

MAR 10 1977

HOUSE FILE 356

Place On Calendar

By COMMITTEE ON NATURAL RESOURCES

(Formerly Study Bill 125)

Passed House, Date 2-15-78 (p. 481) Passed Senate, Date \_\_\_\_\_

Vote: Ayes 77 Nays 17 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

# A BILL FOR

1 An Act relating to the licenses and certificates for  
2 the taking of fish and game.

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

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356

HOUSE FILE 356

H-3311

1 Amend House File 356 as follows:

2 1. Page 5, by striking line 4 and inserting

3 in lieu thereof the following:

4 "Sec. 3. This Act, except paragraph d, sub-

5 section two (2) of section one (1) shall be effec-

6 tive January 1, 1978. Paragraph d, subsection two

7 (2) of section one (1) of this Act shall be effec-

8 tive July 1, 1977."

H-3311 FILED *w/d 2/5* BY WYCKOFF of Benton  
MARCH 17, 1977 (469)

1 Section 1. Section one hundred ten point one (110.1),  
2 Code 1977, is amended by striking the section and inserting  
3 in lieu thereof the following:

4 110.1 LICENSES. Except as otherwise provided in this  
5 chapter, no person shall fish, trap, hunt, pursue, catch,  
6 kill or take in any manner, or use or have possession of,  
7 or sell or transport all or any portion of any wild animal,  
8 bird, game or fish, the protection and regulation of which  
9 is desirable for the conservation of the resources of the  
10 state, without first procuring a license or certificate so  
11 to do and the payment of a fee as follows:

- 12 1. Fishing licenses:
  - 13 a. Legal residents except as
  - 14 otherwise provided..... \$ 6.00
  - 15 b. Legal residents sixty-five
  - 16 years of age or older..... \$ 1.25
  - 17 c. Lifetime license for legal
  - 18 residents sixty-five years of age
  - 19 or older..... \$ 6.00
  - 20 d. Nonresident license..... \$ 10.00
  - 21 e. Three-day license for resi-
  - 22 dent or nonresident..... \$ 3.00
  - 23 f. Special trout license stamp..... \$ 5.00
- 24 2. Hunting licenses:
  - 25 a. Legal residents except as
  - 26 otherwise provided..... \$ 6.00
  - 27 b. Legal residents sixty-five
  - 28 years of age or older..... \$ 1.25
  - 29 c. Lifetime license for legal
  - 30 residents sixty-five years of age
  - 31 or older..... \$ 6.00
  - 32 d. Deer hunting license for
  - 33 residents..... \$ 15.00
  - 34 e. Wild turkey hunting license
  - 35 for residents..... \$ 15.00

1	f. Nonresidents hunting license.....	\$ 40.00
2	g. Nonresidents raccoon stamp	
3	and tags.....	\$100.00
4	3. Hunting and fishing combined	
5	licenses:	
6	a. Legal residents except as	
7	otherwise provided.....	\$ 11.00
8	b. Legal residents sixty-five	
9	years of age or older.....	\$ 2.50
10	c. Lifetime license for residents	
11	sixty-five years of age or older.....	\$ 8.00
12	4. Trapping and game breeders	
13	licenses:	
14	a. Trapping license for legal	
15	residents sixteen years of age or	
16	older.....	\$ 10.00
17	b. Trapping license for legal	
18	residents under sixteen years of	
19	age.....	\$ 1.00
20	c. Trapping license for non-	
21	residents.....	\$100.00
22	d. Fur dealers license for resi-	
23	dents.....	\$ 50.00
24	e. Fur dealers license for non-	
25	residents.....	\$200.00
26	f. Game breeder's license.....	\$ 10.00
27	5. Net, seine, trap, trotline	
28	licenses for residents:	
29	a. Seine:	
30	For the first 500 lineal feet or	
31	fraction thereof \$10.00 and for	
32	each additional 500 feet or frac-	
33	tion thereof.....	\$ 15.00
34	b. Trammel net:	
35	For each 300 lineal feet or	

S.F. \_\_\_\_\_ H.F. 356

1	fraction thereof.....	\$ 10.00
2	c. Gill net:	
3	For each 100 lineal feet or frac-	
4	tion thereof.....	\$ 2.00
5	d. All other nets, for each net.....	\$ 1.00
6	e. Basket traps, for each trap.....	\$ 1.00
7	f. Trotline:	
8	For each trotline.....	\$ 1.00
9	g. Owner's certificate for	
10	commercial fishing gear.....	\$ 25.00
11	h. Operator's certificate for	
12	each person operating commercial	
13	fishing gear.....	\$ 1.00
14	6. Net, seine, trap, trotline	
15	licenses for nonresidents eligi-	
16	ble to purchase such licenses:	
17	a. Seine:	
18	For each 500 lineal feet or frac-	
19	tion thereof.....	\$ 20.00
20	b. Trammel net:	
21	For each 300 lineal feet or frac-	
22	tion thereof.....	\$ 20.00
23	c. Gill net:	
24	For each 300 lineal feet	
25	or fraction thereof.....	\$ 20.00
26	d. All other nets, for each	
27	net.....	\$ 3.00
28	e. Basket traps, for each	
29	trap.....	\$ 3.00
30	f. Trotlines, for each trot-	
31	line.....	\$ 4.00
32	7. Other licenses:	
33	a. Mussel licenses:	
34	(1) Legal residents.....	\$ 10.00
35	(2) Nonresidents.....	\$ 25.00

- 1 b. Wholesale fish-market or
- 2 fish-peddler's license for resi-
- 3 dents..... \$ 10.00
- 4 c. Wholesale fish-market li-
- 5 cense for nonresidents..... \$ 25.00
- 6 d. Wholesale fish-peddler's
- 7 license for nonresidents..... \$ 10.00
- 8 e. Peddlers, employed by whole-
- 9 sale fish market, certificate..... \$ 1.00
- 10 f. Scientific collector's li-
- 11 cense..... \$ 2.00
- 12 g. Private fish hatcheries..... \$ 10.00
- 13 h. Bait dealer's license for
- 14 residents..... \$ 25.00
- 15 i. Bait dealer's license for
- 16 nonresidents..... \$ 50.00
- 17 j. Taxidermy license..... \$ 10.00
- 18 k. Falconry license..... \$ 10.00
- 19 l. Nongame support certificate..... \$ 5.00

20 Sec. 2. Chapter one hundred ten (110), Code 1977, is  
21 amended by adding the following new sections:

22 NEW SECTION. Any person required to have a fishing li-  
23 cense shall not possess trout unless that person has at that  
24 time on his or her person an unexpired special trout license  
25 stamp validated by that person's signature written across  
26 the face of the stamp in ink, a receipt, or other evidence  
27 showing that such trout was lawfully acquired. The proceeds  
28 from the sale of this stamp shall be used exclusively to re-  
29 stock trout waters designated by the state conservation com-  
30 mission.

