

7 not more than ten days after the purchase date, provided that during  
8 such period the ~~meterbeat~~ vessel shall have attached thereto, in ac-  
9 cordance with the provisions of this chapter, a pasteboard card bear-  
10 ing the words "registration applied for" and the special certificate  
11 number of the dealer from whom the ~~meterbeat~~ vessel was purchased  
12 together with the date of purchase plainly stamped or stenciled  
13 thereon.

1 SEC. 11. Section one hundred six point fifty-one (106.51), Code  
2 1973, is amended to read as follows:

3 **106.51 County recorder—duties.** The county recorder shall be  
4 responsible for all fees and penalties for the issuance of ~~meterbeat~~  
5 vessel registrations. All unused registration certificates shall be sur-  
6 rendered to the commission upon demand.

1 SEC. 12. Section one hundred six point fifty-five (106.55), Code  
2 1973, is amended to read as follows:

3 **106.55 Sales or use tax to be paid before registration.** No ~~meter-~~  
4 ~~beat~~ vessel shall be registered by the county recorder until there has  
5 been presented to the recorder receipts, bills of sale, or other satis-  
6 factory evidence that the sales or use tax has been paid for the pur-  
7 chase of ~~said~~ ~~beat~~ the vessel. If the owner of the ~~meterbeat~~ vessel is  
8 unable to present satisfactory evidence that the sales or use tax has  
9 been paid, the county recorder shall collect ~~said~~ the tax. On or before  
10 the tenth day of each month, the county recorder shall remit to the  
11 department of revenue the amount of the taxes so collected during the  
12 preceding month, together with an itemized statement on forms fur-  
13 nished by the department of revenue showing the name of each tax-  
14 payer, the make and purchase price of each ~~meterbeat~~ vessel and  
15 motor, the amount of tax paid, and such other information as the  
16 department of revenue shall require.

Approved May 27, 1974

## CHAPTER 1122

### FISH AND GAME

H. F. 158

AN ACT relating to fish and game.

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

1 SECTION 1. Section one hundred nine point twenty-three (109.23),  
2 Code 1973, is amended to read as follows:

3 **109.23 Transportation for sale prohibited.** It shall be unlawful for  
4 any person, firm, or corporation, *except as otherwise provided*, to offer  
5 for transportation or to transport by common carrier or vehicle of any  
6 kind, to any place within or without the state, for the purposes of sale,  
7 any of the fish, game, animals, or birds taken, caught, or killed within  
8 the state, or to peddle any of such fish, game, animals, or birds.

9 It shall be unlawful to ship from the state any birds caught, taken,  
 10 or killed in the state, or to take, ship, or carry from the state for any  
 11 purpose any such fish, game, animals, or birds unless lawfully caught,  
 12 taken, or killed by a nonresident licensee under the provisions of this  
 13 chapter, who may take or carry such birds as have been lawfully  
 14 caught, taken, or killed, or take, carry, or ship such fish, game, or ani-  
 15 mals as have been lawfully caught, taken, or killed, to his place of resi-  
 16 dence as indicated on such license.

1 SEC. 2. Section one hundred nine point sixty-three (109.63), un-  
 2 numbered paragraph one (1), Code 1973, is amended to read as fol-  
 3 lows:

4 Any person may be authorized to sell minnows, frogs, and clams for  
 5 fish bait upon the payment of a license fee of five dollars to the com-  
 6 mission. Minnow and bait boxes and tanks shall be open to inspection  
 7 by the director and conservation officers at all times. They shall have  
 8 tanks and bait boxes of sufficient size, with proper aeration to keep the  
 9 bait alive and prevent heavy loss.

1 SEC. 3. Section one hundred nine point seventy-six (109.76), Code  
 2 1973, is amended to read as follows:

3 **109.76 Unlawful means—exception.** It shall be unlawful, except  
 4 as otherwise provided, to use on or in the waters of the state any grab-  
 5 hook, snaghook, artificial light, any kind of a net, seine, trap, firearm,  
 6 dynamite, or other explosives, or poisonous or stupefying substances,  
 7 lime, ashes or electricity in the taking or attempting to take any fish,  
 8 except that gaffhooks or landing nets may be used to assist in landing  
 9 fish. No person shall take or kill, or attempt to take or kill any fish by  
 10 hand fishing. *The snagging of paddlefish may be permitted at such*  
 11 *times and at such places as may be determined by rule of the commis-*  
 12 *sion.* The spearing of carp, buffalo, quillback, gar, sheepshead and  
 13 dogfish, or the taking of such fish with a bow and arrow with attached  
 14 bow fishing reel and ninety-pound minimum line attached to the arrow  
 15 may be permitted under section 111.42 by persons lawfully permitted  
 16 to fish shall be lawful between the hours of sunrise and sunset each day  
 17 and at such times and at such places as the commission may determine  
 18 necessary to carry out the purposes of subsection 1 of section 109.38,  
 19 except that it shall be unlawful to spear from within an enclosure of  
 20 the type that materially hides the fisherman from view. This provision  
 21 shall not be construed to prevent the spearing of such fish by a person  
 22 using skin diving equipment, or underwater breathing apparatus,  
 23 where the only concealment is the fact that he is wholly or partially  
 24 submerged in the water. The commission may make rules regulating  
 25 such activity by said persons.

1 SEC. 4. Section one hundred nine point eighty-four (109.84), un-  
 2 numbered paragraphs one (1) and two (2), Code 1973, is amended by  
 3 striking these unnumbered paragraphs.

1 SEC. 5. Sections one hundred nine point twenty-four (109.24), one  
 2 hundred nine point twenty-five (109.25), one hundred nine point  
 3 twenty-seven (109.27), one hundred nine point twenty-eight (109.28),  
 4 and one hundred nine point eighty-three (109.83), Code 1973, are  
 5 repealed.

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