

FEB 23 1977

Reprinted 2/2/77
HOUSE FILE 251

Place On Calendar

By COMMITTEE ON NATURAL RESOURCES
(Formerly Study Bills 42, 43, 45,
46, 72, 79)

Passed House, Date 2-28-77 (p. 521) Passed Senate, Date _____

Vote: Ayes 71 Nays 20 Vote: Ayes _____ Nays _____

Approved _____

*Motion to reconsider 2/28 (530)
" prevailed 2/1 (540)*

*Referred House 2-1-77 (p. 542)
89-5*

A BILL FOR

- 1 An Act relating to the duties and responsibilities of
- 2 the state conservation commission in regulating
- 3 fish and game laws.

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

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1 Section 1. Section one hundred nine point seventy-six
2 (109.76), Code 1977, is amended to read as follows:

3 109.76 UNLAWFUL MEANS--EXCEPTION. It shall be unlawful,
4 except as otherwise provided, to use on or in the waters of
5 the state any grabhook, snaghook, ~~artificial-light~~, any kind
6 of a net, seine, trap, firearm, dynamite, or other explosives,
7 or poisonous or stupefying substances, lime, ashes or
8 electricity in the taking or attempting to take any fish,
9 except that gaffhooks or landing nets may be used to assist
10 in landing fish. No person shall take or kill, or attempt
11 to take or kill any fish by hand fishing. However, carp,
12 buffalo, quillback, gar, sheepshead, dogfish, and other rough
13 fish designated by the commission may be taken by hand fishing,
14 by snagging, by spear, by bow and arrow, day or night, and
15 with artificial light. The snagging of paddlefish may be
16 permitted at such times and at such places as may be determined
17 by rule of the commission.

18 Sec. 2. Section one hundred nine point eighty (109.80),
19 unnumbered paragraph two (2), Code 1977, is amended to read
20 as follows:

21 "Minnows" shall be defined as chubs, shiners, suckers,
22 dace, stonerollers, mud-minnows, redhorse, blunt-nose, and
23 fat-head minnows, ~~or other small fish commonly used for fish~~
24 ~~bait that have only one dorsal fin~~. Green sunfish and orange-
25 spotted sunfish may also be taken as bait.

26 Sec. 3. Section one hundred nine point eighty (109.80),
27 Code 1977, is amended by striking subsection two (2).

28 Sec. 4. Section one hundred nine point ninty-two (109.92),
29 Code 1977, is amended to read as follows:

30 109.92 BOX TRAPS--DISTURBING DENS--TAGS FOR TRAPS. Except
31 as otherwise provided in this chapter no person shall at any
32 time, use or attempt to use any colony ~~or box trap including~~
33 ~~figure-four-box-traps~~, traps in taking, capturing, trapping
34 or killing any game ~~bird or animal~~ or fur-bearing animal,
35 ~~except cottontail rabbits and squirrels~~. Box traps capable

1 of capturing more than one ~~rabbit-or-one-squirrel~~ game or
2 fur-bearing animal at each setting are prohibited. A valid
3 hunting license is required for box trapping cottontail rabbits
4 and squirrels except-as-otherwise-provided. All ~~box~~ traps
5 shall have a metal tag attached plainly labeled with the
6 owner's name and address. ~~Any-officers~~ Officers appointed
7 by the commission shall have authority to confiscate such
8 traps when found in use that are not properly labeled.

9 It shall be unlawful for any person, except as otherwise
10 provided, to use any chemicals, explosives, smoking devices,
11 mechanical ferrets, wire, tool, instrument, or water to remove
12 fur-bearing animals from their dens. Humane traps, or traps
13 designed to kill instantly, with a jaw spread exceeding eight
14 inches shall be unlawful to use except when placed entirely
15 under water.