31 NEW SECTION. A nonresident shall not hunt raccoon unless  
32 the nonresident raccoon stamp is affixed to the hunting license  
33 and the hunter possesses unused tags. A nonresident shall  
34 not possess an untagged raccoon carcass or pelt. The  
35 nonresident raccoon stamp shall be issued with twenty tags

1 bearing the same number as the stamp. The tags shall be  
2 designed to be used only once. A nonresident shall purchase  
3 only one stamp each year.

4 Sec. 3. This Act shall be effective January 1, 1978.

5 EXPLANATION

6 The bill increases the fee for the following license by  
7 the following amounts: Resident fishing license, \$2.00;  
8 resident hunting license, \$1.00; combined resident hunting  
9 and fishing license, \$3.00; nonresident hunting license,  
10 \$15.00; special deer hunting license, \$5.00; special wild  
11 turkey license, \$5.00; trapping license for those sixteen  
12 years of age or older, \$5.00; resident fur dealer's license,  
13 \$25.00; nonresident fur dealer's license, \$50.00; and the  
14 owner's certificate for commercial fishing gear, \$10.00.  
15 The bill eliminates the \$1.00 one-day resident and nonresi-  
16 dent fishing license and the \$5.00 six-day resident and non-  
17 resident fishing license and establishes a \$3.00 three-day  
18 resident and nonresident fishing license, a \$100.00 nonresident  
19 raccoon stamp, a \$10.00 taxidermy license, a \$10.00 falconry  
20 license, and a \$5.00 nongame support certificate. The nongame  
21 support certificate would be used to finance the study of  
22 nongame animals.

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LSB 673H  
dsb/rh/8A

FISCAL NOTE  
HOUSE FILE 356

Date Prepared April 12, 1977

Requested by Representative Middleswart

Prepared in regard to H.F. 356, An Act relating to the licenses and certificates for the taking of fish and game. Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16:

House File 356 increases the fee for the following license by the following amounts:

	<u>Increase</u>
Resident Fishing License	\$ 2.00
Resident Hunting License	1.00
Combined Resident Hunting & Fishing License	3.00
Non-Resident Hunting License	5.00
Special Deer Hunting License	5.00
Special Wild Turkey License	5.00
Trapping License for those 16 years of age or older	5.00
Resident Fur Dealer's License	25.00
Non-Resident Fur Dealer's License	50.00
Owner's Certificate for commercial fishing gear	10.00

The bill eliminates the \$1.00 one-day resident and nonresident fishing license and the \$5.00 six-day resident and nonresident license and establishes a \$3.00 three-day resident and nonresident fishing license, a \$100.00 nonresident raccoon stamp, a \$10.00 taxidermy license, a \$10.00 falcony license, and a \$5.00 nongame support certificate. The nongame support certificate would be used to finance the study of nongame animals.

The projected fiscal effect of this proposal is an estimated increase as follows:

	1977/78	1978/79
General Hunting & Fishing Licenses	\$ 645,600	\$1,533,400
Special Stamps & Licenses	5,850	296,850
Commercial Fishing Licenses & Tags	11,260	11,260
Miscellaneous Permits	12,450	23,455
Total Increase	\$ 675,160	\$1,864,965

Source: Iowa Conservation Commission

FILED

GERRY D. RANKIN

APRIL 14, 1977

LEGISLATIVE FISCAL BUREAU

FISCAL NOTE  
HOUSE FILE 356

Date Prepared April 12, 1977

Requested by Representative Lonergan

Prepared in regard to H.F. 356, Amendment H-3332, An Act relating to the licenses and certificates for the taking of fish and game. Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16:

Amendment H-3332 makes certain provisions for the permanently disabled.

No cost estimate can be made regarding the fiscal effect of Amendment H-3332, however, the effect is thought to be minimal.

Source: Iowa Conservation Commission

FILED

GERRY D. RANKIN

APRIL 14, 1977

LEGISLATIVE FISCAL BUREAU

1 Amend H-5224 amending House File 356 as follows:

2 1. Page 1, by striking lines 4 through 10 and  
3 inserting in lieu thereof the following:

4 "Sec. 2. Section one hundred ten point three  
5 (110.3), Code 1977, is amended to read as follows:  
6 110.3 ISSUANCE OF LICENSE. All licenses other  
7 than hunting, fishing, and trapping licenses, shall  
8 be issued by the director upon application to the  
9 departmental office at Des Moines. Hunting, fishing,  
10 and trapping licenses shall be issued by ~~the recorder~~  
11 of each county depositaries designated by the director.

12 Sec. 3. Section one hundred ten point four (110.4),  
13 Code 1977, is amended to read as follows:

14 110.4 DEPOSITARIES--BOND. ~~The county recorder~~  
15 ~~may designate various depositaries for the sale of~~  
16 ~~such licenses other than the office of the county~~  
17 ~~recorder.~~ The director may shall designate  
18 ~~depositaries other than those designated by the~~  
19 ~~recorders of the various~~ in all the counties of the  
20 state but in so doing the interest of the state shall  
21 be fully protected either by a sufficient cash deposit  
22 or a satisfactory bond. Depositaries designated by  
23 ~~the county recorder or~~ the director may have the  
24 privilege of charging an additional five percent of  
25 the cost of each license to be retained for the service  
26 rendered in issuing the license.

27 Sec. 4. Section one hundred ten point six (110.6),  
28 Code 1977, as amended by Acts of the Sixty-seventh  
29 General Assembly, 1977 Session, chapter sixty-six  
30 (66), section seven (7), is amended to read as follows:

31 110.6 LOST OR DESTROYED BLANKS. When license  
32 blanks in the possession of the ~~county recorder or~~  
33 ~~depositaries~~ are accidentally destroyed, the holder  
34 of such blanks shall only be relieved from  
35 accountability upon the presentation of satisfactory  
36 explanation and the filing of a bond to the director  
37 that such blanks have actually been so destroyed.  
38 The commission may determine by rule what shall  
39 constitute a satisfactory explanation of such  
40 occurrence.

