

- 11 Charges believed to be excessive may be referred to the Industrial
 12 Commissioner for adjustment under authority of section one thousand
 13 four hundred sixty-two (1462) of the code."

Senate File 24. Approved April 14, 1937.

CHAPTER 99

CONSERVATION COMMISSION

S. F. 450

AN ACT relating to the powers, duties and jurisdiction of the state conservation commission, to amend chapter eighty-five (85), code 1935, relating to licensing of boats and pilots and inspection, by repealing section seventeen hundred three-e eight (1703-e8) thereof relating to rules and regulations of the state conservation commission, to amend section seventeen hundred three-e ten (1703-e10) thereof relating to penalties, to further amend said chapter by enacting laws to be included in said chapter pertaining to the operation and equipment of boats used for hire and other boats used upon state-owned waters, and to provide a penalty for the violation of such laws; to amend chapter eighty-five-d one (85-d1), code 1935, relating to the state conservation commission, by repealing section seventeen hundred three-g twenty-one (1703-g21) thereof and by repealing paragraphs five (5) and six (6) of section seventeen hundred three-d twelve (1703-d12) thereof relating to the specific powers of the state conservation commission and to enact a substitute therefor, to repeal section seventeen hundred three-e twelve (1703-e12) thereof relating to publication and to enact a substitute therefor, to amend section seventeen hundred three-d fifteen (1703-d15) thereof relating to interpretation and limitations; to amend chapter eighty-six-e1 (86-e1), code 1935, relating to fish and game licenses, by amending section seventeen hundred ninety-four-e ten (1794-e10) thereof relating to form of license, and to amend section seventeen hundred ninety-four-e twelve (1794-e12) thereof relating to revocation or suspension of license; to amend chapter eighty-six (86), code 1935, relating to propagation and protection of fish, game, wild birds and animals, by amending section seventeen hundred eighty-nine (1789) thereof relating to violations, and to enact laws to be added to said chapter pertaining to the protection of fish, game, wild birds and animals, and to the commercial taking or disposition thereof, and to provide a penalty for the violation of such laws; to amend chapter eighty-seven (87), code 1935, relating to conservation and public parks, by repealing section seventeen hundred ninety-nine-b one (1799-b1) thereof pertaining to rules and regulations, and to enact laws to be added to said chapter prohibiting, restricting, or controlling the use by the public of state parks, preserves, or state-owned property or waters under the jurisdiction of the state conservation commission, and to amend section seventeen hundred three-g fifteen (1703-g15), code, 1935, relating to powers of conservation officers.

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

1 SECTION 1. Section seventeen hundred three-e eight (1703-e8),
 2 code 1935, is hereby repealed.

1 SEC. 2. Section seventeen hundred three-e ten (1703-e10), code
 2 1935, is amended by substituting a period (.) for the comma (,) in
 3 line five (5) thereof and striking the remainder of the section.

1 SEC. 3. Chapter eighty-five (85), code 1935, is amended by adding
 2 thereto the provisions of sections herein designated section four (4)
 3 to section twenty-two (22) inclusive.

BOATS, PILOTS AND INSPECTION

1 SEC. 4. A motor boat is defined as any boat or water craft propelled
 2 by machinery. Any boat or craft propelled by attachment to another
 3 craft which is propelled by machinery shall be deemed a motorboat.

- 1 SEC. 5. For the purpose of this chapter boats are classified as
 2 follows:
- 3 Class I. All steamboats.
 4 Class II. All boats with inboard motors used for commercial pur-
 5 poses.
 6 Class III. All motorboats with inboard motors used for private
 7 purposes.
 8 Class IV. All motorboats of plane or gliding type, including com-
 9 bination plane and displacement types, propelled by an outboard motor.
 10 Class V. All rowboats of displacement type, with outboard motor.
 11 Class VI. All rowboats or canoes propelled by hand.
 12 Class VII. All sailboats.

EQUIPMENT

- 1 SEC. 6. No person shall operate any boat as hereinafter designated
 2 on the waters of the state which is not equipped as follows:
- 3 (a) A fire extinguisher of type and size approved by the commis-
 4 sion, shall be carried by all motorboats when operated for hire. Such
 5 fire extinguisher shall be capable of extinguishing burning gasoline
 6 and be of the carbon-dioxide, carbon tetrachloride or foam type.
- 7 (b) Any boat, except steamboats, carrying passengers for hire
 8 shall be equipped with air tanks of sufficient capacity to sustain afloat
 9 the boat when full of water with all her full complement of passengers
 10 and crew on board.
- 11 (c) Every motorboat carrying passengers for hire shall carry one
 12 life preserver, lift belt, buoyant cushion, or ring buoy of type approved
 13 by the commission for each person on board.
- 14 (d) No motorboat, propelled in whole or in part by gas, gasoline
 15 or naphtha, shall be operated unless the same is provided with an
 16 exhaust or muffler device so constructed and used as to muffle the noise
 17 of the exhaust, and no such boat shall be operated with a cut-out or
 18 any such device which shall make the muffler ineffective.
- 19 (e) No motorboat in class I, II, III, or IV shall be operated unless
 20 it be equipped with a whistle, horn or sound device capable of making
 21 a signal that can be heard from a distance of one thousand feet in
 22 calm weather. Sirens are specifically prohibited.
- 23 (f) Owners of steamboats operated for hire are hereby required to
 24 carry boiler insurance covering each steamboat so operated and copies
 25 of the insurance policies shall be filed with the commission.

LIGHTS

- 1 SEC. 7. No person shall operate any boat during the period between
 2 thirty (30) minutes after sundown and sunrise which is not equipped
 3 with lights as herein prescribed:
- 4 (a) Every motorboat in class I, II, III or and all boats in class IV,
 5 which in the latter case are capable of a speed of eight (8) miles or
 6 more per hour, shall have the following lights:
- 7 1. A bright white light in forepart of the boat as near the bow as
 8 practical, so constructed as to show an unbroken light over an arc of
 9 the horizon of twenty (20) points of the compass, so fixed as to throw
 10 the light ten (10) points on each side of the vessel; namely, from
 11 right ahead to two (2) points abaft the beam on either side. The

12 glass of the lens shall be not less than five (5) inches in diameter. In
13 general, this light shall, when in use, be kept pointed in direction boat
14 is traveling.

15 2. A white light aft (stern) to show all around the horizon. A
16 combined lantern in the forepart of the vessel and lower than the white
17 light aft, showing green to starboard and red to port, so fixed as to
18 throw the light from right ahead to two points abaft the beam on their
19 respective sides.

20 3. All boats in class IV, not capable of exceeding eight (8) miles
21 per hour, shall have a constant white light in the forepart of the
22 vessel and to be so constructed as to be visible all around the horizon.

23 (b) All boats in class V and VI shall have, when operated on any
24 lake, and when over three hundred (300) feet from shore, a white
25 light that is constant and so placed as to be visible from any direction.

26 (c) All boats in class VI shall have when operated on any river or
27 stream, a white light which is constant and so placed as to be visible
28 from any direction.

29 (d) All boats in class VII shall have a lantern at the masthead
30 showing a white light and visible from any direction.

OPERATION LAWS

1 SEC. 8. No person shall operate any boat on any of the waters of
2 the state under the jurisdiction of the commission in such a manner
3 as to endanger life and property nor in any manner other than herein
4 prescribed:

5 (a) No boat in class II, III, IV or V shall be operated on a state-
6 owned lake at a speed greater than five (5) miles per hour when within
7 two hundred fifty (250) feet from another craft.

8 (b) No boat in class I, II, III, IV or V shall be operated at a speed
9 exceeding five (5) miles per hour unless vision is unobstructed three
10 hundred (300) feet ahead.

