his own inclosed waters wherein the same are so cultivated and maintained at any time and for the purpose herein mentioned and none other; and the products of such fish hatchery, fish spawn, fry and fish may be sold at any time of the

year by such hatchery, or their vendees, after having first complied with the terms of this act and the regulations of the state fish and game commission in relation thereto.

SEC. 28. No fish spawn, fry, or fish from any private hatchery shall be sold under the terms of this act unless the location and plan of such hatchery be approved by the state fish and game commission, the same duly licensed as a private hatchery, and the state fish and game commission approve the same; and each private fish hatchery, before it shall be entitled to the benefits of this act, shall pay to the state treasurer an annual license fee of ten (\$10) dollars, and such fee shall be credited to the fish and game fund.

SEC. 29. Every person engaged in the business of buying and selling, packing and preserving, or otherwise dealing in trout or other food fishes, obtained from private hatcheries of this or other states shall, before engaging in such business, pay to the state fish and game commission annually, for the use of the fish and game fund, a fee of two dollars and fifty cents (\$2.50).

SEC. 30. Carp may be taken in the waters of all districts and in Walker, Winnemucca, Pyramid, Lahontan, and Topaz lakes at any time during any year; *provided*, that a permit be obtained by the person or persons intending to catch carp from the fish and game commission who must provide a suitable inspector or game warden to inspect catches of carp and fix a license fee for the privilege.

SEC. 31. Every person who has erected, or who may hereafter erect, any dams, water weirs, or other obstructions to the free passage of fish in the rivers, streams, lakes, or other waters of the State of Nevada, shall construct and keep in repair to the satisfaction of the fish and game commission, fishways or fish ladders at all such dams, water weirs or other obstructions so that at all seasons of the year fish may ascend above such dams, water weirs, or other obstructions to deposit their spawn; and every person so placing, controlling or owning any such obstruction, who shall fail to comply with the provisions of this section after having been notified in writing so to do by the Nevada fish and game commission, and every person who shall at any time willfully or knowingly destroy, injure, or obstruct any fishway or fish ladder which is required by law, shall be deemed guilty of a misdemeanor.

SEC. 32. Any person owning in whole or in part any canal, ditch, or any artificial watercourse, taking or receiving its waters from any river, creek, or lake in which fish have been placed or may exist, shall place, or cause to be placed, and shall cooperate in maintaining at the intake, inlet or outlet of such canal, ditch, or watercourse, a grating, screen, or other device, either stationary or operated mechanically, of such construction, fineness, strength, and quality, as shall be designated by the state fish and game commission,

to prevent any fish from entering or leaving such canal, ditch, or watercourse; *provided*, that expenses of such screen, grating, or other devices and its installation shall be paid from the fish and game fund of the state or cooperative fund available.

SEC. 33. It shall be unlawful for any person to dry up, impede or interfere with the free flow of water through any fish ladder upon any stream in this state when there is sufficient unappropriated or unused water in such stream for use therein by diverting the same from above and around such fish ladder by means of any ditch, canal or aqueduct and permitting the same to waste, spill or flow back into said stream below such fish ladder by means of a spillway, tailrace, overflow, underpass, headgate or other appliance not equipped with an efficient and adequate fish ladder; *provided*, that this section shall not be construed to impair any subsisting right to divert water from such stream for irrigation, domestic or culinary purposes.

SEC. 34. It shall be unlawful for any person in the State of Nevada to accept or offer for transportation out of the state any spawn taken within the state, unless with the expressed consent of the Nevada fish and game commission; *provided*, that nothing in this act shall be so interpreted as to prevent or prohibit the several boards of county commissioners of their respective counties within the state, wherein county hatcheries have been established, from transporting eggs or spawn outside of the state for propagation or transplanting purposes.

SEC. 35. It shall be unlawful for any person in the State of Nevada at any time to fish for any fish whatsoever within a distance of 150 feet above or below any dam in this state containing a fishway or fish ladder.

SEC. 36. It shall be unlawful for any person in the State of Nevada to fish in or from any of the waters of the State of Nevada on any calendar day after two hours after sunset and on any calendar day before one hour before sunrise.