41 Sec. 5. Section one hundred ten point seven  
42 (110.7), Code 1977, is amended to read as follows:

43 110.7 DUPLICATE LICENSES AND PERMITS. Whenever  
44 any license, certificate or permit, for which a fee  
45 has been set, has been lost, destroyed or stolen,  
46 the director or the ~~county recorder~~ depository where  
47 the license was issued in the first instance, may  
48 issue a certificate to replace said license, if written  
49 evidence is filed with either director or ~~recorder~~  
50 depository, in affidavit form, by the person to whom

1 the original was issued, setting forth the  
2 circumstances and accompanied by a fee of one dollar,  
3 said fee to be kept by the ~~county-recorder-for-the~~  
4 ~~use-of-the-county~~ depository, if issued by him or  
5 her, and placed in the fish and game protection fund  
6 if issued by the director. If, on examination of  
7 the evidence, the director or the ~~recorder~~ depository,  
8 as the case may be, is satisfied that said license  
9 has been lost, destroyed or stolen, he or she shall  
10 issue a duplicate license which shall be plainly  
11 marked "duplicate" and said duplicate shall serve  
12 in lieu of the original license and it shall contain  
13 the same information and signature as the original.

14 Sec. 6. Section one hundred ten point eight  
15 (110.8), Code 1977, is amended to read as follows:

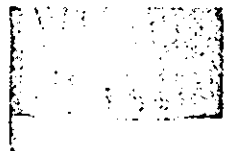
16 110.8 ACCOUNTING. Within five days after the end  
17 of each month, each ~~county-recorder~~ depository shall  
18 remit to the director, all duplicate licenses and  
19 all fees for licenses issued during the previous  
20 month. On or before the thirty-first of January  
21 each year, each ~~county-recorder~~ depository shall remit  
22 to the director all unused license blanks for the  
23 previous year, and he or she shall make a final  
24 accounting for all license fees received for that  
25 period.

26 Sec. 7. Section one hundred ten point nine (110.9),  
27 Code 1977, is amended to read as follows:

28 110.9 DUPLICATE ISSUANCE--OLD RECORDS DESTROYED.  
29 All licenses shall be issued in duplicate, one copy  
30 of which shall be given to the applicant, one shall  
31 be forwarded to the director, and the license stub  
32 shall be retained ~~in-the-office-of-the-county-recorder~~  
33 by the depository.

34 ~~The board-of-supervisors~~ director may order the  
35 ~~county-recorder~~ depositories to destroy all triplicate  
36 copies of hunting, fishing and trapping licenses which  
37 have been on file ~~in-the-recorder's-office~~ for five  
38 years or more.

39 Sec. 8. Section one hundred ten point five (110.5),  
40 Code 1977, is repealed."



H-5310

1 Amend amendment H-5224 to page 4 of House File  
 2 356 as follows:  
 3 1. Page 1, by inserting after line 10 the fol-  
 4 lowing:  
 5 "Any private business involved in the sale of  
 6 licenses may retain five percent of the license fee  
 7 as a writing fee."

H-5310 FILED *Loat 2/15* BY SCHROEDER of Pottawattamie  
 FEBRUARY 15, 1978 (*p 470*)

## HOUSE FILE 356

H-5314

1 Amend the Byerly, et al, amendment, H-5214, to  
 2 House File 356, by striking lines 3 and 4 and inserting  
 3 in lieu thereof the following:  
 4 "Section 1. Section one hundred ten point eighteen  
 5 (110.18), Code 1977, is amended to read as follows:  
 6 110.18 COURTESY NONRESIDENT LICENSES. The Com-  
 7 mission is hereby authorized to issue a courtesy non-  
 8 resident license for the taking of any fish or game,  
 9 except deer. Such licenses may be issued by the dir-  
 10 ector of the commission, without charge, to ~~dignitaries~~  
 11 employees and officials of other states, countries, or  
 12 the United States whose professional duties include wild-  
 13 life management and who are in the state as guests of the  
 14 governor or the commission for purposes related to wild-  
 15 life management. Such licenses shall be issued for a  
 16 specific number of days. The number of licenses to be  
 17 issued for in any one season or species of fish or game  
 18 calendar year shall not exceed fifty one hundred.  
 19 Sec. 2. This Act is effective January 1, 1979."

H-5314 FILED *Loat 2/15* BY EVANS of Grundy  
 FEBRUARY 15, 1978 (*p 469*)

## HOUSE FILE 356

H-5315

1 Amend House File 356 as follows:  
 2 1. Page 4, by inserting after line 21 the  
 3 following:  
 4 "NEW SECTION. At least fifty percent of the annual  
 5 increase in the license and certificate revenues over  
 6 the revenues which would have been raised if the license  
 7 and certificate fees of the Code of 1977 were still  
 8 in effect shall be deposited in the state fish and  
 9 game protection fund and shall be used for the leasing  
 10 of land or obtaining of easements from willing sellers  
 11 for the purpose of habitat development. Those revenues  
 12 shall not be included in the gross amount of the fish  
 13 and game protection fund for the purposes of  
 14 determining the amount of the administration fund  
 15 nor shall those revenues be transferred to the  
 16 administration fund. Those revenues may also be used  
 17 for the development, management, and enhancement of  
 18 wildlife lands and habitat areas and may be used for  
 19 the matching of federal funds. Those revenues may  
 20 also be used by the commission to enter into agreements  
 21 with county conservation boards or other public or  
 22 private agencies in order to carry out the purposes  
 23 of this section."

H-5315 FILED *Loat 2/15* BY BYERLY of Polk  
 FEBRUARY 15, 1978 (*479*) DAGGETT of Adams

HOUSE FILE 356

H-5307

Amend House File 356 as follows:

1. Page 1, by inserting before line 1 the following section:

"Section 1. Section one hundred nine point ninety-two (109.92), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter sixty-six, section four (4), 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 traps in taking, capturing, trapping or killing any game or fur-bearing animal. Box traps capable of capturing more than one game or fur-bearing animal at each setting are prohibited. A valid hunting license is required for box trapping cottontail rabbits and squirrels. All traps used for the taking of fur-bearing animals shall have a metal tag attached plainly labeled with the owner's name and address and must be checked at least once in every twenty-four hour period. Officers appointed by the commission shall have authority to confiscate such traps when found in use that are not properly labeled or checked.

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."

