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CHAPTER 155

GAME, FISH AND PARKS**GENERAL PROVISIONS**

(Senate Bill No. 226. By Senator Lammi; also Representatives Jackson, DeMoulin, Quinlan, and Muswart.)

AN ACT

**AMENDING 62-1-2, COLORADO REVISED STATUTES 1963,
RELATING TO DEFINITIONS PERTAINING TO THE
GAME, FISH, AND PARKS STATUTES.**

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. 62-1-2, Colorado Revised Statutes 1963, is hereby **REPEALED AND RE-ENACTED, WITH AMENDMENTS**, to read:

62-1-2.—**Definitions.**—(1) Unless the provisions or the context otherwise requires, the following definitions, rules of construction, and general provisions shall govern the construction of this chapter and all regulations made or adopted under this chapter:

(2) Whenever in this chapter, or a regulation adopted hereunder, 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 date designates the last day of the period.

(3) Every provision relating to any wild animal shall be deemed to apply to any part thereof with the same force and effect as it applies to the whole.

(4) "Commission" means the game, fish, and parks commission, and "commissioner" means a member of the game, fish, and parks commission.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(5) "Department" means the game, fish, and parks department.

(6) "Director" means the director of the game, fish, and parks department.

(7) "Person" includes an individual, two or more individuals, association, partnership, or corporation.

(8) "Game management unit" means an area designated by the commission as the location for certain game herds.

(9) "Big game" means elk, deer, moose, mountain sheep, mountain goats, antelope, bear, buffalo, mountain lion, and turkey.

(10) "Fish" or "augling" shall mean any effort made to take, kill, injure, capture, or catch fish.

(11) "Game bird" means all native species of grouse, pheasant, quail, partridge, migratory game birds, pigeon, and all species of birds not native to this state which have been or may be introduced or transplanted into this state by the game, fish, and parks department and by other persons.

(12) "Game fish" means all species of trout, salmon, pike, crappie, whitefish, bass, catfish, and such other species of fish as may be declared game fish by the commission.

(13) "Game" includes all game mammals, game birds, game fish, furbearing animals, not raised on private game farms or in private fish hatcheries.

(14) "Bag limit" means the maximum number of game animals, game birds, furbearing animals, or game fish which may be taken, caught, killed, or possessed by any licensee, as provided by rule and regulation of the commission, for any particular period of time.

(15) "Possession limit" means the maximum limit, in number or amount, of game which may lawfully be in possession of any one person.

(16) "Chumming" means the placing in the public waters of the state, fish, parts of fish, or other material for the purpose of attracting fish to a particular area in order that they may be taken.

(17) "Sell" includes offer or possess for sale, bartering, exchange or trade.

(18) "Transport" includes offer or receive for transportation.

(19) "Possession" means both actual and constructive possession, and any control of the things referred to.

(20) "Motor vehicle" means any self-propelled vehicle, and any vehicle propelled or drawn by a self-propelled vehicle, whether operating upon a highway, railroad track, on the ground, in the water, or in the air.

(21) "Camp" means the temporary abode of any hunter, fisherman, trapper, tourist, or vacationist while on a hunting, fishing, or trapping trip, or on a tour or vacation trip.

(22) "Conservation officer", "officer", or "warden" means a person appointed and authorized to enforce the game, fish, and park laws, rules, and regulations.

(23) "A public highway" means the traveled portion, and the shoulders on each side of any road, maintained for public travel by the counties, state, or the United States government, and shall include all bridges, culverts, overpasses, fills, and other structures within the right-of-way limits.

(24) "Hunt" means chasing, driving, flushing, attracting, pursuing, worrying, following after or on the trail of, searching for, trapping, shooting at, stalking, or lying in wait for, any animal or bird whether or not the animal or bird is then or subsequently captured, killed, taken, or wounded; but does not include stalking, attracting, searching for, or lying in wait for, an animal or bird by unarmed person solely for the purpose of watching the animal or bird or of taking pictures of the animal or bird.

(25) "Trap" means the setting or operating of any device, mechanism, or contraption that is designed, built, or made to close upon or hold fast with the intent or purpose to capture a wild animal.

(26) "Resident" means any person who has been bona fide domiciled in the state of Colorado for six months immediately preceding the date of application for any license, certificate, or permit, as required by this chapter.

(27) "Tag" or "tagged" means the certificate, stamp, or tag attached to the carcass of game as evidence of legal taking and ownership.

(28) "Carcass" means the dead body or any part thereof of any game animal.

(29) "Small game" means wild mammals and birds not included in "big game".

(30) "Waters of this state" means any waters within the territorial limits of the state of Colorado.

(31) "Hours", unless otherwise stated, means the hours of the day or night when game can lawfully be taken.

Section 2.—**Safety clause.**—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 28, 1965.