16 ~~All-licensed-traps-shall-have-a-metal-tag-attached-plainly~~
17 ~~labeled-with-the-owner's-name-and-address.--Any-officers~~
18 ~~appointed-by-the-commission-shall-have-authority-to-confiscate~~
19 ~~such-traps-when-found-in-use-that-are-not-properly-labeled.~~

20 Sec. 5. Section one hundred ten point six (110.6), Code
21 1977, is amended to read as follows:

22 110.6 LOST OR DESTROYED BLANKS. When license blanks in
23 the possession of the county recorder or depositaries are
24 accidentally destroyed, ~~either-by-fire-or-theft~~, the holder
25 of such blanks shall only be relieved from accountability
26 upon the presentation of satisfactory ~~proof~~ explanation and
27 the filing of a bond to the director that such blanks have
28 actually been so destroyed. The commission may determine
29 by rule what shall constitute a satisfactory explanation of
30 such occurrence.

31 Sec. 6. Section one hundred ten point eleven (110.11),
32 Code 1977, is amended to read as follows:

33 110.11 FORM OF LICENSE. All hunting, fishing, and trapping
34 licenses shall contain a general description of the licensee.
35 Such licenses shall be upon such forms as the commission shall

1 adopt. The ~~occupation~~, address, and the signature of the
2 applicant and all signatures and other writing shall be in
3 ink. ~~All licenses shall bear a facsimile signature of the~~
4 ~~director and the signature of the recorder by whom it is~~
5 ~~issued.~~ All licenses shall clearly indicate the nature of
6 the privilege granted.

7 Sec. 7. Section one hundred nine point eighty-eight
8 (109.88), Code 1977, is repealed.

9 Sec. 8. This Act is effective January 1, 1978.

10 EXPLANATION

11 This bill amends various sections of the fish and game
12 laws of the Code. The bill strikes language which prohibits
13 the use of artificial light to catch fish on or in the waters
14 of the state of Iowa and further strikes language prohibiting
15 the taking of small fish commonly used for bait that only
16 have one dorsal fin, in order to alleviate confusion and
17 inconsistency in regard to game fish which also have only
18 one dorsal fin. Section 3 of the bill is a corrective
19 amendment to arrest the conflict between the commission's
20 expanded trout stocking program and the bait regulations.
21 The bill further repeals language in the Code which requires
22 a special permit tag to sell furs out of state, and the use
23 of box traps in the taking of fur-bearing animals and limits
24 the use of large humane traps to water sets only.

25 Sections 5 and 6 of the bill pertain to the duties of the
26 director, and specifically provide that the director of the
27 state conservation commission may relieve a depositary or
28 county recorder of responsibility if the director is satisfied
29 with the explanation provided for the disappearance of any
30 license blanks and allows the state conservation commission
31 to determine what shall constitute a satisfactory explanation
32 by its rules. The bill strikes language which requires that
33 all licenses have a facsimile signature of the director and
34 the signature of the recorder by whom the license was issued,
35 and further requires all hunting, fishing and trapping licenses
36 to contain a general description of the license.

H-3096

1 Amend House File 251 as follows:

2 1. Page 2, by inserting after line 15 the
3 following section:

4 "Sec. 5. Section one hundred ten point one
5 (110.1), Code 1977, is amended by inserting after
6 line fifty-one (51) the following:

7 Nonresidents raccoon stamp and tags....\$100.00".

8 2. Page 3, by inserting after line 6 the
9 following sections:

10 "Sec. _____. Section one hundred ten point
11 thirteen (110.13), Code 1977, is amended by
12 striking the section and inserting in lieu thereof
13 the following:

14 110.13 UNLAWFUL OBTAINING OR USE--EFFECT. A
15 nonresident shall not obtain a resident license by
16 falsely claiming residency in the state. The use
17 of a license by a person other than the person to
18 whom the license is issued is unlawful and shall
19 nullify the license. Violation of this section is
20 a misdemeanor punishable by a fine of not more than
21 one hundred dollars or imprisonment in the county
22 jail of not more than thirty days.

23 Sec. _____. Chapter one hundred ten (110), Code
24 1977, is amended by adding the following new
25 section:

26 NEW SECTION. A nonresident shall not hunt raccoon
27 unless the nonresident raccoon stamp is affixed to
28 the hunting license and the hunter possesses unused
29 tags. A nonresident shall not possess an untagged
30 raccoon carcass or pelt. The nonresident raccoon
31 stamp shall be issued with twenty tags bearing
32 the same number as the stamp. The tags shall be
33 designed to be used only once. A nonresident shall
34 purchase only one stamp each year."