11 (c) It shall be unlawful to operate any motorboat within three
12 hundred (300) feet of the shore of any lake at a speed greater than
13 ten (10) miles per hour.

1 SEC. 9. Boat traffic shall be governed by the following rules:

2 1. Passing from rear—keep to the left.

3 2. Passing head-on—keep to the right.

4 3. Passing at right angles—boat at the right has right-of-way,
5 other conditions being equal.

6 4. Sailboats have right-of-way over all other boats. Motorboats,
7 when passing sailboats, shall always pass on windward side.

8 5. Any boat backing from a landing has the right-of-way over in-
9 coming boats.

1 SEC. 10. Air craft shall not make use of waters under the juris-
2 diction of the commission for the purpose of landing and carrying
3 passengers or other purposes, except at a time of danger or distress
4 when such use may be necessary or unavoidable.

ARTIFICIAL LAKES, BOAT RACES

1 SEC. 11. No motorboat in class I, II, or III and no boats in classes
2 IV and V, shall be permitted on any artificial lake under the jurisdic-
3 tion of the commission.

4 (a) No person shall operate any sailboat on any artificial lake under
5 the jurisdiction of the commission except those lakes specifically desig-
6 nated by the commission. All sailboats so operated must be of a type
7 and size approved by the commission.

8 (b) All privately owned boats on artificial lakes under the juris-
9 diction of the commission shall be kept only at locations designated
10 by the commission.

1 SEC. 12. No boat race or regatta shall be conducted upon state
2 waters unless permission is granted by the commission.

3 (a) Boats not participating in such race or regatta shall remain
4 at least fifty (50) feet from the racing course during such contest.

5 (b) Laws pertaining to speeds or passing distances shall not apply
6 to boats or boat operators engaged in such race or regatta.

BUOYS AND STRUCTURES

1 SEC. 13. No private buoy or any obstruction of any kind shall be
2 maintained less than one hundred (100) feet from shore nor more
3 than three hundred (300) feet, except by permission from the com-
4 mission.

5 (a) All private buoys must float in a vertical position with at least
6 eighteen (18) inches projecting above the water and shall be painted
7 white or have a white flag of at least one (1) square foot in area
8 attached thereto.

9 (b) It shall be unlawful to tamper with, move or attempt to move
10 any state-owned buoy.

11 (c) No boat shall be anchored away from the shore and left un-
12 guarded unless it be attached to a buoy.

1 SEC. 14. No person shall maintain or erect any structure beyond
2 the line of private ownership along or upon the shores of state-owned
3 waters in such a manner as to obstruct the passage of pedestrians
4 along the shore between the ordinary high water mark and the water's
5 edge, except by permission of the commission.

1 SEC. 15. No craft or vehicle operating on the surface of ice on
2 the inland meandered lakes and streams of the state and propelled by
3 machinery in whole or in part shall be operated without a permit being
4 issued for such operation by the commission. Ice cutting machinery,
5 automobiles, motorcycles and trucks, when such are used without
6 endangering public safety are excepted from the provisions of this
7 section. Any such permit issued may be revoked by the commission
8 if such craft or vehicle is operated in a careless manner or endangers
9 others.

GENERAL PROVISIONS

1 SEC. 16. Nothing in this chapter shall exonerate any owner, oper-
2 ator or crew of any craft from the consequences of any neglect to
3 carry lights, signals or equipment or from any neglect to keep a proper
4 lookout, or of the neglect of any precaution which may be required
5 by the ordinary practice of seamen or by the special circumstances
6 of the case.

1 SEC. 17. The provisions of this chapter shall not apply to craft
2 licensed by authority of the United States when such craft are oper-
3 ated in accordance with the federal laws and regulations therefor.

1 SEC. 18. All navigation accidents shall be reported as promptly
2 as possible to the nearest police officer and to the commission or its
3 authorized representative.

1 SEC. 19. No person offering a boat for hire nor any person using
2 a rented boat shall permit said boat to be occupied by more passengers
3 and crew than the licensed capacity of the boat permits.

1 SEC. 20. No person shall place, or allow to remain in the public
2 waters any boat for hire which has failed to pass inspection.

1 SEC. 21. Members of the commission, its deputies, agents and em-
2 ployees shall not be deemed violating the provisions of this chapter
3 applying to the work of the commission while on duty and acting
4 within the scope of their employment.

1 SEC. 22. Any person violating any of the provisions of the fore-
2 going sections numbered section six (6) to section twenty (20) in-
3 clusive, shall, upon conviction, be fined not to exceed one hundred
4 (\$100.00) dollars or be imprisoned in the county jail not to exceed
5 thirty (30) days.

STATE CONSERVATION COMMISSION

1 SEC. 23. Section seventeen hundred three-g twenty-one (1703-
2 g21), code 1935, is hereby repealed.

1 SEC. 24. Paragraphs five (5) and six (6) of section seventeen
2 hundred three-d twelve (1703-d12), code 1935, are hereby repealed
3 and the following is enacted in lieu thereof:

4 "5. The commission is hereby authorized to adopt and enforce such
5 departmental rules governing procedure as may be necessary to carry
6 out the provisions of this chapter; also to carry out any other laws
7 the enforcement of which is vested in the commission.

8 6. The commission is hereby further authorized to adopt, publish
9 and enforce such administrative orders as are authorized in section
10 twenty-nine (29) of this act."

1 SEC. 25. Section seventeen hundred three-e twelve (1703-e12), code
2 1935, is hereby repealed and the following substituted in lieu thereof:

3 "Administrative orders shall be made only after an investigation of
4 the matter concerned and shall take effect, unless otherwise designated
5 in the order, after publication in at least one newspaper of general
6 state circulation or in a newspaper having circulation in the territory
7 affected. A copy of all such orders shall before publication be filed
8 with the secretary of state."

1 SEC. 26. Section seventeen hundred and eighty-nine (1789) code
2 1935, is hereby amended as follows: strike therefrom all words fol-
3 lowing the word "chapter" in line six (6) to the word "or" in line
4 seven (7) and substitute the following: "or of administrative orders
5 of the state conservation commission"; further amend said section by
6 striking all the words after the comma (,) following the word "chap-
7 ter" in line eleven (11) to the word "or" in line twelve (12).

1 SEC. 27. Chapter eighty-six (86), code 1935, is amended by adding
2 thereto the provisions of sections herein designated section twenty-
3 eight (28) to section one hundred ten (110), inclusive.

1 SEC. 28. Section seventeen hundred three d-fifteen (1703-d15)
 2 code of Iowa, 1935 is hereby amended by inserting between the words
 3 "extend" and "any" in line six (6)* thereof, the following: "except
 4 as provided in this chapter".

PROPAGATION AND PROTECTION OF FISH, GAME, WILD BIRDS AND ANIMALS

1 SEC. 29. It shall be unlawful for any person to take, pursue, kill,
 2 trap or ensnare, buy, sell, possess, transport, or attempt to so take,
 3 pursue, kill, trap or ensnare, buy, sell, possess, or transport any game,
 4 protected non-game birds, fur-bearing animals or fur or skin of such
 5 animals, mussels, frogs, spawn or fish, or any part thereof, except
 6 upon the terms, conditions, limitations and restrictions set forth herein,
 7 and administrative orders necessary to carry out the purposes set
 8 out in section 30, or as provided by the code of Iowa, 1935.