SEC. 37. The fish and game commission of the State of Nevada, and its director, the members of the Nevada state police, and every fish or game warden throughout the state, and every sheriff and constable in his respective county, is and are hereby authorized and required to enforce this act and to seize any game or fish taken or held in possession in violation of this act, and he or they shall have full power and authority and it shall be the duty of every officer, with or without a warrant, to open, enter or examine all camps, wagons, cars, automobiles, stages, tents, packs, warehouses, stores, outhouses, stables, barns, and other places, boxes, barrels, baskets and packages where he has reason to believe any fish or game taken or held in violation of any of the provisions of this act is or are to be found, and to seize the same; *provided*, that a dwelling house actually occupied can

be entered for examination only in pursuance of a warrant.

SEC. 38. It shall be unlawful for any person at any time, to sell, offer or expose for sale, any spawn, eggs, or ova, or the roe from any kind, variety or species of fish whatsoever, or to have in his or their possession any variety of said spawn, eggs, or ova, in the roe, layer or any other state. Nothing in this section shall hinder or prevent or prohibit the taking of any such spawn, eggs, or ova, or roe, at any time, in any manner or by any means by the Nevada fish and game commission, or by their hatchery employees or by anyone whom they may authorize; or by the several boards of county commissioners of their respective counties or by their hatchery employees, wherein county hatcheries have been established within the state. Nothing in this section shall be construed to prevent the sale of commercial canned baits such as salmon eggs, canned caviar, or imported frozen salmon roe.

SEC. 39. It shall be unlawful for any person at any time to receive, or have brought or shipped into the State of Nevada, or remove from one stream or body of water in this state, to any other, any spawn, eggs, or ova of any variety for hatching or transplanting into any of the waters of this state, either public or private, or any fry or fish of any size or variety without the consent and approval of the Nevada fish and game commission.

SEC. 40. Nothing in this act shall be so construed as to hinder or prevent or prohibit the taking of trout or of other fishes or of their fry, eggs or ova, at any time, in any manner or by any means or in any suitable place or location by the Nevada fish and game commission or by its agents or by anyone whom it may authorize, for the purpose of breeding or propagation; and the fish and game commission is further authorized to take or to permit the taking of minor or unprotected fish from the waters of the state by seine, or any trapping device, for the purpose of revenue to the propagation of fish and game within this state; and said commission shall fix a price to be paid for each fish so taken from the waters of this state, and all moneys received therefrom shall be paid into the state treasury, to the credit of the state fish and game fund, by the party or parties so permitted to take said fish.

SEC. 41. It shall be unlawful for any person to fish in or from any of the waters of the State of Nevada for any fish of any species whatever with any seine, net, spear, set line, set hooks, grab hooks, trout line, or snag line, or in any manner known as snagging, or with any weir, fence, trap, giant powder or any other explosive compound, except with hook and line attached to a rod held in the hands and in the manner known as angling; that is, with baited hook, fly hook, spoon hook, or other angler's lure; *provided*, that carp may be taken by seine under permit.

SEC. 42. It shall be unlawful for any person to use at any time a shotgun of a larger gauge than that commonly known and designated as a number ten gauge; *provided*, that it shall be unlawful to hunt waterfowl with any rifle or pistol.

SEC. 43. It is hereby made unlawful for any person at any time to take any of the wild birds or wild game mentioned and protected in this act except during the open seasons prescribed therefor and then only from sunrise to sunset. The state fish and game commission shall, by order, fix the hours for shooting migratory game birds to conform to those annually prescribed by presidential proclamation under the Migratory Bird Treaty Act of July 3, 1918.

SEC. 44. It shall be unlawful for any person at any time of the year to hunt any deer, antelope, elk, mountain sheep, or mountain goat with or by the use or aid of any hound or hounds.

SEC. 45. It is hereby made unlawful for any person to sell, expose, or offer for sale, to barter, or trade, or purchase, or attempt to sell, barter, trade, or purchase any deer meat or any species of game animals, or any part thereof, or any migratory birds or any other game birds or nongame birds or part thereof, protected by the provisions of this act.

SEC. 46. Nothing in this act shall be so construed as to prohibit any person, upon written permit of the fish and game commission of the state, from taking or killing any species of bird, fowl, or animals, or collecting the nests and eggs thereof, for strictly scientific purposes, or for propagation; the number of birds or animals to be limited by said commission; *provided*, that nothing in this act shall prevent shipping into any other country or state, under a written permit issued by the commission, any bird or animals for scientific purposes or for propagation; *provided further*, that permits to collect migratory birds, their nests or eggs, for scientific purposes, or to possess or sell migratory waterfowl for propagating purposes will not be issued until an applicant has obtained a permit or permits from the Secretary of the Interior, Washington, D. C.

