

CHAPTER 82

GAME BREEDING AND SHOOTING PRESERVES

S. F. 103

AN ACT to provide for the establishment and licensing of game breeding and shooting preserve areas, to prescribe the requirements therefor and the regulation thereof, and to fix license and other fees in connection therewith.

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

1 SECTION 1. Any person owning, holding or controlling by lease or
2 otherwise, which possession must be for a term of five (5) or more
3 years, any contiguous tract of land having an area of not less than
4 three hundred twenty (320) acres, and not more than twelve hundred
5 and eighty (1280) acres, and providing that there shall be no more
6 than one (1) such area in any township and that not more than three
7 percent (3%) of the land area of any county shall be so licensed, who
8 desires to establish a game breeding and shooting preserve area, to
9 propagate, preserve and shoot game birds thereon under the regula-
10 tions as hereinafter provided, shall make application to the state con-
11 servation commission for a license as herein provided. Such applica-
12 tion shall be made under oath of the applicant or under oath of one
13 of its principal officers if the applicant is an association, club or cor-
14 poration. The application shall be accompanied by a license fee of
15 fifty dollars (\$50.00). Upon receipt of such application, the state
16 conservation commission shall inspect the proposed licensed area de-
17 scribed in such application and the premises and facilities where game
18 birds are to be propagated, raised or liberated and the cover for game
19 birds in such area and the ability of the applicant to operate a prop-
20 erty of this character. If the commission finds that the area contains
21 not less than three hundred twenty (320) acres and not more than
22 twelve hundred and eighty (1280) acres, is contiguous, there is no
23 other licensed area in the township and that the licensing of the pro-
24 posed area will not exceed the three percent (3%) county limitation,
25 and has the proper requirements for the operation of such a prop-
26 erty; that the game birds propagated or released thereon are not
27 likely to be a menace to other game; that the proposed area will not
28 interfere with the normal activities of migratory birds; that the oper-
29 ation of such property will not work a fraud upon persons who may
30 be permitted to hunt thereon; and that the issuing of the license will
31 otherwise be in the public interest; the commission shall approve such
32 application and issue a game breeding and shooting preserve area
33 license for the operation of such property on the tract described in
34 such application with the rights and subject to the limitations in this
35 Act prescribed. All game breeding and shooting preserve area li-
36 censes expire on March 31st of each year.

1 SEC. 2. Upon receipt of such license, the licensee shall promptly
2 post such licensed areas at intervals of not more than five hundred
3 (500) feet with signs to be prescribed by the commission. The boun-
4 daries of such licensed game breeding and shooting preserve areas
5 shall also be clearly defined by natural or artificial boundaries or by
6 signs.

1 SEC. 3. The licensee of any licensed game breeding and shooting
2 preserve area may take, or authorize to be taken within the season
3 hereinafter fixed and designated, and in such numbers as herein pro-
4 vided:

5 (a) Pen-reared game birds, as defined in section one hundred nine
6 point forty-one (109.41), Code 1954, released on licensed area may be
7 taken during the shooting season provided in this Act but not to
8 exceed eighty percent (80%) of the total number of the species of
9 said game birds released. Pen-reared waterfowl, two generations
10 removed from the wild and chukar partridge may be released at any
11 time of year for shooting purposes and one hundred percent (100%)
12 may be harvested by shooting. The word waterfowl shall be defined
13 as those birds constituting the Anatidae as listed in section one hun-
14 dred nine point forty-one (109.41), Code 1954. All birds so released
15 shall be at least twelve (12) weeks of age before liberation date. A
16 minimum of one hundred (100) pen-reared birds of each species to
17 be shot shall be released during the open season. Experimental re-
18 leases of less than one hundred (100) birds of each species shall re-
19 quire a special permit from the conservation commission.