H-3096 FILED, BY BAKER of Buena Vista
H-3096A ADOPTED (p. 520)
H-3096B ADOPTED
FEBRUARY 28, 1977

H-3099

1 Amend House File 251 as follows:

2 1. Page 3, by inserting after line 6 the
3 following new section:

4 "Sec. _____. Amend chapter one hundred ten (110),
5 Code 1977, by adding the following new section:

6 NEW SECTION. Fur bearing animals which have
7 been killed on the highways and roads of this state
8 may be salvaged by any citizen of this state when
9 the animal has been tagged by a conservation officer."

H-3099 FILED, ADOPTED BY MILLER of Buchanan
FEBRUARY 28, 1977 (521)

H-3098

1 Amend House File 251 as follows:

2 1. Page 2, line 13, by striking the word
3 "eight" and inserting in lieu thereof the word
4 "four".

H-3098 FILED, LOST (511) BY DAVITT of Warren
FEBRUARY 28, 1977

H-3109

1 Amend House File 251 as follows:

2 1. Page 2, by inserting after line 19 the
3 following new section:

4 "Sec. _____. Section one hundred nine point
5 ninety-seven (109.97), Code 1977, is amended by
6 striking the section and inserting in lieu thereof
7 the following:

8 109.97 REPORTS. Fur dealers shall keep
9 accurate, current records of their transactions.
10 The records shall show the number and kinds of
11 hides and skins which have been purchased, the
12 date of purchase, and the name and address of the
13 seller. Such records shall be open at all reason-
14 able times to inspection by the commission. On or
15 before May fifteenth of each year, each fur dealer
16 shall file a verified inventory with the commission.
17 The inventory shall include all transactions for the
18 preceding year. All pelts purchased shall, as soon
19 as practical, be stamped in a conspicuous manner by
20 the fur dealer. Such stamp shall be in indelible
21 ink and bear the license number of the dealer."

H-3109 FILED, ADOPTED (544) BY HALVORSON of Clayton
MARCH 1, 1977 *as amended* MIDDLESWART of Warren
3/1/3 AVENSON of Fayette
BYERLY of Polk

H-3113

1 Amend amendment H-3109, to House File 251,
2 as follows:

3 1. Page 1, line 19, by striking the word
4 "practical" and inserting in lieu thereof the
5 word "practicable"

H-3113 FILED, ADOPTED (p. 542) BY JUNKER of Woodbury
BY UNANIMOUS CONSENT
MARCH 1, 1977

H-3105

1 Amend House File 251 as follows:

2 1. Page 2, line 4, by inserting after the word
3 "traps" the words "used for the taking of fur-
4 bearing animals".

H-3105 FILED - *Adopted* BY BENNETT of Ida
FEBRUARY 28, 1977 *3/1 (541)*

See Natural Resources 2/7 Do pass 2/29 (p. 868)

HOUSE FILE 251
3/11
Natural Resources
Bergman, Chairperson
Jenkins
Slater

HOUSE FILE 251

By COMMITTEE ON NATURAL RESOURCES
(As Amended and Passed by the House)

per Senate
Passed House, Date 4-13-77 (p. 1340) Passed Senate, Date 4-4-77 (p. 904)
Vote: Ayes 83 Nays 4 Vote: Ayes 38 Nays 5
Approved July 13, 1977

A BILL FOR

1 An Act relating to the duties and responsibilities of
2 the state conservation commission in regulating
3 fish and game laws.

