

FILED JAN 20 1998

SENATE FILE 2046
BY FINK

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the licensing of hunting guides and fishing
2 guides, providing reciprocity with other states, and providing
3 a penalty.

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

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S.F. 2046

1 Section 1. NEW SECTION. 483A.28 HUNTING AND FISHING
2 GUIDE LICENSES -- RECIPROCITY -- PENALTY.

3 1. A person shall not engage in or be employed for any
4 compensation or reward for hunting guide or fishing guide
5 activities in this state unless the person has obtained a
6 hunting guide license, a fishing guide license, or a combined
7 hunting and fishing guide license from the department. The
8 department shall define, by rule, the activities that
9 constitute hunting guide or fishing guide activities for
10 purposes of this section.

11 2. Upon application and payment of the hunting guide
12 license fee, the fishing guide license fee, or the combined
13 hunting and fishing guide license fee as provided in
14 subsection 3, the department shall issue an applicable guide
15 license to an applicant who is a resident of this state, who
16 agrees to faithfully perform the duties and responsibilities
17 of a licensed hunting guide, a licensed fishing guide, or
18 both, and who agrees to observe and comply with the
19 requirements of chapters 481A and 484A, and this chapter, and
20 the rules of the department relating to hunting or fishing
21 guides and the hunting of game or fishing in this state. A
22 hunting guide or fishing guide is responsible for informing
23 hunting or fishing clients of all applicable hunting or
24 fishing laws and rules. A hunting guide license, fishing
25 guide license, or combined hunting and fishing guide license
26 shall not be issued to a person who is under eighteen years of
27 age.

28 3. The department shall establish, by rule, the annual fee
29 for a hunting guide license, fishing guide license and a
30 combined hunting and fishing guide license issued pursuant to
31 this chapter. In determining annual fees, the department
32 shall consider the costs of issuing the licenses and
33 administering and enforcing the provisions of this section.

34 4. a. Reciprocal privileges for hunting or fishing guides
35 are contingent upon a grant of similar privileges by another

1 state to residents of this state.

2 b. The commission may negotiate fishing and hunting guides
3 reciprocity agreements with other states.

4 c. When another state confers upon hunting guide or
5 fishing guide licensees of this state reciprocal rights,
6 privileges, and immunities, a hunting guide or fishing guide
7 license issued by that state entitles the licensee to all
8 rights, privileges, and immunities in this state enjoyed by
9 the holders of equivalent licenses issued by this state,
10 subject to duties, responsibilities, and liabilities imposed
11 on licensees in this state by the laws of this state.

12 5. Section 483A.26 shall apply to a nonresident who
13 falsely claims residency in this state to obtain a hunting
14 guide license, a fishing guide license, or a combined hunting
15 and fishing guide license.

16 6. A violation of this section is a simple misdemeanor and
17 is punishable as provided in section 483A.42.

18 EXPLANATION

19 This bill requires the licensing of persons who provide
20 hunting guide services, fishing guide services, or both
21 services. The department of natural resources is directed to
22 issue hunting guide licenses, fishing guide licenses, or
23 combined licenses upon application and payment of an annual
24 fee determined by rule of the commission to residents of this
25 state who agree to faithfully perform the duties and
26 responsibilities of a licensed hunting guide or licensed
27 fishing guide, or both, and agree to observe and comply with
28 the requirements of the hunting or fishing laws and rules of
29 the department. A hunting or fishing guide must be at least
30 18 years of age to be licensed.

31 The bill provides reciprocal hunting guide or fishing guide
32 privileges with residents of other states that allow the same
33 privileges to residents of this state.

34 Violators are guilty of a simple misdemeanor and subject to
35 a minimum fine of \$10 for each offense.