

VOLUME 1

# STATUTES OF CALIFORNIA

1956 AND 1957

CONSTITUTION OF 1879 AS AMENDED  
MEASURES SUBMITTED TO VOTE OF ELECTORS,  
1956 GENERAL ELECTION

GENERAL LAWS, AMENDMENTS TO CODES,  
RESOLUTIONS, AND CONSTITUTIONAL  
AMENDMENTS

PASSED AT

THE 1956 REGULAR SESSION OF  
THE LEGISLATURE

THE 1956 FIRST EXTRAORDINARY SESSION  
OF THE LEGISLATURE

AND

THE 1957 REGULAR SESSION OF THE LEGISLATURE



## CHAPTER 456

*An act to repeal and re-enact the Fish and Game Code, and include therein codification of Chapter 1447, Statutes of 1947, and to repeal Chapter 1447 of the Statutes of 1947, relating to fish and game, and making an appropriation.*

In effect  
September  
11, 1957

[Approved by Governor May 19, 1957. Filed with  
Secretary of State May 21, 1957.]

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

Repeal

SECTION 1. The Fish and Game Code is repealed.

SEC. 2. The Fish and Game Code is enacted, to read:

## GENERAL PROVISIONS AND DEFINITIONS

Title

1. This code shall be known as the Fish and Game Code.

2. Unless the provisions or the context otherwise requires, these definitions, rules of construction, and general provisions shall govern the construction of this code.

Construction  
and effect

3. The provisions of this code, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations thereof, and not as new enactments. This code shall not impair any privilege granted or right acquired under any of the laws of this State prior to the date it takes effect.

Headings

4. Division, part, chapter, article, and section headings do not in any manner affect the scope, meaning, or intent of the provisions of this code.

5. Whenever reference is made to any portion of this code or of any other law of this State, the reference applies to all amendments and additions heretofore or hereafter made.

Delegation  
of power

6. Whenever a power is granted to, or duty is imposed upon, a public officer, the power may be exercised or the duty may be performed by a deputy of the officer or by a person authorized, pursuant to law, by the officer, unless this code expressly provides otherwise.

7. Whenever any statement or report is required to be made, it shall be made in the English language.

"Tense"

8. The present tense includes the past and future tenses, and the future, the present.

"Gender"

9. The masculine gender includes the feminine and the neuter.

"Number"

10. The singular number includes the plural, and the plural, the singular.

Dates

11. Whenever in this code the doing of an act between certain dates or from one date to another is allowed or prohibited, the period of time thereby indicated includes both dates specified. The first date specified designates the first day of the period, and the second day specified designates the last day of the period. No period of time specified in this code exceeds one year unless otherwise expressly provided.

## Article 3. Federal Bird Reservations

Federal  
acquisition  
and state  
jurisdiction

10680. The people of the State, through their legislative authority, accept the provisions and benefits of the act of Congress known as the "Migratory Bird Conservation Act," approved February 18, 1929. Upon approval by the commission, they consent to the acquisition by the United States, by purchase, lease, gift, or devise, of such areas of land, water, or land and water, within the State, as the United States or its properly constituted officers or agents may deem necessary for migratory bird reservations in carrying out the provisions of such act of Congress; saving and reserving, however, to the State such full and complete jurisdiction and authority over all such areas as are not incompatible with the administration, maintenance, protection, and control thereof by the United States under the terms of such act of Congress, and saving and reserving to all persons within such areas all rights, privileges, and immunities under the laws of the State, insofar as they are compatible with the administration, maintenance, protection, and control of such areas by the United States under the terms of such act of Congress.

Consent of  
county

10681. Prior to such approval by the commission, the legislative body of the county concerned shall have given its written consent to the commission for the proposed acquisition.

Taxes

10682. If in any year, on lands hereafter acquired, the in lieu payments from the United States to the county, pursuant to the provisions of law, do not equal the taxes assessed on a given project, the department shall pay from income derived from hunting privileges on the project an amount equal to the balance of the taxes on the entire project.

For the purposes of this section, the taxes on a given project are the assessed taxes on the project at the time of acquisition, plus any subsequent increases that may accrue from general county increases in the tax rates, but not subject to re-evaluation of such project properties after the time of acquisition.

Conformity  
to state law

10683. The consent of the State to the acquisition by the United States of land, water, or land and water for migratory bird reservations in accordance with this article, is subject to the condition that the United States conform to the laws of the State relating to the acquisition, control, use, and distribution of water with respect to the land acquired.

Consent to  
conditions  
and  
reservations

10684. The consent contained in Section 10680 continues only so long as the property continues to belong to the United States and is held by it in accordance and in compliance with each and all of the conditions and reservations as prescribed in this article, and is used for the purposes for which it was acquired.

Migratory  
bird  
reservation

10685. With the approval of the commission, the people of the State, through their legislative authority, also consent to the declaration, withdrawal, or determination of any part of