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

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1 Section 1. Section one hundred nine point seventy-six
2 (109.76), Code 1977, is amended to read as follows:

3 109.76 UNLAWFUL MEANS--EXCEPTION. It shall be unlawful,
4 except as otherwise provided, to use on or in the waters of
5 the state any grabhook, snaghook, ~~artificial-light~~ any kind
6 of a net, seine, trap, firearm, dynamite, or other explosives,
7 or poisonous or stupefying substances, lime, ashes or
8 electricity in the taking or attempting to take any fish,
9 except that gaffhooks or landing nets may be used to assist
10 in landing fish. No person shall take or kill, or attempt
11 to take or kill any fish by hand fishing. However, carp,
12 buffalo, quillback, gar, sheepshead, dogfish, and other rough
13 fish designated by the commission may be taken by hand fishing,
14 by snagging, by spear, by bow and arrow, day or night, and
15 with artificial light. The snagging of paddlefish may be
16 permitted at such times and at such places as may be determined
17 by rule of the commission.

18 Sec. 2. Section one hundred nine point eighty (109.80),
19 unnumbered paragraph two (2), Code 1977, is amended to read
20 as follows:

21 "Minnows" shall be defined as chubs, shiners, suckers,
22 dace, stonerollers, mud-minnows, redhorse, blunt-nose, and
23 fat-head minnows, ~~or other small fish commonly used for fish~~
24 ~~bait that have only one dorsal fin~~. Green sunfish and orange-
25 spotted sunfish may also be taken as bait.

26 Sec. 3. Section one hundred nine point eighty (109.80),
27 Code 1977, is amended by striking subsection two (2).

28 Sec. 4. Section one hundred nine point ninety-two (109.92),
29 Code 1977, is amended to read as follows:

30 109.92 BOX TRAPS--DISTURBING DENS--TAGS FOR TRAPS. Except
31 as otherwise provided in this chapter no person shall at any
32 time, use or attempt to use any colony ~~or box trap including~~
33 ~~figure-four-box-traps~~, traps in taking, capturing, trapping
34 or killing any game ~~bird or animal~~ or fur-bearing animal,
35 ~~except cottontail rabbits and squirrels~~. Box traps capable

1 of capturing more than one ~~rabbit-or-one-squirrel~~ game or
2 fur-bearing animal at each setting are prohibited. A valid
3 hunting license is required for box trapping cottontail rabbits
4 and squirrels ~~except-as-otherwise-provided~~. All ~~box~~ traps
5 used for the taking of fur-bearing animals shall have a metal
6 tag attached plainly labeled with the owner's name and address.
7 ~~Any-officers~~ Officers appointed by the commission shall have
8 authority to confiscate such traps when found in use that
9 are not properly labeled.

10 It shall be unlawful for any person, except as otherwise
11 provided, to use any chemicals, explosives, smoking devices,
12 mechanical ferrets, wire, tool, instrument, or water to remove
13 fur-bearing animals from their dens. Humane traps, or traps
14 designed to kill instantly, with a jaw spread exceeding eight
15 inches shall be unlawful to use except when placed entirely
16 under water.

17 Sec. 5. Section one hundred ten point one (110.1), Code
18 1977, is amended by inserting after line fifty-one (51) the
19 following:

20 Nonresidents raccoon stamp and tags, . . . \$100.00

21 ~~All-licensed-traps-shall-have-a-metal-tag-attached-plainly~~
22 ~~labeled-with-the-owner's-name-and-address.--Any-officers~~
23 ~~appointed-by-the-commission-shall-have-authority-to-confiscate~~
24 ~~such-traps-when-found-in-use-that-are-not-properly-labeled.~~

25 Sec. 6. Section one hundred nine point ninety-seven
26 (109.97), Code 1977, is amended by striking the section and
27 inserting in lieu thereof the following:

28 109.97 REPORTS. Fur dealers shall keep accurate, current
29 records of their transactions. The records shall show the
30 number and kinds of hides and skins which have been purchased,
31 the date of purchase, and the name and address of the seller.
32 Such records shall be open at all reasonable times to
33 inspection by the commission. On or before May fifteenth
34 of each year, each fur dealer shall file a verified inventory
35 with the commission. The inventory shall include all

1 transactions for the preceding year. All pelts purchased
2 shall, as soon as practicable, be stamped in a conspicuous
3 manner by the fur dealer. Such stamp shall be in indelible
4 ink and bear the license number of the dealer.