1 SEC. 30. The open seasons, closed seasons, bag limits, catch limits,
 2 possession limits and territorial limitations set forth herein pertaining
 3 to fish, game and various species of wild life are based upon a proper
 4 biological balance as hereinafter defined being maintained for each
 5 species or kind. The seasons, catch limits, bag limits, possession lim-
 6 its and territorial limitations set forth herein shall prevail and be
 7 in force and effect for each and every species of wildlife to which they
 8 pertain as long as the biological balance for each species or kind re-
 9 main substantially as it is at the time this act takes effect. The com-
 10 mission is hereby designated the sole agency to determine whether a
 11 population of wildlife exists contrary to the aforesaid condition in any
 12 area. If the commission, after investigation finds that the number
 13 and/or sex of each or any species or kind of wild life is at variance to
 14 aforesaid condition, the commission shall by administrative order
 15 extend, shorten, open or close seasons and/or change catch limits, bag
 16 limits and/or possession limits or areas in accordance with said find-
 17 ings. For the purpose of this section, biological balance is defined
 18 as that condition when all losses to population are compensated by
 19 natural reproductive activity or artificial replenishment, replacement
 20 or stocking.

DEFINITIONS

1 SEC. 31. The following are hereby declared to be fur-bearing ani-
 2 mals for the purpose of regulation and protection under this chapter:
 3 beaver, badger, mink, otter, muskrat, raccoon, skunk, opossum, spotted
 4 skunk or civet cat, weasel, coyote, wolf, ground hog, red fox and grey
 5 fox.

1 SEC. 32. For the purposes of this act the term "game" shall be
 2 construed to mean all of the wild animals and wild birds specified in
 3 this section except those designated as not protected, and shall in-
 4 clude the heads, skins, and any part of same, and the nests and eggs
 5 of birds and their plumage.

6 1. The Anatidae: such as swans, geese, brant and ducks.

7 2. The Rallidae: such as rails, coots, mudhens, and gallinules.

* Note: The words "extend" and "any" appear in line 7 of the section referred to.

- 8 3. The limicolae: such as shore birds, plovers, surf birds, snipe,
9 woodcock, sandpipers, tatlors, gotwits and curlews.
- 10 4. The Gallinae: such as wild turkeys, grouse, pheasants, Hunga-
11 rian partridges and quail.
- 12 5. The Columbidae: mourning doves and wild rock doves only.
- 13 6. The sciuridae: such as gray squirrels, fox squirrels and flying
14 squirrels.
- 15 7. The Leporidae: cottontail rabbits and jack rabbits only.
- 16 8. The Cervidae: such as deer and elk.

1 SEC. 33. Protected non-game birds shall include any wild bird
2 other than game, either resident or migratory, including the plumage,
3 skins, body, or any part thereof, and their nests and eggs, except
4 that the following are not protected by this act: European starling,
5 English or house sparrow, blackbird, crow, sharpshinned hawk, Coop-
6 er's hawk and great horned owl.

1 SEC. 34. As used in this chapter, the word "*mussels*" shall mean
2 and embrace the pearly, fresh water mussels or clams or naiad, and
3 the shells thereof.

1 SEC. 35. The term "*fish*" as used in this chapter shall mean any
2 fish of the class Pisces.

1 SEC. 36. The term "*frog*" as used in this chapter shall mean any
2 frog of the family Ranidae.

1 SEC. 37. The term "*Spawn*" as used in this chapter shall mean any
2 of the eggs of any fish, frog, or mussel.

1 SEC. 38. It shall be unlawful except as otherwise provided for
2 any person, firm or corporation, to bring into the state of Iowa for
3 the purpose of propagating or introducing, or to place or introduce
4 into any of the inland or boundary waters of the state, any fish or
5 spawn thereof that are not native to such waters, or introduce or stock
6 any bird or animal that are not native to Iowa, unless application is
7 first made in writing to the commission for a permit therefor and such
8 permit granted. Such permit shall be granted only after the com-
9 mission has made such investigation or inspection of the fish, birds or
10 animals as it may deem necessary to determine whether or not such
11 fish, birds or animals are free from disease and whether or not such
12 introduction will be beneficial or detrimental to the native wildlife
13 and the people of the state, and may or may not approve such planting,
14 releasing or introduction according to its findings.

TERRITORIES, OPEN SEASONS, BAG AND POSSESSION LIMITS FOR GAME

1 SEC. 39. It shall be unlawful for any person except as otherwise
2 provided, to willfully disturb, pursue, shoot, kill, take or attempt to
3 take or have in possession any game bird or animal at any time except
4 during the open season period embraced within the dates, both in-
5 clusive, specified for each variety and each locality, respectively, or
6 in the open season take in any one day in excess of the number desig-
7 nated for each variety and/or each locality, respectively, or have in
8 possession any variety of game bird or animal in excess of the number
9 allowed in possession as indicated in the following table:

	Kind of Animal and Locality	Open Season	Bag Limit	Possession Limit
10	SQUIRRELS—Gray, Fox	September 15—November 15	6	12
11	Entire state.			
12	RABBITS—Cottontail and Jack.	August 1—March 1	10	20
13				
14	Entire state.			
15	QUAIL—Bobwhite.	November 1—December 1	8	8
16	Open season* in following counties: Lucas, Appanoose, Monroe, Wapello, Davis, Van Buren, Jefferson, Henry, Lee, Des Moines, Louisa, Muscatine. All counties not named above are closed.	November 15—December 15		
17		Shooting allowed each open day from eight (8) A.M. to five (5) P.M.		
18				
19				
20				
21				
22				
23				
24	PHEASANTS—Chinese, Mongolian, ringneck.	November 12—November 14	3 male birds	6 male birds
25				
26				
27	Open season in following counties: Lyon, Osceola, Hardin, Dickinson, Emmet, Winnebago, O'Brien, Sioux, Clay, Palo Alto, Kossuth, Hancock, Worth, Mitchell, Floyd, Winneshiek, Cerro Gordo, Butler, Grundy, Black Hawk, Buchanan, Franklin, Wright, Humboldt, Pocahontas, Buena Vista, Cherokee, Plymouth, Woodbury, Sac, Ida, Calhoun, Howard, Chickasaw, Bremer, Fayette, and all those portions of Monona, Harrison and Pottawattamie counties lying west of highway 475, and all those portions of Pottawattamie, Mills and Fremont counties lying west of highway 4275. All areas not named above are closed.	Shooting allowed each open day from twelve (12) noon to five (5) P.M.		
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
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46				
47	DUCKS—Entire state.	September 15—November 30	10	10
48				
49	GEESE, BRANT—Entire state.	September 15—November 30	4	4
50				
51	HUNGARIAN PARTRIDGES	November 12—November 14	2	2
52	Open season in following counties: O'Brien, Sioux, Lyon, Osceola, Dickinson, Emmet, Kossuth, Winnebago, Worth, Palo Alto, Clay. All counties not named above are closed.	Shooting allowed each open day from twelve (12) o'clock noon to five (5) P.M.		
53				
54				
55				
56				
57				
58	COOT, MUDHEN, GREBE—	September 15—November 30	15	15
59	Entire state.			
60	WILSON OR JACK SNIPE—	September 15—November 30	15	15
61	Entire state.			

* Note: In accordance with enrolled bill.

1 SEC. 40. The owner or operator of any fish hatchery may kill or
 2 take any pied-billed grebe, gull or tern, American bittern, black-
 3 crowned night heron, merganser, great blue heron, also known as blue
 4 crane, poorjoe or cranky, or kingfisher, within the bounds of such
 5 hatchery after having been issued a permit by the commission. Each
 6 such permittee shall file with the commission an itemized report show-
 7 ing the species and number of birds killed during the period covered
 8 by the permit. Report shall be filed on or before January first each
 9 year. Failure to file such report shall be grounds for refusal to issue
 10 subsequent permits.

1 SEC. 41. No part of the plumage, skin or body of any bird protected
 2 by this chapter shall be sold or had in possession for sale, irrespective
 3 of whether said bird was captured or killed within or without the state,
 4 except as otherwise provided.

