

A BILL

FOR AN ACT FOR THE PROTECTION OF BIRDS, THEIR NESTS AND EGGS, THE WHOLE BEING ADDITIONAL TO CHAPTER FIFTEEN (15), TITLE TWELVE (12), OF THE CODE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That all wild birds, both resident and migratory, in this state, shall be, and are hereby declared to be the property of the state.

Section 2. That no person shall, within the state of Iowa, kill or catch, or have in his or her possession, living or dead, any wild bird other than a game bird, or purchase, offer or expose for sale, transport or ship within or without the state, any such wild bird after it has been killed or caught, except as permitted by this act. No part of the plumage, skin, or body of any bird protected by this section shall be sold or had in possession for sale, irrespective of whether said bird was captured or killed within or without the state. For the purpose of this act the following only shall be considered game birds; The Anatidae, commonly known as swans, geese, brant and river and sea ducks; the Rallidae, commonly known as rails, coots, mud-hens and gallinules; the Limicolae, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tattlers, and curlews; the Gallinae, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges, and quails. All other species of wild birds, either resident or migratory, shall be considered non-game birds.

Section 3. That no person shall, within the state of Iowa, take or needlessly destroy or attempt to take or destroy the nest or the eggs of any wild birds other than the game bird, or have such nest in his or her possession, except as permitted by this act.

Section 4. That no person or persons, or any corporation acting as a common carrier, its officers, agents or servants, shall ship, carry, take or transport, either within or beyond the confines of the state, any resident or migratory wild non-game bird, except as permitted by this act.

Section 5. That sections 2, 3, 4, and 10 of this act shall not apply to any person holding a certificate giving the right to take birds, their nests, or eggs for scientific purposes only, as provided in section 6 of this act.

Section 6. That certificates may be granted by the Fish and Game Warden of the state to any properly accredited persons of the age of fifteen years or upward, permitting the holder

3 thereof to collect birds, their nests or eggs for scientific purposes only. The applicant for the
4 same must present to said officer written testimonials from two well known ornithologists
5 who must be residents of Iowa, certifying to the good character, and fitness of said applicant
6 to be entrusted with such privilege; must pay said officer one dollar to defray the necessary
7 expenses attending the granting of such certificate. On proof that the holder of such certifi-
8 cate has killed any bird, or taken the nests or eggs of any bird for other than strictly scientific
9 purposes, his certificate shall become void, and he shall be liable to a fine of one hundred
10 dollars, or imprisonment of thirty days, or both, at the discretion of the court.

Section 7. That the certificates authorized by section 6 of this act shall expire on the 31st
2 day of December of the year issued, and shall not be transferable.

Section 8. That the English, or European house sparrow, great horned owl, sharp shinned
2 hawk, and Cooper's hawk, are not included among the birds protected by this act.

Section 9. That nothing in this act shall prevent a citizen of Iowa from taking or keeping
2 any wild non-game bird in a cage as a domestic pet, provided that such bird shall not be sold,
3 or exchanged, or offered for sale or exchange, or transported out of the state.

Section 10. That any person who violates any of the provisions of this act shall be guilty of
2 a misdemeanor, and shall be liable to a fine of five dollars for each offense, and an additional
3 fine of five dollars for each bird, living or dead, or part of bird, or nest, or set of eggs, or part
4 thereof, possessed in violation of this act, or to imprisonment for thirty days, or both, at the
5 discretion of the court.

Section 11. All acts or parts of acts heretofore passed inconsistent with or contrary to the
2 provisions of this act are hereby repealed.