

House adopted Conference Committee report & amendments
4-8-53 - 88
Senate adopted Conference report & amendments - rejected
bill 4/10-46-1

January 15, 1953.
Passed on File.
Conservation Rec. Passage 74
Passed Senate, Date 2-11-53
Vote: Ayes 39 Nays 9
Passed House, Date 3-20-53
Vote: Ayes 74 Nays 30
Approved 4-15-53

Senate File 18
By DYKHOUSE and COLBURN
House - Rec. Passage 7/26
Senate re-passed as amended
by House & re-amended by
Senate - 3/30-43-0

A BILL FOR

An Act to amend sections one hundred nine (109) and one hundred ten point one (110.1), Code of 1950, relating to an open season and license for game bird and animals by including deer.

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

- 1 Section 1. Section one hundred nine point thirty-eight
- 2 (109.38), Code of 1950 is hereby amended by adding thereto
- 3 the following:
- 4 1. The commission may upon its own motion and after
- 5 an investigation, alter, limit, or restrict the methods or
- 6 means employed and the instruments or equipment used in
- 7 taking wild birds, mammals, fish, or wild animals of any
- 8 kind mentioned in this chapter, if the investigation
- 9 reveals that such action would be desirable or beneficial
- 10 in promoting the interests of conservation."
- 11 2. "If following an investigation the commission
- 12 finds that the number of hunters licensed to take deer should
- 13 be limited or further regulated they may, by their own motion,
- 14 conduct a drawing or so regulate as to accomplish that pur-
- 15 pose, except that owners or tenants of land shall be permitted

16 to hunt deer on land owned or leased by them notwithstanding
17 but subject to all other laws and regulations.”

18 3. “Nothing in this section shall be construed
19 as granting authority to the commission to permit the taking
20 of fish, game or fur-bearing animals by any means specifically
21 prohibited by any other act or acts, except that where there
22 is eminent danger of loss of fish through natural causes the
23 director may, after an investigation, authorize the taking of
24 fish by such means as he may deem advisable to salvage such
25 imperiled fish populations.”

1 Section 2. Section one hundred nine point forty-eight
2 (109.48), Code of 1950, is hereby amended by adding to the
3 table at the end of the section and under the appropriate
4 headings, the following:

5 Kind of animal and		bag	possession
6 locality	open season	limit	limit
7 “DEER—Entire state	September 1 to March 1	1	1”

1 Section 3. Section one hundred nine point eighty-seven
2 (109.87) is hereby amended by striking that part of line
3 (5) following the word “except” and all of line six (6)
4 and that part of line seven (7) preceding the comma (,)
5 and inserting in lieu thereof the following:

6 “during the open season as set by the commission
7 under authority of section one hundred nine point
8 thirty-nine (109.39) and embraced within the dates
9 between September 1 and March 1 both dates inclusive,

10 specified for each variety and each locality, respect-
11 ively.”

1 Section 4. Section one hundred nine point eighty-seven
2 (109.87) is further amended by striking the words and
3 numbers “November 10 to January 10” from sub-section one
4 (1) to eight (8) inclusive, and inserting in lieu thereof
5 the words and numbers “September 1 to March 1”.

1 Section 5. Section one hundred ten point one (110.1),
2 Code of 1950, is hereby amended by adding thereto the
following:

4 “Special Deer Hunting License.

5 All persons legal residents of the state\$15.00.”

*adopted
2/11*

- 1 Amend the title to Senate File 18 as follows:
- 2 1. Strike from line 1 all after the word "act" and inserting in
- 3 lieu thereof the following:
- 4 "to amend sections one hundred nine point thirty-eight (109.38),
- 5 one hundred nine point forty-eight (109.48), one hundred nine point
- 6 seven (109.37) and one hundred ten point one (110.1), Code 1950,
- 7 relating
- 8 to the open season on fur-bearing animals, the open season and
- 9 license for
- 10 game birds and animals including deer, and authorizing the con-
- 11 servation
- 12 commission, under certain conditions, to limit the methods by which
- 13 fish, game
- 14 and fur-bearing animals may be taken."

Filed
February 9, 1953. By DYKHOUSE and COLBURN.

*lost
2/11*

- 1 Amend Senate File 18 by adding after the period (.) in line 10
- 2 the following: "Provided, that no deer shall be taken by means of any
- 3 rifle."