1 SEC. 42. A hunting license shall not permit the holder to trap any
 2 fur-bearing animal as defined in this chapter.

1 SEC. 43. Any person who shall have in his possession any game bird
 2 or game animal, fish or fur or part thereof shall upon request of the
 3 director or any conservation officer or any peace officer exhibit the
 4 same to him, and a refusal to do so shall constitute a violation of this
 5 act.

1 SEC. 44. It shall be unlawful to have in possession while hunting
 2 or to use while hunting any ferret or mechanical device or any substance
 3 to be used for chasing animals from their dens.

1 SEC. 45. No person shall at any time shoot any rifle on or over
 2 any of the public waters or public highways of the state.

1 SEC. 46. Except as otherwise provided, it shall be unlawful for any
 2 person to buy or sell, dead or alive, any bird or animal or any part
 3 thereof which is protected by this chapter but nothing in this section
 4 shall apply to fur-bearing animals or rabbits.

DOGS

1 SEC. 47. It shall be unlawful to train any bird dog on game in the
 2 wild from March fifteenth (15th) to July fifteenth (15th) each year.
 3 No firearms or other device for taking game shall be carried while
 4 training such dog during closed season for quail or pheasants.

Note: Sec. 48 omitted in enrolled bill.

POSSESSION AND STORAGE

1 SEC. 49. Any person having lawful possession of game may hold
 2 same for not to exceed ten (10) days after the close of the open season
 3 for such game. A permit to hold such game for a longer period may
 4 be granted by the commission.

1 SEC. 50. No person except those acting under the authority of the
 2 state conservation director shall capture or take or attempt to capture
 3 or take, with any trap, snare or net, any game bird, nor shall any
 4 person use any poison or any medicated or poisoned food or any other
 5 substance for the killing, capturing or taking of any game bird or
 6 animal.

GAME BREEDERS

1 SEC. 51. It shall be unlawful for any person to raise or sell game
2 of the kinds protected by this chapter without first procuring a game
3 breeder's license as provided by law.

1 SEC. 52. A licensed game breeder may hold in possession at any
2 time any game bird, game animal or fur-bearing animal raised by him
3 or obtained from without the state or from a licensed game breeder
4 within the state. Such licensee may buy, sell, or otherwise dispose
5 of such game birds, game animals, fur-bearing animals, or any part
6 thereof. Possession and use of such game birds, game animals or
7 fur-bearing animals obtained from a licensed game breeder shall be
8 deemed lawful, provided that no game birds so obtained may be sold
9 for food.

1 SEC. 53. Any holder of a game breeder's license shall keep a record
2 of all purchased and all sales of stock showing the kinds and numbers
3 of each, dates of transactions, and from whom purchased, and to
4 whom sold. Such record shall be open for inspection by the commis-
5 sion at any time. Each licensee shall on or before May first (1st) of
6 each year file a report with the commission setting out the informa-
7 tion mentioned above on forms supplied by the commission.

SCIENTIFIC COLLECTING

1 SEC. 54. The commission may, after investigation, issue to any
2 person a scientific collector's license under which license such person
3 may be permitted to collect for scientific purposes only, any birds,
4 nests, eggs, or wild animals or fish. No person to whom such license is
5 issued shall dispose of any such collection or part thereof except upon
6 written permission of the commission. The application for such
7 license shall be made upon blanks to be furnished by the commission.
8 Each holder of such license shall within thirty (30) days after the
9 expiration of such file with the commission a report showing all speci-
10 mens by him collected. Such license may be revoked at any time for
11 cause.

1 SEC. 55. It shall be unlawful for any person to capture birds or
2 animals for banding purposes except that the commission may, after
3 investigation, issue a permit to any person permitting him to capture
4 birds or animals for the purpose of banding or marking same for
5 scientific study, but no such birds or animals may be killed or injured
6 or retained in possession, but must be liberated safely and promptly.
7 Such permit may be revoked at any time for cause. Each holder of
8 such permit shall report to the commission once each month the num-
9 ber, kind of birds or animals banded, and the band numbers.

ANGLING LAWS

1 SEC. 56. Except as expressly provided in this chapter a closed
2 season is established for each variety of fish listed in the following
3 tables. The table designated "A" shall be applicable to all waters of
4 the state except the Mississippi River and Missouri River. The table
5 designated "B" shall be applicable to the Mississippi River and Mis-
6 sissippi River only. Such closed season shall extend during all the time
7 in each year except the period embraced within the dates, both inclu-
8 sive, set opposite the names of each variety in the column headed
9 "open season"; and except as expressly provided in this chapter no

10 person shall take, capture, or kill fish of any such variety at any time
 11 other than the open season therefor, nor in the open season in excess
 12 of the daily catch limit in any one day, nor have in possession in excess
 13 of the possession limit at any time, nor under the minimum length
 14 or weight for each fish designated opposite each variety in the columns
 15 headed respectively "daily catch limit", "possession limit" and "mini-
 16 mum length or weight". Measurement of length shall be taken in a
 17 straight line from the tip of the snout to the utmost end of the tail fin.

TABLE A

	Kind of Fish	Open Season	Daily Catch Limit	Possession Limit	Minimum Length or Weight
18	Trout—brown, rainbow, brook	5 A. M. April 1 to 9 P. M. Sep- tember 1. Trout shall be fished for only from one hour be- fore sunrise to 9 P. M. each day	8	16	7 inches
19					
20					
21					
22					
23					
24					
25	Northern pike	May 15 to No- vember 30	8	16	15 inches
26					
27	Large-mouth bass	June 15 to No- vember 30	5	10	12 inches
28					
29	Small-mouth bass	June 15 to No- vember 30	5	10	10 inches
30					
31	Sand Pike, Sauger Pike, wall-eyed pike	May 15 to No- vember 30	8	16	13 inches
32					
33	Bullheads	Continuous	25	50	None
34					
35	Sheepshead	May 15 to No- vember 30	25	50	None
36					
37			Except in Spirit Lake, East and West Okoboji Lakes and Storm Lake no catch or possession limits		
38					
39					
40					
41					
42					
43					
44					
45					
46					
47	Rock sturgeon, sand sturgeon, paddlefish	August 1 to November 30	15	30	Rock sturgeon and paddlefish —not less than five (5) pounds. Sand sturgeon not less than one (1) pound. 7 inches
48					
49					
50					
51	Yellow perch, yellow bass, striped bass, silver bass,	May 15 to No- vember 30	15	30	7 inches
52					
53					
54					
55					
56					
57					
58					
59					

TABLE A—Continued

Kind of Fish	Open Season	Daily Catch Limit	Possession Limit	Minimum Length or Weight
60 Crappies	June 15 to November 30	15	30	7 inches
61				
62 Warmouth	June 15 to November 30	15	30	5 inches
63 bass, rock				
64 bass, sunfish,				
65 bluegills				
66 Catfish				
67	May 1 to May 30 in inland streams only and July 1 to November 30 in all inland waters	15	30	12 inches
68				
69				
70				
71				
72				
73 Suckers, Red-horse	Continuous	15	30	None
74	Continuous	None	None	None
75 Carp, buffalo, quill-back,				
76 gar, dogfish				
77				
78 Minnows	May 15 to November 30	None	None	None
79				

TABLE B

80 Rock sturgeon,	August 1 to November 30	None	None	Rock sturgeon not less than five (5) pounds.
81 sand sturgeon,				
82 geon, paddle-				
83 fish				
84				
85				
86				
87				
88				
89				
90	Continuous	15	30	Sand sturgeon not less than one (1) pounds.
91 Northern pike				
92 Catfish				
93 Sheepshead				
94 Bullheads, carp				
95 buffalo, gar,				
96 quillback,				
97 dogfish, suck-				
98 ers, redhorse				
99 Large-mouth	June 15 to November 30	5	10	10 inches
100 bass, small-				
101 mouth bass				
102 Crappie, perch,	May 15 to November 30	15	30	7 inches
103 yellow bass,				
104 silver bass				