1 SEC. 4. For the purpose of this Act, game birds shall be released
2 upon licensed game breeding and shooting preserve areas in a manner
3 satisfactory to the commission. The licensee shall keep a register
4 which shall clearly show the number and kind of game birds released
5 and propagated each year, the date of release, and also the number
6 and kind of game birds taken, the date when taken and the disposi-
7 tion made of such game birds, and shall make such reports under oath
8 as to game birds released, propagated and taken, at such times and
9 in such manner as may be required by the commission. The commis-
10 sion shall keep an adequate record of the number of birds released
11 and propagated on each licensed game breeding and shooting preserve
12 area in each year and of the birds taken.

1 SEC. 5. The commission shall prepare special tags suitable for use
2 upon legs of game birds, which tags shall be of a type not removable
3 without breaking and mutilating the tag, such tags, to be used to
4 designate birds taken upon a licensed game breeding and shooting
5 preserve area. Upon application and payment of a fee of five (5)
6 cents for each such tag, the commission shall furnish licensees with
7 such tags; provided that the commission shall not in any year furnish
8 any licensee a number of tags in excess of the number of game birds
9 which may lawfully be taken from such licensed area as hereinbefore
10 provided. One of such tags shall be securely affixed to one of the legs
11 of each game bird taken before removing same from such licensed area,
12 and such tag shall remain upon the leg of such game bird until such
13 bird is finally prepared for consumption.

14 All waterfowl released for shooting purposes shall be punched
15 through the outer web of the bird's right foot at not more than four
16 (4) weeks of age, so as to provide for permanent identification.

1 SEC. 6. No person shall take any game bird upon a game breeding
2 and shooting preserve area, by shooting in any manner, except be-
3 tween September 1st, and March 1st, of each year, both dates inclusive.

4 Waterfowl may not be shot over any water area wherein pen-reared
5 birds might serve as live decoys for wild waterfowl.

6 Every person taking game birds upon such licensed game breeding
7 and shooting preserve area shall secure a hunting license so to do in
8 accordance with the provisions of the game laws of Iowa, with the
9 exception that a non-resident may secure a hunting license restricted
10 to shooting preserve areas for a license fee of five dollars (\$5.00) per
11 year.

1 SEC. 7. The commission may designate any operator of a licensed
2 game breeding and shooting preserve area or any of his or its agents
3 or employees as a special representative of the commission with power
4 to enforce the game laws and to prevent trespassing upon such prop-
5 erty and to hunt and trap rodents and other mammals or birds which
6 are destroying or likely to destroy the game birds raised or liberated
7 on such area. Such special representative shall be subject to rules and
8 regulations to be prescribed by the commission and shall serve with-
9 out compensation from the commission.

1 SEC. 8. The commission may either refuse to issue or refuse to
2 renew or may suspend or may revoke any game breeding and shoot-
3 ing preserve area license if the commission finds that such licensed
4 area or the operator thereof is not complying or does not comply with
5 the provisions of this Act, or that such property, or area is operated
6 in violation of other provisions of this Act, or in an unlawful or
7 illegal manner.

1 SEC. 9. Any licensee or any other person, who willfully and in-
2 tentiously transfers or permits the transfer of the tags issued to the
3 operator of one licensed game breeding and shooting preserve area to
4 the operator of another licensed game breeding and shooting preserve
5 area, or to any other person, or who affixes such tags to game birds
6 not taken from a licensed game breeding and shooting preserve area
7 or to game birds taken from any area other than the area for which
8 such tags were issued, is guilty of a misdemeanor.

Approved March 28, 1957.

CHAPTER 83

CONSERVATION CONSTRUCTION PERMITS

H. F. 342

AN ACT relating to conservation commission construction permits and amending sec-
tion one hundred eleven point four (111.4), Code 1954.

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

1 SECTION 1. Section one hundred eleven point four (111.4), Code
2 1954, is amended by striking the period (.) after the first word,
3 "permit" in line eight (8) and by inserting in lieu thereof the follow-
4 ing: " , provided, however, that this provision shall not apply to dams
5 constructed and operated under the authority of chapter four hundred
6 sixty-nine (469).

1 SEC. 2. Section one hundred eleven point four (111.4), Code 1954,
2 is further amended by adding after the second word, "permit" in line