H-5307 FILED *Not germane* BY MIDDLESWART of Warren  
FEBRUARY 15, 1978 <sup>2/15</sup> (478) MILLEN of Van Buren

HOUSE FILE 356

H-5309

Amend amendment H-5214 to page 5 of House File 356 as follows:

1. Page 1, by striking lines 3 and 4 and inserting in lieu thereof the following:

"Sec. \_\_\_\_\_. Section one hundred ten point eighteen (110.18), Code 1977, is amended to read as follows:

110.18 COURTESY NONRESIDENT LICENSES. The commission is hereby authorized to issue a courtesy nonresident license for the taking of any fish or game, except deer. Such licenses may be issued by the director of the commission, without charge, to dignitaries and officials of other states, countries, or the United States who are in the state as guests of the governor or the commissioner. Such licenses shall be issued for a specific number of days. The number of licenses to be issued for any one season or species of fish or game shall not exceed one-hundred twenty-five."

H-5309 FILED *Lost* BY PERKINS of Greene  
FEBRUARY 15, 1978 <sup>2/15</sup> (468)

HOUSE FILE 356

H-5305

1 Amend House File 356 as follows:  
2 1. Page 1, by inserting before line 1 the  
3 following section:  
4 "Section 1. Chapter one hundred nine (109), Code  
5 1977, is amended by adding the following new section:  
6 NEW SECTION. PROHIBITED HUNTING ON ROADWAYS.  
7 A person shall not hunt any game along the roadway of  
8 any secondary or primary highway of the state."

H-5305 FILED *Not germane* BY HUSAK of Tama  
FEBRUARY 15, 1978 *2/15 (p. 474)*

HOUSE FILE 356

H-5306

1 Amend House File 356, page 5, by adding after  
2 line 3 the following new section:  
3 "NEW SECTION. It is the intent of the legisla-  
4 ture that the commission institute a program to re-  
5 establish the endangered mammalian species Canis  
6 Lupus Lycaon in Iowa. The commission shall take  
7 steps to stock Canis Lupus Lycaon in all appropriate  
8 areas of the state where the species formerly rang-  
9 ed and place the species under a management program  
10 to foster its multiplication and growth. When  
11 Canis Lupus Lycaon is, in the opinion of commission  
12 biologist, firmly re-established to the extent that  
13 the species is self-sustaining, the commission shall  
14 submit to the legislature plans for an open season  
15 for the taking and possession of the species, to-  
16 gether with a recommendation for a special license fee  
17 for the hunting of Canis Lupus Lycaon."

H-5306 FILED, LOST (*p 469*) BY NEWHARD of Jones  
FEBRUARY 15, 1978 MONROE of Des Moines

HOUSE FILE 356

H-5308

1 Amend amendment H-5217, to page 4 of House File  
2 356, as follows:  
3 1. Page 1, line 5, by inserting after the word  
4 "wildcat" the words "or bobcat".

H-5308 FILED - *adopted 2/15* BY BYERLY of Polk  
FEBRUARY 15, 1978 (*p. 462*)

HOUSE FILE 356

H-5300

- 1 Amend Amendment H-5211 to House File 356 as
- 2 follows:
- 3 1. Page 1, line 7, by inserting after the
- 4 word "shall" the following: "upon request".

H-5300 FILED, ADOPTED (452) BY WYCKOFF of Benton  
FEBRUARY 15, 1978

HOUSE FILE 356

H-5301

- 1 Amend H-5195 amending House File 356 as follows:
- 2 1. Page 1, by striking lines 15 through 19 and
- 3 inserting in lieu thereof the following:
- 4 "NEW SECTION. Any person may purchase a special
- 5 wildlife habitat".

H-5301 FILED, LOST (459) BY WYCKOFF of Benton  
FEBRUARY 15, 1978

HOUSE FILE 356

H-5303

- 1 Amend House File 356 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following section:
- 4 "Section 1. Section one hundred nine point one
- 5 hundred twenty (109.120), Code 1977 Supplement, is
- 6 amended to read as follows:
- 7 109.120 HUNTING FROM AIRCRAFT OR SNOWMOBILES
- 8 PROHIBITED. It shall be unlawful for any person to
- 9 intentionally kill or wound, attempt to kill or
- 10 wound, or pursue any animal, fowl or fish from or
- 11 with an aircraft in flight, or with any licensed
- 12 vehicle with four or more wheels, or from or with
- 13 any self-propelled vehicles designed for travel
- 14 on snow or ice which utilize sled type runners, or
- 15 skis, or an endless belt tread or any combination
- 16 thereof and which are commonly known as snowmobiles.
- 17 Any person who violates the provisions of this
- 18 section shall be guilty of a simple misdemeanor."

H-5303 FILED *Adopted as amended* BY JUNKER of Woodbury  
FEBRUARY 15, 1978 *By 5320* WYCKOFF of Benton

*Recommended and withdrawn (p. 479) 2/15 (p. 477)*  
HOUSE FILE 356

H-5304

- 1 Amend House File 356 as follows:
- 2 1. Page 2, line 23, by striking the numerals
- 3 "50.00" and inserting in lieu thereof the numerals
- 4 "150.00".
- 5 2. Page 2, line 25, by striking the numerals
- 6 "200.00" and inserting in lieu thereof the numerals
- 7 "300.00".

H-5304 FILED *Adopted 2/15* BY MONROE of Des Moines  
FEBRUARY 15, 1978 *(478)*

HOUSE FILE 356

H-5296

- 1 Amend amendment H-5195, to House File 356, as
- 2 follows:
- 3 1. Page 1, line 23, by inserting after the word
- 4 "used" the words "within the state of Iowa".

H-5296 FILED *adopted 2/15* BY EVANS of Grundy  
FEBRUARY 14, 1978 *(p. 455)* SMALLEY of Polk

HOUSE FILE 356

H-5297

- 1 Amend H-5195 to House File 356 as follows:
- 2 1. Page 1, by inserting after line 37 the follow-
- 3 ing paragraph:
- 4 "If lands are acquired in fee simple pursuant to
- 5 this section, the commission shall pay the sum of
- 6 three dollars for each acre or portion thereof to
- 7 the county in which such land is located. This payment
- 8 shall be made every fiscal year and shall be in lieu
- 9 of property taxes on such land for county services
- 10 provided. All such payments shall be from the revenues
- 11 derived from the sale of the wildlife habitat stamps."