5 Sec. 7. Section one hundred ten point six (110.6), Code
6 1977, is amended to read as follows:

7 110.6 LOST OR DESTROYED BLANKS. When license blanks in
8 the possession of the county recorder or depositaries are
9 accidentally destroyed, ~~either by fire or theft,~~ the holder
10 of such blanks shall only be relieved from accountability
11 upon the presentation of satisfactory ~~proof~~ explanation and
12 the filing of a bond to the director that such blanks have
13 actually been so destroyed. The commission may determine
14 by rule what shall constitute a satisfactory explanation of
15 such occurrence.

16 Sec. 8. Section one hundred ten point eleven (110.11),
17 Code 1977, is amended to read as follows:

18 110.11 FORM OF LICENSE. All hunting, fishing, and trapping
19 licenses shall contain a general description of the licensee.
20 Such licenses shall be upon such forms as the commission shall
21 adopt. The ~~occupation,~~ address, and the signature of the
22 applicant and all signatures and other writing shall be in
23 ink. ~~All licenses shall bear a facsimile signature of the~~
24 ~~director and the signature of the recorder by whom it is~~
25 ~~issued.~~ All licenses shall clearly indicate the nature of
26 the privilege granted.

27 Sec. 9. Section one hundred ten point thirteen (110.13),
28 Code 1977, is amended by striking the section and inserting
29 in lieu thereof the following:

30 110.13 UNLAWFUL OBTAINING OR USE--EFFECT. A nonresident
31 shall not obtain a resident license by falsely claiming
32 residency in the state. The use of a license by a person
33 other than the person to whom the license is issued is unlawful
34 and shall nullify the license. Violation of this section
35 is a misdemeanor punishable by a fine of not more than one

1 hundred dollars or imprisonment in the county jail of not
2 more than thirty days.

3 Sec. 10. Chapter one hundred ten (110), Code 1977, is
4 amended by adding the following new section:

5 NEW SECTION. A nonresident shall not hunt raccoon unless
6 the nonresident raccoon stamp is affixed to the hunting license
7 and the hunter possesses unused tags. A nonresident shall
8 not possess an untagged raccoon carcass or pelt. The
9 nonresident raccoon stamp shall be issued with twenty tags
10 bearing the same number as the stamp. The tags shall be
11 designed to be used only once. A nonresident shall purchase
12 only one stamp each year.

13 Sec. 11. Amend chapter one hundred ten (110), Code 1977,
14 by adding the following new section:

15 NEW SECTION. Fur bearing animals which have been killed
16 on the highways and roads of this state may be salvaged by
17 any citizen of this state when the animal has been tagged
18 by a conservation officer.

19 Sec. 12. Section one hundred nine point eighty-eight
20 (109.88), Code 1977, is repealed.

21 Sec. 13. This Act is effective January 1, 1978.

22 EXPLANATION

23 This bill amends various sections of the fish and game
24 laws of the Code. The bill strikes language which prohibits
25 the use of artificial light to catch fish on or in the waters
26 of the state of Iowa and further strikes language prohibiting
27 the taking of small fish commonly used for bait that only
28 have one dorsal fin, in order to alleviate confusion and
29 inconsistency in regard to game fish which also have only
30 one dorsal fin. Section 3 of the bill is a corrective
31 amendment to arrest the conflict between the commission's
32 expanded trout stocking program and the bait regulations.
33 The bill further repeals language in the Code which requires
34 a special permit tag to sell furs out of state, and the use
35 of box traps in the taking of fur-bearing animals and limits

1 the use of large humane traps to water sets only.

2 Sections 5 and 6 of the bill pertain to the duties of the
3 director, and specifically provide that the director of the
4 state conservation commission may relieve a depositary or
5 county recorder of responsibility if the director is satisfied
6 with the explanation provided for the disappearance of any
7 license blanks and allows the state conservation commission
8 to determine what shall constitute a satisfactory explanation
9 by its rules. The bill strikes language which requires that
10 all licenses have a facsimile signature of the director and
11 the signature of the recorder by whom the license was issued,
12 and further requires all hunting, fishing and trapping licenses
13 to contain a general description of the license.