SEC. 47. Any person, firm, or corporation, owning and in possession of patented lands in the State of Nevada, embracing an area of not less than one hundred and sixty acres, may transfer by an instrument in writing duly acknowledged before an officer authorized under the laws of this state to take acknowledgments, to the State of Nevada the right to preserve and protect all wild game on the land prescribed therein for a period of not less than four years. Such instrument shall be filed with the state fish and game commission, whereupon such board may, in its discretion, declare the lands described in such instrument a state game sanctuary, and thereafter for a period named therein shall, for all the purposes relating to the preservation and protection of wild game, be under the control of said board. Such

sanctuary shall be numbered in the order of the filing of the instrument of transfer thereof. A copy of the declaration establishing the same shall, under the seal of said board, be issued to such person, firm, or corporation transferring the right therefor. During the period named in such instrument it shall be unlawful for any person to hunt any wild game within the exterior boundaries thereof. No one sanctuary as herein provided for shall embrace an area of more than three square miles, and the exterior boundary lines of each sanctuary established as provided herein shall be at least one mile distant from any boundary of any other sanctuary. The fish and game commission shall cause to be prepared suitable notices to be posted under their direction on each state game sanctuary and such notice shall describe the lands constituting the same, and shall contain a warning to all persons to refrain for the period named therein, from violations of the provisions of this section; *provided, however*, that no provision in this section contained shall be construed as prohibiting or preventing any person from taking fish thereon as otherwise provided by law. All state game sanctuaries established under the provisions of this section shall for all purposes of preservation and protection of wild game thereon be under the control of the state fish and game commission, and the said board, its officers and employees, and all game wardens may at all times enter in and upon such sanctuaries in the performance of their duties. The said board may establish such regulations as may, in its judgment, be necessary for the preservation and protection of the wild game of such sanctuaries, and for that purpose may direct and authorize game wardens or other officers to execute such regulations. All expenses incurred in carrying out the provisions of this section and the regulations that may be established thereunder shall be a charge against and paid out of the state fish and game fund established by this act; and the hunting of any wild game within the exterior boundaries of any state game sanctuary established under the provisions of this section is hereby declared a misdemeanor. And said board may acquire title, by lease, purchase, gift or proclamation, such land as said board may deem suitable for sanctuaries, public shooting grounds or recreational areas.

SEC. 48. The governor of the state shall select, designate and set aside by proclamation suitable areas described by metes and bounds of the public domain of Nevada, such areas to be known as state recreation grounds and game refuges or public shooting grounds.

SEC. 49. From and after the publication of a proclamation by the governor selecting, designating and setting aside any state recreation grounds and game refuges, it shall be unlawful for any person to hunt any upland game birds, migratory game birds, predatory birds, and nongame birds,

or to take, injure or remove from any nest of any bird any egg or eggs, or to hunt any game animals in, over, or upon such designated areas.

SEC. 50. The state fish and game commission is hereby made the administrative body for state recreational grounds and game refuges and shall establish and put into effect a practicable method of propagating wild fowl, game birds and game animals within the State of Nevada, to the end that such wild fowl, game birds and game animals may be used in stocking the state recreation grounds and game refuges. The said commission is empowered to make such expenditures out of any appropriation created therefor as it may deem necessary in improving such recreation grounds and refuges and in caring for such wild fowl, game birds and game animals, and such other further expenditures out of any appropriation created therefor as they may deem necessary in carrying out the provisions of this act.

SEC. 51. Each and every fish and game warden may accept transportation on any of the railroads operating in this state.

SEC. 52. The state printer is hereby authorized and directed to furnish all printing required for the state fish and game commission under the provisions of this act.

SEC. 53. Every person in the State of Nevada who hunts any deer without first procuring a duplicate license tag therefor as provided in this section shall be deemed guilty of a misdemeanor.