H-5297 FILED *not german* BY HALVORSON of Clayton  
FEBRUARY 14, 1978 *2/15 (455)* STROMER of Hancock  
WYCKOFF of Benton  
MILLER of Buchanan

HOUSE FILE 356

H-5298

- 1 Amend H-5195 amending House File 356 as follows:
- 2 1. Page 1, line 20, by inserting after the word
- 3 "stamp." the words "This section shall not apply to
- 4 residents who are permanently disabled or who are
- 5 younger than sixteen or older than sixty-five years
- 6 of age."

H-5298 FILED *Adopted 2/14* BY BYERLY of Polk  
FEBRUARY 14, 1978 *(444)*

HOUSE FILE 356

H-5299

- 1 Amend House File 356 as follows:
- 2 1. Amend the title page, line 1, by inserting
- 3 after the word "the" the words "taking and possession
- 4 of migratory birds and the".

H-5299 FILED *w/o 2/15 (479)* BY PATCHETT of Johnson  
FEBRUARY 14, 1978

1 Amend amendment H-5195 to House File 356 as  
2 follows:

3 1. Page 1, by striking lines 6 through 37 and  
4 inserting in lieu thereof the following:

5 "2. Page 1, line 26, by striking the numerals  
6 "6.00" and inserting in lieu thereof the numerals  
7 "9.00".

8 3. Page 1, line 31, by striking the numerals  
9 "6.00" and inserting in lieu thereof the numerals  
10 "9.00"

11 4. Page 2, line 1, by striking the numerals  
12 "40.00" and inserting in lieu thereof the numerals  
13 "43.00".

14 5. Page 2, line 7, by striking the numerals  
15 "11.00" and inserting in lieu thereof the numerals  
16 "14.00".

17 6. Page 2, line 11, by striking the numerals  
18 "8.00" and inserting in lieu thereof the numerals  
19 "11.00".

20 7. Page 2, line 16, by striking the numerals  
21 "10.00" and inserting in lieu thereof the numerals  
22 "13.00".

23 8. Page 2, line 21, by striking the numerals  
24 "100.00" and inserting in lieu thereof the numerals  
25 "103.00".

26 9. Page 4, by inserting after line 21 the  
27 following:

28 NEW SECTION. The commission shall note on the  
29 license issued pursuant to section one (1), sub-  
30 section two (2), paragraphs a, c, and f, subsection  
31 three (3), paragraphs a and c, subsection four (4),  
32 paragraphs a and c, of this Act, that three dollars  
33 of this fee shall be used for habitat development and  
34 shall be deposited in the state fish and game protection  
35 fund and used for the acquisition of land, leasing of  
36 land, and obtaining of easements from persons willing  
37 to sell or lease the land or grant the easements for  
38 use as wildlife habitats. In addition, such revenue  
39 may be used for the development, management, and inhance-  
40 ment of wildlife lands and habitat areas, and may be used  
41 in whole or in part for the matching of federal funds.

42 Not less than one dollar and fifty cents of the fees  
43 collected as specified in this section shall be used  
44 by the commission to enter into agreements with  
45 county conservation boards or other public or private  
46 agencies in order to carry out the purpose of this Act.

47 NEW SECTION. The commission shall not issue more  
48 than two operator's certificates for commercial fishing  
49 gear for each owner's certificate for commercial fishing  
50 gear."

HOUSE FILE 356

H-5268

1 Amend the Byerly, et al, amendment, H-5214, to  
 2 House File 356, by striking lines 3 and 4 and inserting  
 3 in lieu thereof the following:  
 4 "Sec. \_\_\_\_\_. Section one hundred ten point eighteen  
 5 (110.18), Code 1977, is amended to read as follows:  
 6 110.18 COURTESY NONRESIDENT LICENSES. The  
 7 commission is hereby authorized to issue a courtesy  
 8 nonresident license for the taking of any fish or  
 9 game, except deer. Such licenses may be issued by  
 10 the director of the commission, without charge, to  
 11 ~~dignitaries and public officials of other states,~~  
 12 ~~countries or the United States~~ another state who  
 13 are in the this state as guests of the governor or  
 14 the commission, but such privileges shall not be  
 15 extended unless the laws of the state in which such  
 16 persons are public officials extend the same privileges  
 17 to public officials of this state. Such licenses  
 18 shall be issued for a specific number of days. The  
 19 number of licenses to be issued for any one season  
 20 or species of fish or game shall not exceed one  
 21 hundred."

H-5268 FILED - *Lost 2/15* BY HANSEN of O'Brien  
 FEBRUARY 8, 1978 (*467*) MIDDLESWART of Warren  
 WYCKOFF of Benton

HOUSE FILE 356

H-5287

1 Amend House File 356 as follows:  
 2 1. Page 4, by inserting after line 21 the  
 3 following:  
 4 "NEW SECTION. The commission shall employ a  
 5 biologist whose work shall concentrate on the study  
 6 of wildlife animals which are not game animals or  
 7 fur-bearing animals. The proceeds from the sale of  
 8 nongame certificates shall be used exclusively for  
 9 this purpose."

H-5287 FILED - *Adopted 2/15* BY BYERLY of Polk  
 FEBRUARY 14, 1978 (*465*) AVENSON of Fayette  
 ANDERSON of Jasper

HOUSE FILE 356

H-5289

1 Amend amendment H-5195, to House File 356, as  
 2 follows:  
 3 1. Page 1, line 26, by inserting after the first  
 A4 word "land" the words "not to exceed six hundred  
 5 forty acres per county".  
 6 2. Page 1, line 36, by striking the words "or  
 7 other public or private agencies".  
 B8 3. Page 1, line 37, by inserting after the word  
 9 "Act." the following: "The fifty percent shall be  
 10 divided equally between the county conservation boards."

H-5289 FILED - *Lost 2/14* (434) BY HULLINGER of Decatur  
 FEBRUARY 14, 1978 DAVITT of Warren

## HOUSE FILE 356

H-5252

- 1 Amend amendment H-5217 amending House File 356  
 2 as follows:  
 3 1. Page 1, line 5, by inserting after the word  
 4 "species:" the word "gopher,".

H-5252 FILED *w/d 2/15 (462)* BY KRAUSE of Kossuth  
 FEBRUARY 7, 1978

## HOUSE FILE 356

H-5253

- 1 Amend H-3332 amending House File 356 as follows:  
 2 1. Page 1, by inserting after line 13 the  
 3 following:  
 4 "7. Page 4, by inserting after line 21 the  
 5 following:  
 6 "NEW SECTION. For the purpose of obtaining a  
 7 license, a person is permanently disabled if that  
 8 person has been found under the provisions of the  
 9 federal Social Security Act, title two (II), or any  
 10 other public or private pension system to have a  
 11 total, permanent physical or mental condition which  
 12 prevents that person from engaging in his or her  
 13 occupation or qualifies that person for retirement."