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S-3260

HOUSE FILE 251

- 1 Amend House File 251 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 2, by striking lines 17 through 20.
- 4 2. Page 3, by inserting after line 4 the following:
- 5 "Sec. ____ . Section one hundred ten point one
- 6 (110.1), Code 1977, is amended by inserting after
- 7 line 51 the following:
- 8 Nonresident raccoon stamp and tags.....\$100.00"
- 9 3. Renumber the sections to conform with this
- 10 amendment.

S-3260 FILED *Adopted 4/4 (p. 904)* BY IRVIN L. BERGMAN
MARCH 30, 1977

HOUSE FILE 251

S-3278

- 1 Amend House File 251, as amended and passed and
- 2 reprinted by the House as follows:
- 3 1. Page 4, by striking lines 15 through 18.

S-3278 FILED & ADOPTED *(p. 904)* BY DALE L. TIEDEN
APRIL 4, 1977

HOUSE FILE 251

S-3288

- 1 Amend House File 251 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 4, by striking lines 13 and 14.

S-3288 FILED & ADOPTED *(p. 904)* BY DALE L. TIEDEN
APRIL 4, 1977

SENATE AMENDMENT TO
HOUSE FILE 251

H-3525

- 1 Amend House File 251 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, by striking lines 17 through 20.
- 4 2. Page 3, by inserting after line 4 the following:
- 5 "Sec. ____ . Section one hundred ten point one
- 6 (110.1), Code 1977, is amended by inserting after
- 7 line 51 the following:
- 8 Nonresident raccoon stamp and tags.....\$100.00"
- 9 3. Page 4, by striking lines 13 and 14.
- 10 4. Page 4, by striking lines 15 through 18.
- 11 5. Renumber the sections to conform with this
- 12 amendment.

H-3525 FILED
RECEIVED FROM SENATE
APRIL 6, 1977

House concurred 4/13 (p. 1340)

HOUSE FILE 251

AN ACT

RELATING TO THE DUTIES AND RESPONSIBILITIES OF
THE STATE CONSERVATION COMMISSION IN REGULATING
FISH AND GAME LAWS.

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

Section 1. Section one hundred nine point seventy-six (109.76), Code 1977, is amended to read as follows:
109.76 UNLAWFUL MEANS--EXCEPTION. It shall be unlawful, except as otherwise provided, to use on or in the waters of the state any grabhook, snaghook, ~~artificial-light~~, any kind of a net, seine, trap, firearm, dynamite, or other explosives, or poisonous or stupefying substances, lime, ashes or electricity in the taking or attempting to take any fish, except that gaffhooks or landing nets may be used to assist in landing fish. No person shall take or kill, or attempt to take or kill any fish by hand fishing. However, carp, buffalo, quillback, gar, sheepshead, dogfish, and other rough fish designated by the commission may be taken by hand fishing, by snagging, by spear, by bow and arrow, day or night, and with artificial light. The snagging of paddlefish may be permitted at such times and at such places as may be determined by rule of the commission.

Sec. 2. Section one hundred nine point eighty (109.80), unnumbered paragraph two (2), Code 1977, is amended to read as follows:

"Minnows" shall be defined as chubs, shiners, suckers, dace, stonerollers, mud-minnows, redhorse, blunt-nose, and fat-head minnows, ~~or other small fish commonly used for fish bait that have only one dorsal fin~~. Green sunfish and orange-spotted sunfish may also be taken as bait.

Sec. 3. Section one hundred nine point eighty (109.80), Code 1977, is amended by striking subsection two (2).