TABLE B—Continued

	Kind of Fish	Open Season	Daily Catch Limit	Possession Limit	Minimum Length or Weight
105	Sunfish, blue-	May 15 to November 30	15	30	5 inches
106	gill, rock				
107	bass, war-				
108	mouth bass				
109	Wall-eyed pike	May 15 to November 30	8	16	13 inches
110					
111	Minnows	May 15 to November 30	None	None	None
112					

1 SEC. 57. In Lake Wapello in Davis county and Upper Keomah lake
2 in Mahaska county fish may be taken only between five (5:00) o'clock
3 A. M. June fifteenth (15th) and ten-thirty (10:30) P. M. November
4 thirtieth (30th), each year. Fish may be taken from such artificial
5 lakes during such open season only between five (5:00) o'clock A. M.
6 and ten-thirty (10:30) P. M. each day. The following artificial lakes
7 are closed to all fishing and minnow removal during 1937: Upper Pine
8 lake in Hardin county, Lake Macbride in Johnson county, Lake
9 Ahquabi in Warren county, Springbrook lake in Guthrie county,
10 Beed's lake in Franklin county, Lake Keomah in Mahaska county ex-
11 cept Upper Keomah lake, Echo Valley lake in Fayette county, Lake of
12 Three Fires in Taylor county, Farmington lake in Van Buren county,
13 Afton reservoir in Union county, Greenfield city reservoir in Adair
14 county, Lake Keosauqua in Van Buren county, Swan lake in Carroll
15 county, and Red Haw lake in Lucas county. Provided, however, that
16 Lake Keomah proper, Lake Macbride and Upper Pine lake shall be
17 open to fishing beginning June fifteenth (15th), 1938, under such re-
18 strictions as herein apply to Lake Wapello.

1 SEC. 58. It shall be unlawful for any person to take from Lake
2 Wapello in Davis county and Upper Keomah lake in Mahaska county
3 in any one day more than twelve (12) fish in the aggregate of which
4 twelve (12) not more than five (5) may be black bass and not more
5 than seven (7) may be crappies.

1 SEC. 59. It shall be unlawful for any person to use for bait in any
2 state-owned artificial lake minnows or small fish which have not been
3 inspected and approved by a representative of the commission.

1 SEC. 60. Any fish caught that is less than lawful minimum length
2 or weight shall be handled with wet hands and released under water
3 immediately with as little injury as possible.

1 SEC. 61. No person shall at any time take from the waters of the
2 state any fish, except as otherwise provided in this chapter, except
3 with hook, line and bait, nor shall any person use more than two (2)
4 lines with one (1) hook on each line in still fishing or trolling, and in
5 fly fishing not more than one (1) fly may be used on one (1) line,
6 and in trolling and bait casting not more than one (1) trolling spoon
7 or artificial bait may be used on one line. No person shall leave such
8 fish line or lines and hooks in the water unattended or take or attempt
9 to take any fish by snagging or to purposely hook them in any other
10 part than in the mouth. One (1) hook shall mean a single, double or
11 treble pointed hook, and all hooks attached as a part of an artificial
12 bait or lure shall be counted as one (1) hook.

1 SEC. 62. It shall be unlawful for any person to use in the inland
2 waters of the state open to the use of trot or throw lines, more than
3 one (1) throw line or trot line and such line shall have not more than
4 fifteen (15) hooks, but no person shall leave such line set, and he shall
5 be in constant attention of such line, and no person shall use such
6 throw line or trot line in any stocked lake or within three hundred
7 (300) feet of any dam or spillway or in any stream or portion of
8 stream, closed or posted against the use of such tackle. One end of
9 such throw line or trot line shall be set from the shore and be visible
10 above the shore water line, but no such throw line or trot line shall be
11 set entirely across a stream or body of water.

1 SEC. 63. It shall be unlawful to use trot or throw lines in the rivers
2 and streams of the state, except in the Mississippi river, Missouri river,
3 Big Sioux river, Skunk river, and all rivers and streams south of
4 United States highway 30 as it is now located.

1 SEC. 64. It shall be unlawful for any one person to use, in the Mis-
2 sissippi river, Missouri river or Big Sioux river, more than one (1)
3 throw or trot line having more than twenty-five (25) hooks.

1 SEC. 65. It shall be unlawful, except as otherwise provided, to use
2 on or in the waters of the state any grab-hook, snag-hook, artificial
3 light, any kind of a net, seine, trap, firearm, dynamite, or other ex-
4 plosives, or poisonous or stupefying substances, lime, ashes or elec-
5 tricity in the taking or attempting to take any fish, except that gaff-
6 hooks or landing nets may be used to assist in landing fish. No person
7 shall take or kill, or attempt to take or kill any fish by hand fishing,
8 providing however, that it shall be lawful to spear carp, buffalo, quill-
9 back, gar and dogfish in the overflow waters of the Mississippi river,
10 and in Cedar river, Muscatine county, Iowa.

1 SEC. 66. It shall be unlawful to fish by trolling from any machine
2 propelled or sail boat on any of the inland waters of the state, or on
3 any boundary water except the Mississippi river or Missouri river.

1 SEC. 67. No private water may be stocked by the commission un-
2 less the owner agrees that such waters shall be open to the public for
3 fishing.

1 SEC. 68. It shall be unlawful for any person to buy, sell, barter
2 or to offer for sale any black bass or part thereof whether taken within
3 or without the state.

1 SEC. 69. For the purpose of taking minnows only, it shall be law-
2 ful for any person to use a minnow dip net not to exceed four (4)
3 feet in diameter or a minnow seine not to exceed fifteen (15) feet in
4 length and having a mesh not smaller than one-fourth ($\frac{1}{4}$) inch bar
5 measure or larger than one-half ($\frac{1}{2}$) inch bar measure and on issu-
6 ance of permit by the commission, boat liveries may use minnow seines
7 not exceeding fifty (50) feet in length.

1 SEC. 70. Except as otherwise provided no person shall carry, trans-
2 port or ship or cause to be carried, transported or shipped any minnows
3 for the purpose of sale beyond the boundaries of the state.

1 SEC. 71. It shall be unlawful to transport or to use or to sell or
2 offer for bait or to place into any inland waters of the state or into
3 any waters from which waters of the state may become stocked any
4 young fish of carp, quillback, gar, or dogfish, and any minnows or
5 young fish of any of these species taken shall not be returned to any
6 such waters, but shall be destroyed.

1 SEC. 72. It shall be unlawful for any person to take, capture or have
2 in possession frogs from November thirtieth (30th) to June first (1st)
3 in any year.

1 SEC. 73. It shall be unlawful for any person at any time to ship,
2 transport, sell, or offer for sale frogs to any point outside the state.

1 SEC. 74. It shall be unlawful for any person at any time, except
2 as otherwise provided, to take any fish, minnows, frogs, or other
3 aquatic, biological life from any state fish hatchery, nursery or other
4 area under the jurisdiction of the commission operated for fish pro-
5 duction purposes.

1 SEC. 75. The United States commissioner of fisheries, and his duly
2 authorized agents, are hereby authorized to conduct fish culture op-
3 erations, rescue work on the boundary waters of the state, and other
4 operations necessary for rescue and hatchery work.

TRAPPING OF FUR-BEARING ANIMALS

1 SEC. 76. Except as otherwise provided, no person shall take, cap-
2 ture, kill, or have in possession any fur-bearing animal or any part
3 thereof of any of the following varieties at any time except the period
4 embraced within the dates, both inclusive, set opposite the names of
5 each variety below, except where such killing, trapping, or ensnaring
6 may be for the protection of public or private property. Provided, it
7 shall be lawful for any person to have in his possession, sell, transport,
8 or otherwise dispose of during such open season as herein provided,
9 and for ten (10) days thereafter, the carcass of, hide or skin of any
10 animal named in this section.