H-5253 FILED - *Adopted 2/14* BY BYERLY of Polk  
 FEBRUARY 7, 1978 (*p. 443*) WOODS of Polk  
 CHIODO of Polk  
 NIELSEN of Polk

## HOUSE FILE 356

H-5254

- 1 Amend amendment H-5217 amending House File 356  
 2 as follows:  
 3 1. By striking lines 2 through 5 and inserting  
 4 in lieu thereof the following:  
 5 "Page 5, by inserting after line 3 the following:  
 6 Sec. \_\_\_\_\_ Chapter three hundred fifty (350),  
 7 Code of 1977 is repealed."

H-5254 FILED - *Lost 2/15* BY KRAUSE of Kossuth  
 FEBRUARY 7, 1978 (*p. 461*)

H-5228

Amend House File 356 as follows:

1. Page 4, by inserting after line 21 the following:

"NEW SECTION. The commission shall establish zones for hunting by nonresidents and may establish a limit for the number of nonresident hunting licenses to be sold in each zone. A nonresident hunting license shall be valid only in the zone in which it is sold by a depositary or a county recorder. The nonresident hunting license shall be valid for ten days after the date of its issuance and a nonresident may purchase another license, if available, upon the expiration of a license. Notwithstanding section one hundred ten point three (110.3) of the Code, nonresident hunting licenses may also be issued by the director upon the application of a nonresident for a zone and date of issuance for which the license is to be valid. Nothing in this section shall restrict a resident in hunting anywhere in this state. If the commission establishes a limit for a zone, all depositaries in a county shall report weekly to the county recorder the number of nonresident hunting licenses sold during that week. The commission shall survey the county recorders of each zone at least monthly and more often if necessary to determine the number of nonresident hunting licenses issued in the zone. When the commission determines that the limit of licenses established for the zone has been met or exceeded, the commission shall notify the county recorders who shall notify the depositaries in the county that nonresident hunting licenses shall not be issued for a period of time determined by the commission."

H-5228 FILED

FEBRUARY 7, 1978

*Adopted 2/15*  
*(p. 164)*

BY BYERLY of Polk  
 AVENSON of Fayette  
 HULLINGER OF Decatur  
 DAGGETT of Adams  
 HALVORSON of Clayton  
 BAKER of Buena Vista  
 HARBOR of Mills  
 VARLEY of Adair  
 MILLEN of Van Bruen  
 CLARK of Lee  
 PELLETT of Cass  
 HUSAK of Tama  
 PONCY of Wapello  
 NIELSEN of Polk  
 WOODS of Polk  
 KOOGLER of Mahaska  
 WALTER of Pottawattamie  
 PELTON of Clinton  
 CHIODO of Polk  
 BRUNOW of Appanoose  
 SCHROEDER of Pottawattamie  
 DANKER of Pottawattamie

H-5233

- 1 Amend H-5224 amending House File 356 as follows:
- 2 1. Page 1, lines 4 and 5, by striking the word
- 3 and figure "five (110.5)" and inserting in lieu thereof
- 4 the word and figure "eight (110.8)".
- 5 2. Page 1, line 8, by striking the words "of the
- 6 cost of each license" and inserting in lieu thereof
- 7 the words "of the fees remitted for the licenses".

H-5233 FILED *Adopted as amended* BY WYCKOFF of Benton  
 FEBRUARY 7, 1978 *by 5319 2/15* CONLON of Muscatine  
*(p 413)*

## HOUSE FILE 356

H-5248

- 1 Amend amendment H-5217 amending House File 356
- 2 as follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "species:" the word "crow,".

H-5248 FILED - *Adopted 2/15* BY KRAUSE of Kossuth  
 FEBRUARY 7, 1978 *(p. 461)*

## HOUSE FILE 356

H-5249

- 1 Amend amendment H-5217 amending House File 356
- 2 as follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "species:" the word "rattlesnake,".

H-5249 FILED - *Adopted 2/15* BY KRAUSE of Kossuth  
 FEBRUARY 7, 1978 *(p. 462)*

## HOUSE FILE 356

H-5250

- 1 Amend amendment H-5217 amending House File 356
- 2 as follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "species:" the word "fox,".

H-5250 FILED - *Adopted 2/15* BY KRAUSE of Kossuth  
 FEBRUARY 7, 1978 *(p. 462)*

## HOUSE FILE 356

H-5251

- 1 Amend amendment H-5217 amending House File 356
- 2 as follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "species:" the word "groundhog,".

H-5251 FILED - *Adopted 2/15* BY KRAUSE of Kossuth  
 FEBRUARY 7, 1978 *(p. 462)*

H-5223

1 Amend House File 356 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "Section 1. Section one hundred nine point seventy-  
5 three (109.73), Code 1977, is amended to read as  
6 follows:

7 109.73 NONCOMMERCIAL TROT LINES. It shall be  
8 unlawful for any person to use in the waters of the  
9 state open to the use of noncommercial trotlines or  
10 throw lines, more than five noncommercial trotlines  
11 or throw lines. Such trotlines or throw lines shall  
12 not have in the aggregate more than fifteen hooks.  
13 Each separate line when in use shall have attached  
14 a tag plainly labeled with the owner's name and  
15 address, shall be checked at least once each twenty-  
16 four hours, and no person shall use such throw lines  
17 or trotlines in any stocked lake or within three  
18 hundred feet of any dam or spillway or in any stream  
19 or portion of stream, closed or posted against the  
20 use of such tackle. One end of such throw lines or  
21 trotlines shall be set from the shore and be visible  
22 above the shore water line, but no such throw line  
23 or trotline shall be set entirely across a stream  
24 or body of water. Any untagged lines when found in  
25 use shall be confiscated by any officer appointed  
26 by the commission.

27 Sec. 2. Section one hundred nine point one hundred  
28 seven (109.107), unnumbered paragraphs two (2) and  
29 three (3), Code 1977, are amended to read as follows:

30 It shall be unlawful for any person to place any  
31 net or seine, trap or commercial trotline of any kind  
32 within one hundred yards of the mouth of any tributary  
33 stream emptying into the Mississippi river or Missouri  
34 river or within three hundred yards from the farthest  
35 projection of any dam in the Mississippi river and  
36 Missouri river.