(a) Duplicate license tags granting the privilege to hunt deer shall be issued and delivered by the fish and game commission, or its agents, to any person holding a hunting license for the current license year, upon application by such person in the form herein provided and upon the payment of one dollar by such applicant. Said license shall be prepared by the fish and game commission, of suitable size in the form of a duplicate tag, and have printed or stamped thereon the words "Deer Hunting License Tag No..... State of Nevada; expires December 31, 19....., to accompany Hunting License No....." with said tag number and appropriate year written or printed thereon, together with the other matters and things provided in paragraph (b) hereof; and said fish and game commission or its agents shall account to the state controller each month for all tags sold and on hand from October to December, inclusive, of each year.

(b) All duplicate license tags issued as herein provided shall be valid authority for the person to whom issued to hunt, pursue and kill deer during the open season therefor and in such numbers as may be allowed by law. Such duplicate license tag, or tags, shall continue in force until the licensee shall have killed the number of deer allowed by law to be killed in the open season therefor by any one person

of this state; *provided*, that such duplicate tags shall be void from and after the date of expiration written or printed thereon. Such licensee shall carry said duplicate license tag at any and all times while hunting deer, and upon killing of any deer said licensee shall immediately write the place, date and time of day of such killings and sign his name on said license tag and attach the original of said license tag to the horns of such deer, using a seal which has been approved and which shall be provided by the state fish and game commission, and keep the same attached thereto during the open season and for a period of ten days next succeeding the close of the open season; and shall write the place, date and time of day of such killing and sign his name and address on the duplicate of said license tag and mail the same immediately to the fish and game commission; and shall exhibit upon demand any deer or parts thereof that may be in his possession, or any duplicate license tag or tags obtained as herein provided, to any officer authorized to enforce the fish and game laws of the state, or any peace officer of this state.

(c) Every person applying for and securing a license tag or tags as herein provided shall exhibit his hunting license, and furnish to the fish and game commission or agent appointed by the fish and game commission his name, resident address, together with a written description of himself by age, weight, nationality and color of eyes and hair, and said application shall set forth the date of issuance and the number of the license tag or tags issued to such person, and the number of his hunting license. The person issuing any license tag or tags as herein provided shall write his name thereon, together with the place and date of issuance, and shall write the number of such duplicate license tag or tags so issued on the hunting license of the applicant.

(d) Any person holding a hunting license for the current license year shall be entitled, upon compliance with the provisions of this section, to receive only one duplicate tag for each deer allowed to be killed in the open season under the laws of this state, except upon affidavit by the applicant that a duplicate tag so issued has been lost or destroyed and then only upon payment of the original fee; *provided*, that no duplicate license tag or tags issued as herein provided shall be mutilated, defaced, changed, or altered for the purpose of evading the provisions of this section, or transferred to another person, or used by any person other than the one to whom it was issued.

(e) Every person who makes any false statements as to any of the facts required by this section for the purpose of obtaining a duplicate license tag or tags, and every person violating any of the provisions of this section shall be guilty of a misdemeanor; and shall forfeit such duplicate tag or tags as may have been obtained, and no new license tag or

tags shall be issued to such person for the remainder of the license year.

(f) Any person legally killing a deer in this state and under the tagging system provided herein may transport said deer into any closed district, or out of the State of Nevada; *provided*, that he shall before transporting such deer have the tag herein provided for countersigned by a regular salaried officer of the fish and game commission or deputy thereof, or by an officer authorized to administer oaths, and if such officer has an official seal, such tag shall, in addition, bear the imprint of such seal.

(g) All moneys collected from the sale of license tags, as provided herein, shall be paid into the state treasury to the credit of the fish and game fund.

SEC. 54. It shall be unlawful for any person to have in his or her control any game bird, game animal, nongame bird, or game fish or any part thereof, the killing of which is at any time prohibited, during the time when such killing is prohibited, and the possession of same shall be *prima facie* evidence that it was the property of the state at the time it was caught, taken or killed in this state when the killing was unlawful and that such taking or killing occurred in the closed season; *provided*, that any person lawfully in the possession of any game bird, game animals, or game fish, or any part thereof, may have not to exceed sixty days after the beginning of the closed season in which to consume the same; *and provided also*, that any person lawfully taking any deer in another state may bring the same into this state in person during the closed season in this state; *and provided further*, that any person possessing any game bird, game animal, or game fish, or any part thereof, in this state during any portion of any closed season must have attached thereto such evidence of its lawful taking as is required by the law of this state, or of such other state from which the same is claimed by the possessor to have been legally taken.