11	1. Badger	November 10th to January 10th,
12	2. Mink	November 10th to January 10th,
13	3. Raccoon	November 10th to January 10th,
14	4. Skunk (in all counties	November 10th to January 10th,
15	except Lucas,	
16	Wayne, Guthrie)	
17	5. Opposum	November 10th to January 10th,
18	6. Civet Cat	November 10th to January 10th,
19	7. Muskrat	November 10th to January 10th,
20	8. Red fox or gray fox	Continuous open season,
21	9. Beaver and otter	Continuous closed season,
22	10. Weasel	Continuous open season,
23	11. Ground hog	Continuous open season,
24	12. Wolf, coyote	Continuous open season.

1 SEC. 77. It shall be unlawful for any person except a licensed fur
2 dealer to ship or sell any skin or hide of any fur-bearing animal de-
3 fined in this chapter to dealers or buyers outside of this state unless

4 he first obtains from the commission a special permit tag authorizing
5 such shipment.

1 SEC. 78. Upon application, which shall be filed with the commis-
2 sion within ten (10) days after the close of the open season, any per-
3 son may be permitted to hold hides or skins of fur-bearing animals
4 lawfully taken for a longer time than specified above. Such applica-
5 tion shall be verified and shall show the number and varieties of the
6 skins or hides to be held by the applicant. The commission shall
7 thereupon issue a permit to such applicant to hold such skins or hides,
8 which permit shall authorize the holder to sell or otherwise dispose
9 of such skins or hides.

1 SEC. 79. It shall be unlawful for any person to molest or disturb,
2 in any manner, any muskrat house, beaver dam, skunk or raccoon den
3 except in the presence of a conservation officer.

1 SEC. 80. No person shall kill with shotgun, or spear any beaver,
2 mink, otter, or muskrat, or have in possession any of said animals or
3 the carcasses, skins or parts thereof that have been killed with shot-
4 gun or spear.

1 SEC. 81. Except as otherwise provided in this act, no person shall
2 at any time, use or attempt to use any colony or box trap including
3 figure four box traps, in taking, capturing, trapping or killing any
4 game bird or animal.

FUR DEALERS

1 SEC. 82. The term "*fur dealer*" as used in this chapter shall mean
2 any person, firm, partnership, or corporation engaged in the business
3 of buying, bartering, trading or otherwise obtaining raw hides or
4 skins of fur-bearing animals.

1 SEC. 83. A license shall be required of each such fur dealer. The
2 commission shall, upon application and the payment of the required
3 license fee, furnish proper certificates to dealers.

1 SEC. 84. The commission shall, upon application and the payment
2 of the required fee, issue a certificate to each person who, as an agent
3 or representative of a licensed fur dealer, buys or sells fur or hides
4 for such dealer. The dealer to whose agent or representative such
5 a certificate is issued shall be responsible for all his acts as such rep-
6 resentative or agent. No fur dealer shall be entitled to operate under
7 such agent's certificate.

1 SEC. 85. A licensed fur dealer may have in his possession at any
2 time skins or hides of animals which have been lawfully taken.

1 SEC. 86. Fur dealers shall, within fifteen (15) days after the close
2 of the open season in which fur-bearing animals may be lawfully taken,
3 prepare and file with the commission a verified inventory. Such in-
4 ventory shall show the number and kind of hides and skins which
5 have been purchased.

1 SEC. 87. It shall be the duty of each fur dealer to report to the com-
2 mission, the name of any person if known to such dealer, who attempts
3 to sell any skins or hides which appear to have been unlawfully pos-
4 sessed by said person.

MUSSELS

1 SEC. 88. It shall be unlawful for any person to take, catch or kill
2 mussels for commercial purposes without first having procured a
3 mussel license as provided by law.

1 SEC. 89. It shall be unlawful, except as provided in this chapter, for
2 any person to take, catch, kill, or have in possession mussels except
3 from the waters and at the times prescribed in this section:

4 (a) The Mississippi river and the Missouri river are open at all times.
5 All other state waters are closed except as follows: That section of
6 the Red Cedar (Cedar) river having for its upper boundary the dam
7 in Waterloo, Black Hawk county, and having for its lower boundary the
8 point of junction with the Iowa river in Louisa county; that section
9 of the Iowa river having for its upper boundary the North river bridge
10 at Marengo, Iowa county, and having for its lower boundary the point
11 of junction with the Mississippi river in Louisa county and that sec-
12 tion of the Des Moines river having for its upper boundary the Min-
13 neapolis and St. Louis railway bridge located one and one-half miles
14 north of Coalville, Pleasant Valley township, Webster county, and hav-
15 ing for its lower boundary the point of junction with the Mississippi
16 river in Lee county, open to taking of mussels between June fifteenth
17 (15th) and November thirtieth (30th), each year.

1 SEC. 90. Manufacturers of pearl buttons or of fish bait may at any
2 time possess mussels which have been lawfully taken. Nothing in this
3 or preceding sections shall be construed to prohibit a licensed fisher-
4 man from taking mussels to be used by him for food or bait.

1 SEC. 91. For the purposes of this chapter the term "*crowfoot bar*"
2 shall mean a bar of any material bearing a series of hooks designed to
3 catch or adapted for catching mussels by the insertion of such hooks
4 between the shells of the mussels; "*commercial purposes*" shall mean
5 and be presumed to be the taking, catching, killing or having in posses-
6 sion mussels for the purpose of the sale of the shell or viscera, unless
7 the contrary is proven; "*rig*" shall mean one boat equipped with not
8 more than four crowfoot bars, one boat equipped with power, and one
9 barge.

1 SEC. 92. It shall be unlawful for any person to operate more than
2 one boat for each license, or one rig in taking, catching or killing mus-
3 sels for commercial purposes. One additional boat for the purpose of
4 towing, may be used, but only when no apparatus for taking, catching,
5 or killing mussels is used or kept thereon.

6 (a) It shall be unlawful for any person to have in possession in the
7 water while engaged in taking, catching or killing mussels for com-
8 mercial purposes, more than four (4) crowfoot bars, or for more than
9 two (2) such bars to be in the water at the same time, or for any crow-
10 foot bar to be of greater length than twenty (20) feet.

11 (b) It shall be lawful for any person to use a fork and/or hands in
12 the taking, catching or killing of mussels, provided it is not done at
13 the same time crowfoot bars are being used.

1 SEC. 93. It shall be unlawful for any person to take, or kill, offer
2 for sale or have in possession for commercial purposes, any mussel

3 of a size less than one and three-fourths ($1\frac{3}{4}$) inches in greater dimen-
 4 sions. Undersized mussels shall be immediately culled and returned
 5 to the water from where taken, without avoidable injury, except that
 6 the so-called "pig-toes" may be retained.

1 SEC. 94. On or before April first (1st), each year, the holder of a
 2 mussel license shall make a written report to the commission on blanks
 3 furnished by the commission stating the total weight of mussels taken,
 4 caught or killed under such license, the names and location of waters
 5 from which the mussels were taken and the amount received for the
 6 shells or viscera sold or processed and sold. Failure to make such re-
 7 port shall authorize the commission to refuse the issuance of another
 8 license until the report is filed.

COMMERCIAL FISHING

1 SEC. 95. It shall be unlawful except as otherwise provided for any
 2 person to use any net or any seine in taking fish other than in the law-
 3 ful taking of minnows.