37 All licensed nets, seines, basket traps or  
38 commercial trotlines shall have attached a metal tag  
39 identifying the equipment and license for its use.  
40 Tags must at all times be attached to commercial  
41 fishing gear and officers appointed by the commission  
42 shall have authority to confiscate any such commercial  
43 fishing gear when found in use without such tags  
44 attached. Identification tags shall be furnished  
45 by the commission and a charge of ten cents shall  
46 be made for each tag and such tags shall be renewed  
47 annually.

48 Sec. 3. Section one hundred nine point one hundred  
49 eight (109.108), Code 1977, is amended to read as  
50 follows:

1 109.108 MESH SIZE AND HOOK LIMIT. It shall be  
 2 unlawful for any person to fish with or to use any  
 3 trammel net having a mesh of less than two inches  
 4 square or bar measure, or to fish with or use a gill  
 5 net having a mesh of less than three and three-quarters  
 6 inches square or bar measure, or to use in the  
 7 Mississippi or Missouri rivers, basket traps, with  
 8 the end opposite the throat having a hole of less  
 9 than one and one-half inches in diameter or commercial  
 10 trotlines with more than one hundred hooks. Such  
 11 measurements shall apply to meshes when in use and  
 12 no allowance shall be made for shrinkage due to any  
 13 cause. Any commercial fishing equipment in use shall  
 14 be subject to inspection by the commission or its  
 15 authorized agents at any time.

16 Sec. 4. Section one hundred nine point one hundred  
 17 ten (109.110), Code 1977, is amended to read as  
 18 follows:

19 109.110 TRAPS AND COMMERCIAL TROTTLINES ON BORDER  
 20 RIVERS. It shall be lawful to operate in the  
 21 Mississippi and Missouri rivers, one basket trap and  
 22 one commercial trotline provided the operator has  
 23 purchased a regular fishing license that is required  
 24 in section 110.1, and pays the regular fee of one  
 25 dollar for each basket trap or trotline. Each trap  
 26 and trotline must have attached thereto an  
 27 identification tag as required in section 109.107."

28 2. Page 2, line 27, by inserting after the word  
 29 "trap," the word "commercial".

30 3. Page 3, by striking line 7 and inserting in  
 31 lieu thereof the following:

32 "f. Commercial trotline:".

33 4. Page 3, line 14, by inserting after the word  
 34 "trap," the word "commercial".

35 5. Page 3, line 30, by striking the word  
 36 "Trotlines" and inserting in lieu thereof the words  
 37 "Commercial trotlines".

38 6. By renumbering the sections to conform with  
 39 this amendment.

H-5223 FILED

BY SPEAR of Lee

FEBRUARY 7, 1978

A. *Bald not german; B. adopted 2/14 (p. 443)*

HOUSE FILE 356

H-5225

1 Amend H-5218 amending House File 356

2 as follows:

3 1. Page 1, line 12, by inserting after the word "Act"

4 the words "and "Migratory Bird Stamp Hunting Act"".

H-5225 FILED. *Adopted 2/14* BY PELTON of ClintonFEBRUARY 7, 1978 *(p. 459)*

H-5221

- 1 Amend H-5195 amending House File 356 as follows:
- 2 1. Page 1, line 8, by striking the number "3.00"
- 3 and inserting in lieu thereof the number "1.00".

H-5221 FILED - *Lost 2/14* BY WYCKOFF of Benton  
 FEBRUARY 7, 1978 (*p. 431*)

## HOUSE FILE 356

H-5222

- 1 Amend H-5195 amending House File 356 as follows:
- 2 1. Page 1, by striking line 15 and inserting in
- 3 lieu thereof the following:
- 4 "NEW SECTION. A resident between sixteen and
- 5 sixty-five years of age or a nonresident who is".

H-5222 FILED - *Adopted 2/14* BY WYCKOFF of Benton  
 FEBRUARY 7, 1978 (*p. 433*) *Reconsidered w/D 2/14 (444)*

## HOUSE FILE 356

H-5224

- 1 Amend House File 356 as follows:
- 2 1. Page 4, by inserting after line 19 the
- 3 following:
- 4 "Sec. 2. Section one hundred ten point five
- 5 (110.5), Code 1977, is amended by adding the following
- 6 new paragraph:
- 7 NEW PARAGRAPH. The county recorder shall deduct
- 8 five percent of the cost of each license issued by
- 9 the county recorder as a writing fee which shall be
- 10 credited to the county general fund."
- 11 2. By renumbering the sections to conform with
- 12 this amendment.

H-5224 FILED BY WYCKOFF of Benton  
 FEBRUARY 7, 1978  
*Adopted as amended*  
*by 5233 2/15 (p. 474)*

HARBOR of Mills  
 HINKHOUSE of Cedar  
 HARVEY of Scott  
 SCHNEKLOTH of Scott  
 HULLINGER of Decatur  
 CRABB of Crawford  
 BROCKETT of Marshall  
 EVANS OF Grundy  
 CONLON of Muscatine  
 OXLEY of Linn  
 HOWEELL of Floyd  
 WEST of Marshall  
 DIELEMAN of Marion  
 LAGESCHULTE of Bremer  
 LIND of Black Hawk  
 PELLETT of Cass  
 PONCY of Wapello  
 HUSAK of Tama

H-5218

1 Amend House File 356 as follows:

2 1. Page 1, by inserting before line 1 the follow-

3 ing:

4 "Sec. \_\_\_\_\_. Section one hundred nine point forty-

5 eight (109.48), unnumbered paragraph two (2), Code

6 1977, is amended by striking the paragraph and

7 inserting in lieu thereof the following new unnumbered

8 paragraph:

9 NEW UNNUMBERED PARAGRAPH. The commission may

10 adopt rules for the taking and possession of migratory

11 birds which are subject to the federal "Migratory Bird

12 Treaty Act" during the time, and in the manner permitted

13 under those federal Acts. The commission shall not

14 adopt a rule for the taking or possession of a migratory

15 bird for which an open season is not authorized by

16 another paragraph of this section."

