

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2 Chapter eighty-seven (87), Code of 1935, is repealed and the following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

4 thereof "without having received written approval from the state con-
5 servation director."

1 SEC. 4. Section seventeen hundred sixty-two (1762), Code, 1935, is
2 repealed and the following is enacted in lieu thereof:

3 "Any person licensed by the authorities of Illinois, Minnesota, Mis-
4 souri, Wisconsin, Nebraska, and South Dakota to take fish, game, mus-
5 sels, or fur-bearing animals from or in the waters forming the bound-
6 ary between such states and Iowa, may take them from that portion
7 of said waters lying within the territorial jurisdiction of this state,
8 without having procured a license therefor from the state conservation
9 director of this state, in the same manner that persons holding Iowa
10 licenses may do, if the laws of Illinois, Minnesota, Missouri, Wisconsin,
11 Nebraska, or South Dakota, respectively, extend a similar privilege to
12 persons so licensed under the laws of Iowa, but this section shall not
13 apply to commercial fishermen on the Mississippi river."

1 SEC. 5. Section seventeen hundred eighty-nine (1789), Code, 1935,
2 is amended by adding after the word "any" in line three (3) the follow-
3 ing: "frogs,".

1 SEC. 6. Section seventeen hundred three-e two (1703-e2), Code,
2 1935, is amended by adding thereto the following:

3 "Any boat licensed for hire under this chapter shall have the rights
4 and privileges incident to landing, mooring, and use of the state pier
5 located on West Okoboji lake at Arnolds Park, Dickinson County, Iowa,
6 upon payment to the conservation commission of an annual fee of
7 twenty-five dollars."

1 SEC. 7. Section seventeen hundred eighty-five (1785), Code, 1935,
2 is amended by adding thereto the following:

3 "Nothing in the foregoing sections seventeen hundred eighty (1780)
4 to seventeen hundred eighty-four (1784), inclusive, shall pertain to
5 rabbits."

1 SEC. 8. Section seventeen hundred ninety-four-e fifteen (1794-e15),
2 Code, 1935, is amended by striking all of lines six (6), seven (7), and
3 eight (8) and inserting in lieu thereof the following:

4 "No female resident of the state, except when fishing in state-owned
5 lakes, shall be required to have a fishing license, nor shall a resident
6 of the state under sixteen years of age".

1 SEC. 9. Section thirty-nine (39) of chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly, is hereby amended by striking
3 from lines ten (10) and eleven (11) thereof in the column headed
4 "Open Season" the following: "September 15—November 15" and
5 inserting in lieu thereof the following: "August 1—October 15".

1 SEC. 10. Amend section thirty-nine (39) of chapter ninety-nine
2 (99), Acts of the Forty-seventh General Assembly, by striking the
3 figures "20" in line twelve (12) thereof.

1 SEC. 11. Section forty-seven (47) of chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly, is hereby amended by adding
3 thereto the following paragraph:

4 "It shall be unlawful for any person to use a dog to hunt, molest, or

5 chase any raccoon thirty days before the opening of the season for the
6 hunting or trapping of raccoons."

1 SEC. 12. Amend section fifty-six (56) of chapter ninety-nine (99),
2 Acts of the Forty-seventh General Assembly, by adding after the word
3 "tables" in line three (3) the following: "; provided, however, that
4 within the meandering lines of the waters of the Mississippi and Mis-
5 sissippi rivers, and within the inland waters in Lee County, Iowa, con-
6 tinuous pole and line fishing, only, shall be permitted for all fish, except
7 that there shall be a closed season on pike during March and April and
8 a closed season on large and small mouth bass during March, April,
9 and May. Restrictions as to the daily catch limit, possession limit,
10 minimum length and weight shall remain as provided in said section
11 fifty-six (56)."

1 SEC. 13. Section fifty-six (56) of chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly, is amended by inserting in
3 Table A at the end thereof the following:

4 "The total catch limit of all fish under this division, excluding those
5 having a continuous open season on which there is no daily catch limit,
6 shall not exceed twenty-five per day."

1 SEC. 14. Section seventeen hundred four (1704), Code, 1935, is
2 amended:

3 (1) By inserting the words "land and" after the word "other" in
4 line four (4); and

5 (2) By inserting ", and all other wildlife" after the word "eggs" in
6 line seven (7).

1 SEC. 15. Section seventeen hundred five (1705), Code, 1935, is
2 amended:

3 (1) By inserting ", or other wildlife" after the word "eggs" in line
4 four (4).

1 SEC. 16. Section seventeen hundred forty-five (1745), Code, 1935,
2 is amended by adding after the period (.) in line twelve (12): "Unde-
3 sirable or injurious fish shall mean any species that in the judgment of
4 the commission exist in improper proportions to other aquatic life."

1 SEC. 17. Section seventeen hundred ninety-four-e sixteen (1794-
2 e16) of the Code of Iowa of 1935 is hereby amended by adding thereto
3 the following: "Provided, however, no gun, fishing rod, fishing tackle
4 or automobile shall be construed to be a public nuisance under this
5 section."

1 SEC. 18. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Mediapolis
3 New Era-News, a newspaper published at Mediapolis, Iowa, and in the
4 Vindicator and Republican, a newspaper published at Estherville,
5 Iowa.

Approved May 3, 1939.

I hereby certify that the foregoing act was published in the Mediapolis New Era-News,
May 12, 1939, and the Vindicator and Republican, Estherville, Iowa, May 9, 1939.

EARL G. MILLER, *Secretary of State.*