

- 8 1. For each deer, elk, antelope, buffalo or moose, three hundred dollars.
 9 2. For each wild turkey, one hundred dollars.
 10 3. For each game bird, *fur-bearing animal*, or game animal or the raw pelt or
 11 plumage of such game for which damages are not otherwise prescribed, twenty-
 12 five dollars.

1 SEC. 2. Section one hundred nine point one hundred thirty-one (109.131),
 2 Code 1975, is amended to read as follows:

3 **109.131 Judgment—execution.** In each case of conviction of unlawfully
 4 taking, catching, killing, injuring, destroying or having in possession any game,
 5 the court shall enter a judgment in favor of the state of Iowa for liquidated
 6 damages in an amount as provided in section 109.130, and it shall be the duty of
 7 the state conservation commission, ~~with the assistance of~~ and the prosecuting
 8 attorney ~~or attorney general~~, to collect the liquidated damages by execution or
 9 otherwise. If two or more persons who have acted together are convicted of the
 10 unlawful taking, catching, killing, injuring, destroying or having possession of any
 11 game or *fur-bearing animal*, the judgment shall be entered against them jointly.
 12 Any liquidated damages received under this section and section 109.130 shall be
 13 remitted to the treasurer of state who shall credit such damages to the state fish
 14 and game protection fund.

15 The return of any uninjured game which has been unlawfully taken, caught, or
 16 possessed, to the place where taken or caught or to any other place approved by
 17 the state conservation commission, shall constitute the discharge of any liquidated
 18 damages provided under section 109.130.

19 Civil suits ~~authorized by this section and section 109.130~~ for the collection of
 20 judgments may be prosecuted by the attorney general or by county attorneys.

1 SEC. 3. Chapter one hundred nine (109), Code 1975, is amended by adding
 2 the following new section:

3 **NEW SECTION.** Service of process upon or arrest of any person charged with
 4 provisions of this chapter for which damages may be assessed pursuant to section
 5 one hundred nine point one hundred thirty (109.130) of the Code, shall serve as
 6 notice of the pendency of the liquidated damage claim. Trial on the criminal
 7 charge may be separated from the determination of the liquidated damage claim
 8 in the discretion of the court or by the request of the defendant, but upon
 9 conviction of the defendant in the criminal case, the only issue to be determined
 10 by the court on the liquidated damage claim is the fact of such conviction.

Approved June 23, 1976

CHAPTER 1098

HUNTING AND FISHING BY MILITARY PERSONNEL

H. F. 59

AN ACT exempting certain military personnel from obtaining a hunting or fishing license.

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

1 SECTION 1. Section one hundred ten point seventeen (110.17), unnumbered
 2 paragraph seven (7), Code 1975, is amended to read as follows:

3 No license shall be required of minor pupils of the state school for the blind,
 4 state school for the deaf, nor of minor inmates of other state institutions under
 5 the control of a director of a division of the department of social services, except

6 that this provision shall not apply to the inmates of the men's penitentiary at Fort
 7 Madison, the men's reformatory at Anamosa, and the women's reformatory at
 8 Rockwell City, nor shall any person *who is on active duty with the Armed Forces of*
 9 *the United States, on authorized leave during the time the United States is engaged*
 10 *in war who is a member of the military or naval forces of the United States on*
 11 *active duty*, and a legal resident of the state of Iowa, be required to have a license
 12 to hunt or fish in this state. No license shall be required of inmates of county
 13 homes or any person who is receiving old-age assistance under chapter 249.

Approved February 6, 1976

CHAPTER 1099

ALIENATION OF STATE PRESERVES

S. F. 1021

AN ACT relating to the alienation of preserves.

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

1 SECTION 1. Section one hundred eleven B point eleven (111B.11), unnumbered
 2 paragraph one (1), Code 1975, is amended to read as follows:

3 An area designated as a preserve within the system is hereby declared put to its
 4 highest, best, and most important use for public benefit. It shall be held in trust
 5 and shall not be alienated except to another public use upon a finding by the
 6 board of imperative and unavoidable public necessity and with the approval of
 7 the state conservation commission, *the general assembly by concurrent resolution*,
 8 and the governor. The board's interest or interests in any area designated as a
 9 preserve shall not be taken under the condemnation statutes of this state without
 10 such a finding of imperative and unavoidable public necessity by the board, and
 11 with the consent of the state conservation commission, *the general assembly by*
 12 *concurrent resolution*, and the governor.

Approved March 9, 1976

CHAPTER 1100

COURT REPORTERS

H. F. 1451

AN ACT relating to court reporters.

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

1 SECTION 1. Section one hundred fifteen point five (115.5), Code 1975, is
 2 amended to read as follows:

3 **115.5 Temporary substitutes appointed.** If the regularly appointed shorthand
 4 reporter should be disabled from performing his duty, the judge of such court
 5 may appoint a substitute whom he deems competent to act during the disability
 6 of the regular reporter, or until his successor is appointed *but in no event may the*