SEC. 55. Every person who shall violate any of the provisions of this act; and

Every person charged with the performance of any act, or duty, under the provisions of this act, who shall willfully fail, refuse or neglect to perform any such act or duty at the time and in the manner by this act directed; and

Every person required to do or perform any act as a condition precedent to the privileges of this act, who shall willfully fail, refuse, or neglect to do or perform any such act; and

Every person doing any act or thing in this act prohibited, or declared to be unlawful; and

Every person who shall obstruct, hinder, delay, or otherwise interfere with any officer or employee of or acting under the direction of the fish and game commission in the performance of any duty while enforcing, or attempting to enforce, any of the provisions of this act; and

Every person who shall violate, or fail to observe, any order, ordinance, rule or regulation, enacted, made or provided by the state fish and game commission of this state under the provisions of this act; and

Every person who, having been granted, licensed or permitted to do any act or thing under the provisions of this act, who shall exercise such grant, license, or permit in any manner other than as specified in such grant, license or permit; and

Every person who shall do any act or thing, or attempt to do any act or thing, in this act declared to be unlawful, or shall fail to comply with any regulation authorized to be made hereunder, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), or by imprisonment in the county jail for a period of not less than twenty-five days nor more than six months, or by both such fine and imprisonment.

SEC. 56. The commission is hereby charged, in addition to its other duties, with the responsibility of protecting and conserving the nongame birds of this state, and is authorized to make necessary regulations for that purpose; *provided*, that nothing herein shall prohibit the commission from making regulations for the control of species that may become inimical to the public interest.

SEC. 57. Anatidae or waterfowl, including brant, wild ducks, geese, and swans; gruidae or cranes, including little brown, sandhill, and whooping cranes; rallidae or rails, including coot, gallinules, and sora and other rails; limicolae or shore birds, including avocets, curlew, dowitchers, godwits, knots, oyster catcher, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willot, woodcock and yellowlegs; columbidae or pigeons, including doves and wild pigeons, are hereby declared to be migratory game birds, and the open seasons for any of these birds and the bag limits shall by order of the State fish and game commission, conform to the open seasons and bag limits and other regulations as proclaimed annually by the President of the United States, in the Mitgratory Bird Treaty Act regulations, and amendments thereto.

SEC. 58. Each applicant for a license to hunt, trap, or fish, shall at the time he makes application for a license, furnish to the commission or its agent information on blanks provided therefor, as to the number and species of birds, animals and fish taken by him during the preceding license year. No license to hunt, trap, or fish shall be issued to any applicant unless and until such applicant shall furnish such information to the best of his knowledge and belief.

SEC. 59. Any person, firm, or corporation desiring to engage in the business of raising and selling any species of game animal, game bird, game fish, or fur-bearing animal shall make application in writing to the commission for a

permit, the fee for which shall be set by the fish and game commission.

The commission shall prescribe rules and regulations under which permits shall be issued, governing the rearing, sale, transportation, and disposition of wild animals, birds, and fish so raised, when appropriately tagged as prescribed by the commission. Special regulations shall be adopted by the commission for the sale or serving of propagated game or game fish as food in hotels, restaurants, or other public eating establishments.

All moneys received for the issuance of said permits shall be deposited by the commission with the state treasurer, and the same shall be credited to the fish and game fund of the state.

SEC. 60. The commission shall be empowered to enter into cooperative arrangements with farmers and other landowners or control for the purpose of protecting, propagating, conserving, restoring, taking, or capturing of the wild animals, fish and birds of the state, under such rules and regulations as the commission may prescribe.

Where necessary to effect the purposes of this section, such farmers, landowners, or lessees may be commissioned as cooperative conservation officers for the protection of wildlife on such area.

SEC. 61. No person shall sell, or offer for sale, any black bass, trout, or other species of game fish, whether taken within or coming from without the state, nor shall any person transport, ship, carry, or convey by any means whatever, or offer or accept for transportation, shipment, carriage, or conveyance within or without this state any such fish, except as permitted by this act.