1 SEC. 96. It shall be lawful to use seines, pound nets, dip nets, hoop
 2 nets, fyke nets, fiddler nets, or trammel nets in the Missouri river or
 3 Mississippi river, except as hereinafter provided in this section but only
 4 when such nets or seines have been properly licensed, and properly
 5 tagged, in accordance with the provisions of chapter eighty-six-e one
 6 (86-e1) 1935 code of Iowa, and of this section, and only when such
 7 nets or seines comply with the provisions of law and at such times and
 8 in such manner and for the taking of such species of fish as are per-
 9 mitted by law.

10 (a) It shall be unlawful for any person to place any net or seine of
 11 any kind within one hundred yards of the mouth of any tributary
 12 stream emptying into the Mississippi river or Missouri river.

13 (b) All licensed nets or seines shall have attached for each five hun-
 14 dred feet or portion thereof a metal tag identifying the net and license
 15 for its use. Identification tags shall be furnished by the commission
 16 and a charge of ten cents shall be made for each tag and such tags
 17 shall be renewed annually.

18 (c) The following waters are closed to the use of all fishing tackle
 19 except that pole, line and hook may be used for the purpose of taking
 20 fish:

21 That part of the Mississippi river in Lee county, Iowa, between the
 22 Mississippi River Power company dam and the Toledo, Peoria and
 23 Western railway and vehicle bridge at Keokuk, Iowa; and also an area
 24 in Dubuque county described as follows: beginning at a point on the
 25 west bank of the Mississippi river at the north and south center line of
 26 section twenty-four (24) township eighty-eight (88) north, range
 27 four (4) east of the 5th P. M., Dubuque county, Iowa, thence north-
 28 westerly along the west bank of the Mississippi river to the north line
 29 of the south-west one quarter ($\frac{1}{4}$) of the southeast one quarter ($\frac{1}{4}$)
 30 of section ten (10), township eighty-eight (88) north, range four (4)
 31 east of the 5th P. M., thence easterly to the head of Green's island
 32 otherwise charted as "Nine Mile Island", thence southeasterly along
 33 the east bank of Green's island to the downstream end thereof, thence
 34 to the point of beginning.

1 SEC. 97. It shall be unlawful for any person to fish with or to use
2 any seine, pound net, hoop net, dip net, fiddler net or fyke net, having
3 a mesh of less than one and one-half ($1\frac{1}{2}$) inches square or bar
4 measure or to fish with or to use any trammel net having a mesh of
5 less than two (2) inches square or bar measure. Such measurements
6 shall apply to meshes when in use and no allowance shall be made for
7 shrinkage due to any cause. Any commercial fishing equipment in
8 use shall be subject to inspection by the commission or its authorized
9 agents at any time.

1 SEC. 98. It shall be lawful to fish with and to use pound nets, dip
2 nets, hoop nets, fyke nets, fiddler nets and trammel nets in the Missis-
3 sippi river and Missouri river at any time.

1 SEC. 99. It shall be lawful to fish with or to use seines in the Mis-
2 sissippi river and Missouri river between June fifteenth (15th) and
3 May fifteenth (15th) of the following year, both dates inclusive but
4 at no other time.

1 SEC. 100. It shall be lawful to take from the waters of the Missis-
2 sippi river and Missouri river with licensed and tagged nets or seines
3 the following species of fish: carp, buffalo, gar, suckers, quillback,
4 sheepshead, northern pike, pickerel, bullheads, dogfish, rock sturgeon,
5 sand sturgeon, catfish or paddlefish, subject to minimum weight or
6 length requirements provided by law.

1 SEC. 101. It shall be lawful to take from the waters of the Missis-
2 sippi river and the Missouri river with licensed and tagged nets or
3 seines, and have in possession the following list of fish taken from said
4 waters: carp, buffalo, suckers, redhorse, bullheads, quillback, catfish,
5 gar, northern pike, pickerel, sheepshead or dogfish, at any time.

6 (a) It shall be unlawful to take or have in possession paddlefish,
7 rock sturgeon or sand sturgeon from December first (1st) to July
8 thirty-first (31st) of the following year, both dates inclusive.

1 SEC. 102. It shall be lawful for any person to take or catch, with
2 licensed nets or seines, any catfish not less than thirteen (13) inches
3 long, any buffalo not less than fifteen (15) inches long, any northern
4 pike or pickerel not less than eighteen (18) inches long, any bullhead
5 not less than eight and one-half ($8\frac{1}{2}$) inches long, any sheepshead
6 not less than ten (10) inches long, any sucker or redhorse not less than
7 twelve (12) inches long, any sand sturgeon weighing not less than
8 one (1) pound, any rock sturgeon weighing not less than five (5)
9 pounds, any paddlefish weighing not less than five (5) pounds.

1 SEC. 103. It shall be unlawful for any person to place any gar
2 pike in any waters of the state and such fish when taken shall be
3 destroyed.

1 SEC. 104. It shall be lawful for the holder of a net or seine license
2 to possess and sell such species and sizes of fish as are lawfully taken
3 and such fish may be delivered to original buyers and/or may be sold
4 by such licensee at a place on the bank to which they are brought from
5 the nets or seines, but any such sales shall be made by the licensee
6 or his agent. Any other sale of fish taken under this section shall re-
7 quire a wholesale fish market or fish peddler's license.

1 SEC. 105. Each holder of a net or seine license shall make a report
2 to the commission annually showing the amounts, kinds and value of
3 fish caught during the period of the license, where fish were caught
4 and kind of tackle used. Failure or refusal to make said report shall
5 be cause for the commission to refuse issuance of license or renewal
6 until such report is made.

1 SEC. 106. It shall be unlawful for any person, firm or corporation
2 to peddle fish or to operate a wholesale fish market, jobbing house, or
3 other place for the wholesale marketing of fish, or distribution of
4 fish, without first procuring a license. The commission shall upon
5 application and the payment of the required fee furnish a license to
6 wholesale fish markets or fish peddlers. The commission may upon
7 application and the payment of the required fee issue a certificate to
8 each person who as a representative of a wholesale fish market is en-
9 gaged in peddling fish.

1 SEC. 107. Each holder of a wholesale fish market or fish peddler's
2 license shall keep an accurate record of the species and quantities
3 of all fish taken from Iowa waters acquired or handled by such licensee
4 during the license year. Such records shall be open at all reasonable
5 times to inspection by the commission. Such licensee shall within
6 thirty (30) days after the expiration of the license make a report
7 upon blanks furnished by the commission of all fish acquired or handled
8 by such licensee. Failure to make such report shall be cause to re-
9 fuse to issue a new license.

1 SEC. 108. Whoever shall violate any of the provisions of the fore-
2 going sections numbered 28 to 107, inclusive, shall be punished as is
3 provided in section seventeen hundred eighty-nine (1789), code 1935,
4 as amended by this act.

FISH AND GAME LICENSES

1 SEC. 109. Section seventeen hundred ninety-four-e ten (1794-e10),
2 code 1935, is amended by striking all of said section following the
3 word "granted" in line eleven (11) thereof, save the period (.)

1 SEC. 110. Section seventeen hundred ninety-four-e twelve (1794-
2 e12), code 1935, is amended by striking all after the comma (,) in
3 line four (4) thereof and so much of line five (5) as precedes the word
4 "magistrate" and substituting the following: "or of any adminis-
5 trative order adopted and published by the state conservation com-
6 mission".

PUBLIC PARKS

1 SEC. 111. Section seventeen hundred ninety-nine-b one (1799-b1),
2 code 1935, is hereby repealed.

1 SEC. 112. Chapter eighty-seven (87), code 1935, is amended by
2 adding thereto the provisions of sections herein designated section one
3 hundred thirteen (113) to section one hundred thirty-six (136) in-
4 clusive.