Filed and lost
February 11, 1953. By VEST.

- 1 Amend Senate File 18 by adding thereto the following:
- 2 Sec. 6. There shall be no deer hunting on any
- 3 property in the State of Iowa without first having
- 4 obtained from the owner of the property, by the
- 5 hunter, a written permission to do so. In case
- 6 of violation of this section the hunter shall be
- 7 fined one hundred dollars (\$100) and forfeit
- 8 his license for the season.

*lost
2/11*

Filed and lost
February 11, 1953. By BATESON.

- 1 Amend Senate File 18, section five (5), line five (5),
- 2 by adding after the word "state" the following: "for
- 3 hunting in county of residence only".

withdrawn 3/20

Filed
March 13, 1953. VERMEER of Marion.

- 1 Amend Senate File 18 by adding thereto the following
- 2 Sec. 6. Section one hundred nine point seventy-six
- 3 (109.76), Code 1950, is amended by adding thereto the
- 4 following:
- 5 "The spearing of carp or buffalo by persons lawfully
- 6 permitted to fish, shall be lawful from and after May 1 of
- 7 each year until the ensuing March 1, in any waters in which
- 8 fishing is permitted."

*withdrawn
3/20*

Filed
March 17, 1953. PENDLETON of Buena Vista.

- 1 Amend Senate file 18, section one (1), subsection
- 2 two (2), by adding after the comma (,) in line fifteen (15)
- 3 the following "provided that at all times hunting shall
- 4 be permitted only in county of residence."

*withdrawn
3/20
Reconsidered
& lost*

Filed
March 17, 1953. VERMEER of Marion.

- 1 Amend the Sherod amendment to Senate File 18, filed March 18,
- 2 1953, by striking the punctuation marks after the word "season"
- 3 in section four (4), line ten (10), and adding thereto the
- 4 following words: "for two years after which the season shall
- 5 be from September 1 to March 1."

*Watson
amendment
substituted
3/20*

Filed
March 19, 1953.

VAN ZWOL of O'Brien.

- 1 Amend the Sherod amendment by striking the period
- 2 at the end of line ten (10) and adding the following:
- 3 "for a period of two (2) years."

Offered
March 19, 1953.

VAN ZWOL of O'Brien.

- 1 Amend Senate File ~~18~~ by striking all after the
- 2 enacting clause and substituting in lieu thereof
- 3 the subject matter contained in House File 237.

*concurrent
3/30*

Amendment adopted
March 19, 1953.

KLEMESRUD of Winnebago.

- 1 Amend the Sherod amendment to Senate File 18,
- 2 filed March 18, 1953, by striking the punctuation marks
- 3 after the word "season" in section four (4), line ten
- 4 (10), and adding thereto the following words: "until
- 5 July 4, 1955, after which the season shall be from
- 6 September 1 to March 1."

*Adopted
3/20
concurrent
3/30*

Substitute amendment adopted
March 20, 1953.

WATSON of Warren.

- 1 Amend Senate File 18 by striking from line four (4),
- 2 section five (5), the figures "\$15.00" and inserting in
- 3 lieu thereof the figures "\$25.00".

Adopted
March 20, 1953.

PUTNEY of Tama.

*Adopted
3/20
concurrent
3/30*

- 1 Amend the title to Senate File 18 to read as
- 2 follows: "A bill for an act to amend chapters one
- 3 hundred nine (109) and one hundred ten (110), Code
- 4 1950, relating to an open season on wild animals and
- 5 fish, and providing for licensing thereof."

Amendment adopted
March 20, 1953.

KLEMESRUD of Winnebago.

*Adopted
3/20
concurrent
3/30*

- 1 1. Amend Senate File 18 by adding the following new section:
- 2 "Sec. 6. This act, being deemed of immediate importance,
- 3 shall take effect and be in full force from and after its passage
- 4 and publication in the West Point Bee, a newspaper published at
- 5 West Point, Iowa, and in the Pioneer Republican, a newspaper
- 6 published at Marengo, Iowa."

Filed
March 20, 1953.

VOIGTMANN of Iowa.

