

CHAPTER 75

WILDLIFE RESTORATION PROJECTS

S. F. 448

AN ACT assenting to the provisions of the act of congress entitled, "An act to provide that the United States shall aid the states in wildlife restoration projects, and for other purposes," approved September 2, 1937.

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

1 SECTION 1. The state of Iowa hereby assents to the provisions of the
2 act of congress entitled "An act to provide that the United States shall
3 aid the states in wildlife restoration projects, and for other purposes,"
4 approved September 2, 1937 (Public No. 415, 75th Congress), and the
5 state conservation commission is hereby authorized and empowered
6 to perform such acts as may be necessary to the conduct and establish-
7 ment of cooperative wildlife-restoration projects, as defined in said act
8 of congress, in compliance with said act and with rules and regulations
9 promulgated by the secretary of agriculture thereunder; and no funds
10 accruing to the state of Iowa from license fees paid by hunters shall
11 be diverted for any other purpose than as set out in sections seven-
12 teen hundred three-g seventeen (1703-g17) and seventeen hundred
13 three-g nineteen (1703-g19), Code, 1935.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication
3 in The Evening Journal, a newspaper published at Washington, Iowa,
4 and the Mount Pleasant Daily News, a newspaper published at Mount
5 Pleasant, Iowa.

Approved April 24, 1939.

I hereby certify that the foregoing act was published in The Evening Journal, Wash-
ington, Iowa, May 2, 1939, and the Mount Pleasant Daily News, May 1, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 76

FISH AND GAME

S. F. 450

AN ACT to amend section seventeen hundred ninety-four-e one (1794-e1), chapter eighty-
six-e one (86-e1), code of 1935, relating to fish and game licenses and setting the
amounts thereof and providing for certain new licenses; to amend section seventeen
hundred ninety-four-e six (1794-e6), chapter eighty-six-e one (86-E1), code of
1935, providing for the issuing of a duplicate license where the original has been
lost, destroyed or stolen and for the evidence necessary to secure such duplicate; to
amend section seventeen hundred ninety-four-e ten (1794-e10), chapter eighty-six-e
one (86-E1), code of 1935, as amended by section one hundred nine (109), chapter
ninety-nine (99), acts of the Forty-seventh General Assembly, providing for the
exhibition of said license to any officer and for punishment for violation thereof;
to amend section seventeen hundred ninety-nine (1799), chapter eighty-seven (87),
code of 1935, relating to the duties of the Conservation Commission as to parks and
their development; to repeal section eighteen hundred twenty-one-e one (1821-e1),
chapter eighty-seven (87), code of 1935, and substitute therefor a section relating
to the appointment of special officers for the enforcement of the provisions of laws
relating to conservation.

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

1 SECTION 1. Section seventeen hundred ninety-four-e one (1794-e1),
2 Chapter eighty-six-E one (86-E1), Code of 1935, is amended by strik-
3 ing the figure "1.00" from line twenty-three (23) and substituting
4 therefor the figure "1.50"; by striking lines thirty (30) and thirty-one
5 (31) of section seventeen hundred ninety-four-e one (1794-e1), chapter
6 eighty-six-E one (86-E1), Code, 1935, and inserting: "Trapping li-
7 cense for legal resident of state using more than fifteen (15) traps, per
8 trap including tax, 15¢"; by striking from line thirty-two (32), the
9 words and figure, "Trapping license for nonresident or alien, 25.00"
10 and inserting in lieu thereof the words and figures, "Trapping license
11 for nonresident or alien 25.00, and in addition thereto a fee, including
12 tag, per trap, 25¢"; by striking the words in lines thirty-four (34) and
13 thirty-five (35), and the figure "1.00", and inserting in lieu thereof
14 the words and figure, "Nonresident fur dealer's license, 50.00"; and
15 by adding the following to Section seventeen hundred ninety-four-e
16 one (1794-e1): "Private fish hatcheries, \$2.00; bait dealer's license,
17 \$5.00; each one hundred (100) feet of gill net or fraction thereof,
18 \$2.00."