Sec. 4. Section one hundred nine point ninety-two (109.92), Code 1977, is amended to read as follows:

109.92 BOX TRAPS--DISTURBING DENS--TAGS FOR TRAPS. Except as otherwise provided in this chapter no person shall at any time, use or attempt to use any colony ~~or box trap including figure-four-box-traps~~, traps in taking, capturing, trapping or killing any game ~~bird or animal~~ or fur-bearing animal, ~~except cottontail rabbits and squirrels~~. Box traps capable of capturing more than one ~~rabbit or one squirrel~~ game ~~or fur-bearing animal~~ at each setting are prohibited. A valid hunting license is required for box trapping cottontail rabbits and squirrels except as otherwise provided. All box traps used for the taking of fur-bearing animals shall have a metal tag attached plainly labeled with the owner's name and address. ~~Any officers~~ Officers appointed by the commission shall have authority to confiscate such traps when found in use that are not properly labeled.

It shall be unlawful for any person, except as otherwise provided, to use any chemicals, explosives, smoking devices, mechanical ferrets, wire, tool, instrument, or water to remove fur-bearing animals from their dens. Humane traps, or traps designed to kill instantly, with a jaw spread exceeding eight inches shall be unlawful to use except when placed entirely under water.

~~All licensed traps shall have a metal tag attached plainly labeled with the owner's name and address. Any officers appointed by the commission shall have authority to confiscate such traps when found in use that are not properly labeled.~~

Sec. 5. Section one hundred nine point ninety-seven (109.97), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

109.97 REPORTS. Fur dealers shall keep accurate, current records of their transactions. The records shall show the number and kinds of hides and skins which have been purchased, the date of purchase, and the name and address of the seller.

Such records shall be open at all reasonable times to inspection by the commission. On or before May fifteenth of each year, each fur dealer shall file a verified inventory with the commission. The inventory shall include all transactions for the preceding year. All pelts purchased shall, as soon as practicable, be stamped in a conspicuous manner by the fur dealer. Such stamp shall be in indelible ink and bear the license number of the dealer.

Sec. 6. Section one hundred ten point one (110.1), Code 1977, is amended by inserting after line 51 the following:

Nonresident raccoon stamp and tags.....\$100.00

Sec. 7. Section one hundred ten point six (110.6), Code 1977, is amended to read as follows:

110.6 LOST OR DESTROYED BLANKS: When license blanks in the possession of the county recorder or depositaries are accidentally destroyed, ~~either by fire or theft~~, the holder of such blanks shall only be relieved from accountability upon the presentation of satisfactory proof explanation and the filing of a bond to the director that such blanks have actually been so destroyed. The commission may determine by rule what shall constitute a satisfactory explanation of such occurrence.

Sec. 8. Section one hundred ten point eleven (110.11), Code 1977, is amended to read as follows:

110.11 FORM OF LICENSE. All hunting, fishing, and trapping licenses shall contain a general description of the licensee. Such licenses shall be upon such forms as the commission shall adopt. The ~~occupational~~ address and the signature of the applicant and all signatures and other writing shall be in ink. ~~All licenses shall bear a facsimile signature of the director and the signature of the recorder by whom it is issued.~~ All licenses shall clearly indicate the nature of the privilege granted.

Sec. 9. Section one hundred ten point thirteen (110.13), Code 1977, is amended by striking the section and inserting

in lieu thereof the following:

110.13 UNLAWFUL OBTAINING OR USE--EFFECT. A nonresident shall not obtain a resident license by falsely claiming residency in the state. The use of a license by a person other than the person to whom the license is issued is unlawful and shall nullify the license. Violation of this section is a misdemeanor punishable by a fine of not more than one hundred dollars or imprisonment in the county jail of not more than thirty days.

Sec. 10. Chapter one hundred ten (110), Code 1977, is amended by adding the following new section:

NEW SECTION. A nonresident shall not hunt raccoon unless the nonresident raccoon stamp is affixed to the hunting license and the hunter possesses unused tags. A nonresident shall not possess an untagged raccoon carcass or pelt. The nonresident raccoon stamp shall be issued with twenty tags bearing the same number as the stamp. The tags shall be designed to be used only once. A nonresident shall purchase only one stamp each year.

Sec. 11. Section one hundred nine point eighty-eight (109.88), Code 1977, is repealed.

Sec. 12. This Act is effective January 1, 1978.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 251, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved July 13, 1977

ROBERT D. RAY
Governor