1 SEC. 113. It shall be unlawful for any person to use, enjoy the
2 privileges of, destroy, injure or deface plant life, trees, buildings, or
3 other natural or material property, or to construct or operate for

4 private or commercial purposes any structure, or to remove any plant
5 life, trees, buildings, sand, gravel, ice, earth stone, wood or other
6 natural material, or to operate vehicles, within the boundaries of any
7 state park, preserve, or stream or any other lands and/or waters
8 under the jurisdiction of the conservation commission as defined in
9 this chapter or as may hereafter be amended for any purpose what-
10 soever, except upon the terms, conditions, limitations and restrictions
11 as set forth herein.

1 SEC. 114. The maximum speed limit of all vehicles on state park
2 and preserve drives, roads and highways shall be fifteen (15) miles
3 per hour. All driving shall be confined to designated roadways.

1 SEC. 115. Excessively loaded vehicles shall not operate over state
2 park or preserve drives, roads or highways. The determination as to
3 whether the load is excessive will depend upon the load and the road
4 conditions.

1 SEC. 116. All vehicles shall be parked in designated parking areas,
2 and no vehicle shall be left unattended on any state park or preserve
3 drive, road or highway, except in the case of an emergency.

1 SEC. 117. No horse or other animal shall be hitched or tied to any
2 tree or shrub, or in such a manner as to result in injury to state prop-
3 erty.

1 SEC. 118. No fire shall be built, except in a place provided therefor,
2 and such fire shall be extinguished when site is vacated unless it is
3 immediately used by some other party.

1 SEC. 119. No person shall, in any manner, remove, destroy, injure
2 or deface any tree, shrub, plant, or flower, or the fruit thereof, or
3 disturb or injure any structure or natural attraction, except that upon
4 written permission of the commission certain specimens may be re-
5 moved for scientific purposes.

1 SEC. 120. The use by the public of firearms, fireworks, explosives
2 and weapons of all kinds is prohibited in all state parks and preserves.

1 SEC. 121. No person shall place any waste, refuse, litter or foreign
2 substance in any area or receptacle except those provided for that
3 purpose.

1 SEC. 122. No person shall enter upon portions of any state park
2 or preserve in disregard of official signs forbidding same, except by
3 permission of the state conservation director or his representative.

1 SEC. 123. No privately-owned animal shall be allowed to run at
2 large in any state park or preserve or upon lands or in waters owned
3 by or under the jurisdiction of the commission except by permission
4 of the commission. Every such animal shall be deemed as running at
5 large unless the owner carries such animal or leads it by a leash or
6 chain not exceeding six (6) feet in length, or keeps it confined in or
7 attached to a vehicle.

1 SEC. 124. Except by arrangement or permission granted by the
2 director or his authorized representative, all persons shall vacate

3 state parks and preserves before ten-thirty o'clock P.M. (10:30 P.M.).
 4 Areas may be closed at an earlier or later hour, of which notice shall
 5 be given by proper signs or instructions. The provisions of this sec-
 6 tion shall not apply to authorized camping in areas provided for that
 7 purpose.

1 SEC. 125. The commission is hereby authorized to fix fees for
 2 camping and other special privileges which shall be in such amounts
 3 as may be determined by the commission upon a basis of the cost of
 4 providing and reasonable value of such privileges.

1 SEC. 126. No person shall camp in any portion of a state park or
 2 preserve except in portions prescribed or designated by the commis-
 3 sion.

1 SEC. 127. No person shall be permitted to camp for a period longer
 2 than that designated by the commission for the specific state park or
 3 preserve, and in no event longer than for a period of two weeks.

1 SEC. 128. Any person who camps in any state park or preserve
 2 shall register his or her name and address with the park custodian
 3 and advise the custodian when the camp is vacated.

1 SEC. 129. Custodians are given authority to refuse camping privi-
 2 leges and to rescind any and all camping permits for cause.

ICE, SAND AND GRAVEL REMOVAL

1 SEC. 130. No person shall remove any ice, sand, gravel, stone,
 2 wood or other natural material from any lands or waters under the
 3 jurisdiction of the commission without first entering into an agree-
 4 ment with the commission.

1 SEC. 131. The commission may enter into agreements for the re-
 2 moval of ice, sand, gravel, stone, wood, or other natural material from
 3 lands or waters under the jurisdiction of the commission if, after in-
 4 vestigation, it is determined that such removal will not be detrimental
 5 to the state's interest. The commission may specify the terms and
 6 consideration under which such removal is permitted and issue writ-
 7 ten permits for such removal.

1 SEC. 132. Any person removing ice under a permit shall erect bar-
 2 riers on any part of an ice field where ice is cut, where said field crosses
 3 or traverses any part of a stream or lake that is used as a way of
 4 passage.

1 SEC. 133. In removing sand, gravel, or other material from state-
 2 owned waters by dredging, the operator shall so arrange his equip-
 3 ment that other users of the lake or stream shall not be endangered by
 4 cables, anchors, or any concealed equipment. No waste material shall
 5 be left in the water in such manner as to endanger other craft or to
 6 change the course of any stream.

1 SEC. 134. Where operations are entirely on private property adja-
 2 cent to a public lake or stream the natural bank between the state and
 3 privately-owned areas shall not be removed except by permission of
 4 the commission.

1 SEC. 135. Any person violating any of the provisions of the fore-
 2 going sections numbered one hundred thirteen (113) to one hundred
 3 thirty-four (134) inclusive, shall, upon conviction, be fined not to
 4 exceed one hundred (100) dollars or be imprisoned in the county jail
 5 not to exceed thirty (30) days.

1 SEC. 135a. Section seventeen hundred three-g fifteen (1703-g15)
 2 is amended by adding to the said section the following:

3 "That the conservation officers are likewise given the power of peace
 4 officers with respect to all violations of the motor vehicle laws and all
 5 public offences committed in their presence."

GENERAL PROVISIONS

1 SEC. 136. If any clause, sentence, paragraph, or part of this act
 2 shall for any reason be adjudged by any court of competent jurisdic-
 3 tion to be invalid, such judgment or decree shall not affect, impair or
 4 invalidate the remainder thereof, but shall be confined in its operation
 5 to the clause, sentence, paragraph or part thereof directly involved in
 6 the controversy in which such judgment shall have been rendered.

1 SEC. 137. This act, being deemed of immediate importance, shall
 2 be in full force and effect from and after its passage and publication
 3 in Evening Journal, a newspaper published in Washington, Iowa, and
 4 in the Denison Bulletin, a newspaper published in Denison, Iowa.

Senate File 450. Approved April 27, 1937.

I hereby certify that the foregoing act was published in the Denison Bulletin, April 29,
 1937, and the Evening Journal, Washington, April 29, 1937.

ROBERT E. O'BRIAN, *Secretary of State.*

CHAPTER 100

CONSERVATION COMMISSION

S. F. 278

AN ACT to provide for an appropriation to the state conservation commission for the construction of sewers and sewage diversion works in Dickinson county, Iowa, which will provide for the protection of the state waters, commonly known as the Iowa great lakes system in said county, and providing for the construction, maintenance, and operation of said works in cooperation with federal or other agencies.

WHEREAS, there is situated in Dickinson county, Iowa, a chain of lakes consisting of Spirit, East Okoboji, West Okoboji, Upper and Lower Gar and Minnewashta lakes; and the incorporated town of Arnolds Park and Spirit Lake now have sewage disposal plants which outlet into said lake system and for which said towns have expended funds or indebted themselves for substantial sums in conforming with the requirements of the state department of health; and the emptying of such sewage into these lakes, which are great natural resources and assets of this state, tends to damage the recreational and biological value of these lakes and jeopardize the public health of the state wide users thereof; and other towns and districts adjacent to this lake system do not have sewage disposal systems at the present time, and hesitate to provide sewage system of their own in view of the experience of Arnolds Park and Spirit Lake and the effect of those installations on the lake system; and,