*Last
3/20*

- 1 Amend Senate File 18 as follows:
- 2 By striking section four (4) and inserting in lieu thereof:
- 3 "Sec. 4. Section one hundred nine point eighty-seven (109.87),
- 4 Code 1950, is further amended by striking the words and numbers
- 5 'November 10 to January 10' from subsections one (1) to eight
- 6 (8), inclusive, and inserting in lieu thereof in subsections one
- 7 (1), two (2), four (4), five (5), six (6), seven (7) and eight
- 8 (8) the words and numbers 'September 1 to March 1' and in
- 9 subsection three (3) inserting in lieu thereof the words 'Raccoon
- 10 continuous open season'."

Filed
March 18, 1953.

SHEROD of Van Buren.

*Adopted
3/20
concurrent
3/30*

1 1. Amend the House amendment to Senate File 18, found on pages
2 and 697 of the Senate Journal, by striking all of section 4 and
3 in lieu thereof the following:
4 "Sec. 4. Section one hundred nine point eighty-seven (109.87),
5 Code 1950, is further amended by striking the words and numbers
6 'November 10 to January 10' from subsections one (1) to eight (8),
7 inclusive, and inserting in lieu thereof the words and numbers
8 'September 1 to March 1'."
9 2. Further amend the House amendment to Senate File 18 by
10 the following in line 4 of section 5 "25.00" and substituting in lieu
11 thereof "15.00".
12 ~~3. Further amend the House amendment to Senate File 18 by~~
13 all of section 6.
Filed
March 27, 1953.

By DYKHOUSE.

*House
Concurred
#1 + 2
4/1*

*Adopted
3/30*

*House
refused #3
4/1*

HOUSE AMENDMENTS TO SENATE FILE 18

Amend Senate File 18 as follows:

1. Amend the title to Senate File 18 by striking all after the word "Act" and substituting in lieu thereof the following: "to amend chapters one hundred nine (109) and one hundred ten (110), Code 1950, relating to an open season on wild animals and fish, and providing for licensing thereof."

2. Amend Senate File 18 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section one hundred nine point thirty-eight (109.38), Code 1950, is hereby amended by adding thereto the following:

"1. The commission may upon its own motion and after an investigation, alter, limit, or restrict the methods or means employed and the instruments or equipment used in taking deer, raccoon or rough fish, if the investigation reveals that such action would be desirable or beneficial in promoting the interests of conservation, or the commission may, after an investigation when it is found there is imminent danger of loss of fish through natural causes, authorize the taking of fish by such means as they may deem advisable to salvage such imperiled fish populations.

"2. If following an investigation the commission finds that the number of hunters licensed to take deer should be limited or further regulated they may, by their own motion, conduct a drawing or so regulate as to accomplish that purpose, except that owners or tenants of land shall be permitted to hunt deer on land owned or leased by them notwithstanding but subject to all other laws and regulations."

"Sec. 2. Section one hundred nine point forty-eight (109.48), Code 1950, is hereby amended by adding to the table at the end of the section and under the appropriate headings, the following:

Kind of animal and locality	open season	bag	possession
		limit	limit
DEER—Entire state	September 1 to March 1	1	1'

"Sec. 3. Section one hundred nine point eighty-seven (109.87), Code 1950, is hereby amended by striking that part of line five (5) following the word 'except' and all of line six (6) and that part of line seven (7) preceding the comma (,) and inserting in lieu thereof the following: 'during the open season as set by the commission under authority of section one hundred nine point thirty-nine (109.39) and embraced within the dates between September 1 and March 1 both dates inclusive, specified for each variety and each locality, respectively'.

"Sec. 4. Section one hundred nine point eighty-seven (109.87), Code 1950, is further amended by striking the words and numbers 'November 10 to January 10' from subsections one (1) to eight (8), inclusive, and inserting in lieu thereof in subsections one (1), two (2), four (4), five (5), six (6), seven (7) and eight (8), the words and numbers 'September 1 to March 1' and in subsection three (3) inserting in lieu thereof the words 'Raccoon continuous open season until July 4, 1955, after which the season shall be from September 1 to March 1'.

"Sec. 5. Section one hundred ten point one (110.1), Code 1950, is hereby amended by adding thereto the following:

'Special Deer Hunting License.
All persons legal residents of the state.....\$25.00.'

"Sec. 6. Section one hundred nine point seventy-six (109.76), Code 1950, is amended by adding thereto the following: 'The spearing of carp and buffalo by persons lawfully permitted to fish shall be lawful from after May 1 of each year until the ensuing March 1, in any waters in which fishing is permitted.'"