

Third Supplement to Memorandum 2016-47

Fish and Game Law: Discussion of Issues

The Second Supplement to Memorandum 2016-47¹ recommends that Fish and Game Code Sections 307, 2003, 3080, and 3086 be revised, for purposes of a tentative recommendation, to refer to “game mammals” rather than mammals generally. Those recommendations were based on the argument that those sections appear to address hunting for sport or food and therefore need only apply to mammals that can be lawfully hunted for those purposes.

After further reflection, the staff believes that it might be more prudent to revise those sections to refer to both “game mammals” and “fur-bearing mammals.” Although fur-bearing mammals are often taken for a commercial purpose (the sale of their pelts), the law does not preclude taking fur-bearing mammals for sport.

Respectfully submitted,

Brian Hebert
Executive Director

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.