1 SEC. 2. Section seventeen hundred ninety-four-e six (1794-e6),
2 Chapter eighty-six-E one (86-E1), Code of 1935, is amended by adding
3 a paragraph thereto as follows:

4 "Whenever any license, certificate or permit, for which a fee has
5 been set, has been lost, destroyed or stolen, the director or the county
6 recorder where the license was issued in the first instance, may issue
7 a certificate to replace said license, if written evidence is filed with
8 either director or recorder, in affidavit form, by the person to whom
9 the original was issued, setting forth the circumstances and accom-
10 panied by a fee of twenty-five cents (\$.25), said fee to be kept by the
11 county recorder for the use of the county, if issued by him, and placed
12 in the fish and game protection fund if issued by the director. If, on
13 examination of the evidence, the director or the recorder, as the case
14 may be, is satisfied that said license has been lost, destroyed or stolen,
15 he shall issue a duplicate license which shall be plainly marked 'duple-
16 cate' and said duplicate shall serve in lieu of the original license and it
17 shall contain the same information and signature as the original."

1 SEC. 3. Section seventeen hundred ninety-four-e ten (1794-e10),
2 Chapter eighty-six-E one (86-E1), Code of 1935, as amended by section
3 one hundred nine (109), Chapter ninety-nine (99), Acts of the Forty-
4 seventh General Assembly, is amended by adding thereto the following
5 paragraph:

6 "Every person shall, while fishing, hunting or trapping, show his
7 license, certificate or permit, to any conservation officer, constable,
8 sheriff, deputy sheriff, police officer, peace officer, or the owner or per-
9 son in lawful control of the land or water upon which licensee may be
10 hunting, fishing or trapping when requested by said persons to do so.
11 Any failure to so carry or refusal to show or so exhibit his license,
12 certificate or permit, shall be a violation of this act."

1 SEC. 4. Section seventeen hundred ninety-nine (1799), Chapter
2 eighty-seven (87), Code of 1935, is amended as follows: (1) by insert-
3 ing in line five (5) after the word "parks" the words "and preserves";

4 (2) by adding after the period (.) in line fourteen (14) thereof the
 5 following: "The commission shall have the power to provide and
 6 operate facilities for the proper public use of the areas above de-
 7 scribed."

1 SEC. 5. Section eighteen hundred twenty-one-e one (1821-e1),
 2 Chapter eighty-seven (87), Code of 1935, is repealed and the following
 3 is enacted as a substitute therefor:

4 "Special Police. The commission in carrying out its duties may ap-
 5 point the state conservation director, chief of division of lands and
 6 waters, chief of division of fish and game, and four (4) assistants and
 7 boat inspectors as special police. Such officers are hereby vested with
 8 the powers and charged with the duties of peace officers while in the
 9 performance of their official duties."

Approved May 3, 1939.

CHAPTER 77
 CONSERVATION

H. F. 633

AN ACT to amend section seventeen hundred three-e two (1703-e2), code, 1935, relating to licensing of boats; to amend sections seventeen hundred fourteen (1714), seventeen hundred forty-one (1741), seventeen hundred forty-two (1742), seventeen hundred eighty-five (1785), and seventeen hundred eighty-nine (1789), code, 1935, and to repeal section seventeen hundred sixty-two (1762), code, 1935, and to enact a substitute therefor, relating to fish and game; to amend section seventeen hundred ninety-four-e fifteen (1794-e15), code, 1935, and to amend section seventeen hundred ninety-four-e sixteen (1794-e16) of the code of Iowa of 1935 as to what is a nuisance relating to fishing licenses; to amend chapter ninety-nine (99), acts of the Forty-seventh General Assembly, relating to fish and game and fur-bearing animals; and relating to game breeder's license.

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

1 SECTION 1. Section seventeen hundred fourteen (1714), Code, 1935,
 2 is amended by adding after the comma (,) following the word "ship-
 3 ment" in line nine (9) the words "or illegally transported in the state
 4 or to a point beyond the borders thereof,".

1 SEC. 2. Section seventeen hundred forty-one (1741), Code, 1935,
 2 is amended as follows:

3 1. By inserting in line ten (10), following the word "No", the word
 4 "permanent".

5 2. In line twelve (12), following the comma (,) after the word "fish-
 6 way", insert the words "except by written approval of the state con-
 7 servation director" and following the word "director" insert a comma
 8 (,).

9 3. Amend by adding after the word "operated" in line fifteen (15)
 10 thereof, the following: "except by written approval of the state con-
 11 servation director,".

1 SEC. 3. Section seventeen hundred forty-two (1742), Code, 1935,
 2 is amended by striking the comma (,) after the word "level" in line
 3 four (4) and the remaining portion of the section, and adding in lieu