No railroad, express, stage or bus company or other corporation, firm, organization, individual engaged in the transportation business, or employee of such carrier shall, while engaged in such business, transport as owner any black bass, trout, or other species of game fish, nor shall any such carrier or employee thereof knowingly receive or possess same for shipment, transportation, carriage, or conveyance for another, unless the person offering the same for shipment, transportation, carriage, or conveyance, is in possession of a valid fishing license and shall exhibit the same to the agent of the carrier to whom, and at the time, the said fish are offered for transportation or conveyance, and then only as hereinafter provided.

A person who is a resident of the state and the holder of a valid fishing license may transport or carry within this state otherwise than by parcel post during the open season therefor such fish or parts thereof lawfully taken and possessed by him; and may so ship or convey from a point within to a point without the state during the open season not more than one day's bag limit of such fish lawfully taken and possessed by him.

Any package or container in which black bass, trout, or other species of game fish, or parts thereof, is transported or conveyed shall have clearly and conspicuously marked on the outside thereof, the names and addresses of the consignor and the consignee, together with an accurate statement of the numbers and kinds of fish, or parts thereof, contained therein; *provided, however*, that nothing herein contained shall prohibit the sale or transportation of any said fish which have been reared in private ponds, nurseries, or hatcheries under permit and when appropriately tagged, nor shall this section prohibit the sale or transportation by the commission of fish, fry, or the eggs of such fish for propagation or restocking purposes.

SEC. 62. No person shall transport, ship, or convey, by any means whatever, or offer or accept for transportation, shipment or conveyance within or without this state any wild animal or bird, or any part thereof, or nest or egg of any bird, except as permitted by this act. No common carrier or employee of such carrier shall, while engaged in such business, transport as owner any wild animal or bird or any part thereof or nest or egg of any bird, nor shall any such carrier or employee knowingly receive or possess the same for shipment or transportation for another, unless the person offering the same for shipment or transportation is in possession of a valid hunting license and shall exhibit the same to the agent of the common carrier to whom, and at the time, the birds or animals are offered for transportation.

A person who is a resident of the state may transport and possess within this state, otherwise than by parcel post, during the open season therefor, game birds and game animals lawfully taken, not exceeding two days' bag limit.

A person who is a nonresident of the state and a holder of a valid nonresident hunting license may possess in the state and transport within this state, or from a point within to a point without, otherwise than by parcel post, during the open season therefor, game birds and game animals lawfully taken by him, or parts thereof, but he shall not transport out of the state during any one open season more than the seasonal limit on big game animals, or during any one calendar week more than two days' bag limit of other game animals or game birds.

A person may transport at any time and in any manner, nongame animals and the fur or skins of fur-bearing animals lawfully taken, except that the commission shall, by appropriate regulations, prescribe a tagging system for the marketing of beaver skins and the skin of any other species of fur-bearing animal in need of special protection. For each beaver tag issued the fish and game commission shall collect a fee of fifty cents (.50).

Any package in which any wild animal or bird, or part thereof, or egg of any wild bird, is transported, shall have

clearly and conspicuously marked on the outside thereof, the names and address of the consignor and the consignee, together with an accurate statement of the number and kinds of animals or birds or parts thereof, or eggs or nests of birds, contained therein.

SEC. 63. It shall be unlawful for any person to hunt with a dog or gun upon occupied fenced property of another without first obtaining written permission from the owner, occupant, or agent thereof. No prosecution shall be commenced under this section except upon complaint of the owner or agent of such fenced and occupied land.

SEC. 64. In addition to other penalties imposed upon conviction of any person for violation of any law or regulation for the protection of wild animals, birds, or fish, the commission shall revoke the license of said person and may deny him the right to secure another license to hunt, fish or trap anywhere in this state, with or without a license, for a period of from one to two years. The license of any person convicted of a second or subsequent violation of any such law or regulation may be revoked by the commission as herein provided, and such person is hereby denied the right to secure a license or to hunt, fish, or trap anywhere in this state, with or without a license, for a period of not less than two nor more than three years, as determined by the commission, from the date of such conviction.

SEC. 65. *Head of Game Animals*—No mounted heads of game animals (other than rabbits, hares, and squirrels) may be shipped out of the state except under written permit issued by the fish and game commission, upon payment of a fee of fifty cents (.50). The serial number of such permit shall be clearly marked on the outside of the package.

SEC. 66. *Fur Dealer's License*—Any person or persons, firm, company or corporation engaging in, carrying on, or conducting wholly or in part the business of buying or selling, trading or dealing, within the State of Nevada, in the skins or pelts of any animals or animal, designated by the laws of Nevada as fur-bearing or predatory animals, shall be deemed a fur dealer within the meaning of this act. If such dealer resides in, or if his or its principal place of business is within the State of Nevada, he or it shall be deemed a resident fur dealer. All other fur dealers shall be deemed nonresident fur dealers.

Every fur dealer shall keep a book in which shall be recorded separately the date of each transaction the following facts:

The number and kind of all skins or pelts purchased or sold by such fur dealer.

The place where such skins or furs were killed or trapped and a separate record of all such skins or pelts as were killed or trapped outside the State of Nevada.

The trapping license number under which such furs or

pelts were taken in instances where a trapper's license is required for the taking thereof.

The names and addresses of the persons to whom such skins or pelts were sold or from whom they were purchased.

Said book shall be open at all reasonable times to the inspection of the director or any member of the fish and game commission, members of the Nevada state police, every fish or game warden throughout the state and every sheriff and constable in his respective county, and shall be preserved and accessible for one year after the expiration of any license granted to said fur dealer.

All fur dealers as defined in this Act shall before buying, selling or in any manner dealing in the skins or pelts of any fur-bearing or predatory animal within the State of Nevada secure a fur dealer's license from the state fish and game commission; *provided*, that no license shall be required for a hunter or trapper selling skins or pelts which he has lawfully taken nor for any person not a fur dealer who purchased any skins or pelts exclusively for his own use and not for sale.

The following classes of licenses shall be issued, to wit:

Resident fur dealer's license;

Nonresident fur dealer's license;

Fur dealer's agent's license;

and the following fees charged therefor:

Resident fur dealer's license, one dollar (\$1).

Nonresident fur dealer's license, twenty-five dollars (\$25).

Fur dealer's agent's license, ten dollars (\$10).

Any person who is employed by a resident or nonresident fur dealer as a fur buyer shall be deemed a fur dealer's agent.

Application for a fur dealer's agent's license must be made by the fur dealer employing said agent and no agent's license shall be issued until the necessary fur dealer's license has been first secured by the employer of said agent.

The license required by this Act shall be issued annually and shall expire on December 31st of each year, and no reduction in the fee charged for said license shall be made in any case where said license runs for less than one year.

SEC. 67. In case of a violation of any law or regulation for the protection of wild animals, birds, or fish, by a corporation, the warrant of arrest may be read to the president, secretary or manager in this state, or to any general or local agent thereof in the county where the action is pending, and upon the return of such warrant, so served, the corporation shall be deemed in court and subject to the jurisdiction thereof, and any fine imposed may be collected by execution against the property of such corporation, but this section shall not be construed to exempt any agent, officer, or employee of such corporation from prosecution.

SEC. 68. It shall be unlawful for any person to hunt or

possess any migratory game birds at the times or in the manner prohibited by, and in violation of, the rules and regulations established by the United States Department of the Interior.

SEC. 69. If any clause, sentence, paragraph, subdivision, section, or part of this act, or any order or rule of the commission shall, for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to such clause, sentence, paragraph, subdivision, section, or part thereof, directly involved in the controversy in which said judgment shall have been rendered.

SEC. 70. All acts, or parts of acts, in conflict with this act are hereby repealed.

SEC. 71. This act shall take effect immediately on its passage and approval by the governor.—be approved?

*Contained no enacting
Clause therefore was
voided & not placed on
Ballot* Yes. _____
No. _____

(Explanation of Question No. 2)

This Initiative Measure, if approved, will repeal and supersede the present Fish and Game Law of this State. It will lodge the entire control and supervision of the fish, game and wild life of this State in a fish and game commission composed of five members appointed by the Governor.

The commission will govern the financial policies of the fish and game department. The measure provides for a State director, appointed by the commission, to enforce the provisions of the law and to appoint and have supervision over such conservation officers as may be necessary for its administration. The commission is also empowered to promulgate rules and regulations having the force and effect of law in the fixing of bag limits, seasons for hunting and fishing, closing such seasons. Also, it may acquire lands and waters for fish and game propagation and for hunting and fishing areas, establish game refuges, enter into cooperative agreements with other state and federal agencies for wild life management.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this 5th day of August, A.D. 1942.

Malcolm McEachin

Secretary of State.