H-5218 FILED

FEBRUARY 6, 1978 BY

*Too germane 2/14 (438)*  
*Rule suspended (439)*  
*Amended by 5325 and*  
*Adopted 2/14 (440)*

PATCHETT of Johnson  
 PELTON of Clinton  
 JESSE of Polk  
 MONROE of Des Moines  
 VARLEY of Adair  
 WEST of Marshall  
 PONCY of Wapello  
 ANDERSON of Jasper  
 ARNOULD of Scott  
 BINA of Scott  
 WALTER of Pottawattamie  
 RINAS of Linn  
 GRIFFEE of Chickasaw  
 KRAUSE of Kossuth  
 GILLOON of Dubuque  
 GETTINGS of Wapello  
 LIPSKY of Linn  
 CRAWFORD of Story  
 TAUKE of Dubuque  
 LAGESCHULTE of Bremer  
 LIND of Black Hawk  
 CLARK of Cerro Gordo  
 SPEAR of Lee  
 STROMER of Hancock  
 DUNTON of Keokuk  
 BRANDT of Black Hawk  
 DAVITT of Warren  
 CONLON of Muscatine  
 THOMPSON of Polk  
 SMALL of Johnson  
 GENTLEMAN of Polk  
 KREWSON of Polk  
 MILLER of Buchanan

CUSACK of Scott  
 KOOGLER of Mahaska  
 HARVEY of Scott  
 DIELEMAN of Marion  
 BRUNOW of Appanoose  
 HOFFMANN of Muscatine  
 HOWELL of Floyd  
 O'HALLORAN of Black Hawk  
 DOYLE of Woodbury  
 MILLEN of Van Buren  
 EGENES of Story  
 DYRLAND of Clayton  
 HINKHOUSE of Cedar  
 GARRISON of Black Hawk  
 NIELSEN of Polk  
 GILSON of Guthrie  
 HANSEN of O'Brien  
 MENKE of O'Brien  
 BYERLY of Polk

H-5213

- 1 Amend House File 356 as follows
- 2 1. Page 5, by inserting after line 3 the following:
- 3 "Sec. \_\_\_\_\_. Section one hundred ten B point two
- 4 (110B.2), Code 1977, is amended to read as follows:
- 5 110B.2 STAMP REQUIRED. No person sixteen years
- 6 of age or older shall hunt or take any migratory
- 7 waterfowl within this state without first procuring
- 8 a state migratory waterfowl stamp and having such
- 9 stamp in his or her possession while hunting or taking
- 10 any migratory waterfowl. Each stamp shall be validated
- 11 by the signature of the licensee written across the
- 12 face of such stamp. The commission shall determine
- 13 the form of the stamp and shall furnish the stamps
- 14 to the county recorders and their designated
- 15 depositaries for issuance or sale in the same manner
- 16 as hunting licenses are issued or sold under chapter
- 17 110.
- 18 Sec. \_\_\_\_\_. Section one hundred ten B point three
- 19 (110B.3), Code 1977, is amended to read as follows:
- 20 110B.3 FEE. The fee for each stamp issued under
- 21 this chapter shall be ~~one-dollar~~ two dollars. Each
- 22 stamp shall expire on the last day of February
- 23 following its issuance."
- 24 2. By renumbering the sections to conform with
- 25 this amendment.

H-5213 FILED *Adopted 2/15* BY WELDEN of Hardin  
 FEBRUARY 6, 1978 *(p. 465)* AVENSON of Fayette

## HOUSE FILE 356

H-5214

- 1 Amend House File 356 as follows:
- 2 1. Page 5, by inserting after line 3 the following:
- 3 "Sec. \_\_\_\_\_. Section one hundred ten point eighteen
- 4 (110.18), Code 1977, is repealed."
- 5 2. By renumbering the sections to conform with
- 6 this amendment.

H-5214 FILED *Adopted* BY BYERLY of Polk SPENCER of Clay added 2/15  
 FEBRUARY 6, 1978 *2/15* NIELSEN of Polk (p. 481)  
*(p. 469)* HARBOR of Mills  
 DAGGETT of Adams  
 JESSE of Polk  
 HORN of Linn  
 CHIODO of Polk  
 WOODS of Polk  
 KOGLER of Mahaska

## HOUSE FILE 356

H-5217

- 1 Amend House File 356 as follows:
- 2 1. Page 4, by inserting after line 21 the following:
- 3 "NEW SECTION. A county Board of supervisors shall
- 4 not authorize the payment of bounties on the following
- 5 species: wolf, wildcat and lynx."

H-5217 FILED BY AVENSON of Fayette  
 FEBRUARY 6, 1978 ANDERSON of Jasper  
*Not german 2/15 (459)* PELTON of Clinton  
*Bills amended (460)* SHIMANEK of Jones  
*Adopted or amended* PERKINS of Greene  
*by 5248, 5250, 5308* GILSON of Guthrie  
*2/15 (p. 463)*

HOUSE FILE 356

H-5212

- 1 Amend H-3649 amending House File 356 as follows:  
2 1. Page 1, line 9, by inserting after the second word  
3 "and" the word "commercial".  
4 2. Page 1, line 12, by inserting after the word "or"  
5 the word "commercial".  
6 3. Page 1, line 15, by inserting after the word "or"  
7 the word "commercial".  
8 4. Page 1, line 19, by striking the word "tackle"  
9 and inserting in lieu thereof the word "gear".  
10 5. Page 1, line 20, by inserting after the word  
11 "hours" the following: "and the commission may require  
12 commercial fishing gear used on the inland waters to  
13 be checked more frequently than every seventy-two  
14 hours".

H-5212 FILED - *One of* BY SPEAR of Lee  
FEBRUARY 6, 1978 *order 2/14(436)*

HOUSE FILE 356

H-5211

- 1 Amend House File 356 as follows:  
2 1. Page 4, by inserting after line 19 the  
3 following section:  
4 "Sec. \_\_\_\_\_. Section one hundred ten point seven-  
5 teen (110.17), unnumbered paragraph ten (10), Code  
6 1977, is amended to read as follows:  
7 The commission shall issue without charge a  
8 special fishing license to residents of Iowa sixteen  
9 years or more of age who the commission finds are  
10 mentally or physically severely handicapped. Such  
11 ~~special-license-shall-be-valid-only-when-the-holder~~  
12 ~~is-fishing-under-supervision-~~ The commission is  
13 hereby authorized to prepare an application to be  
14 used by the person requesting handicapped status,  
15 which would require that his attending physician  
16 sign the form declaring the person handicapped and  
17 eligible for exempt status."

H-5211 FILED BY LONERGAN of Boone  
FEBRUARY 6, 1978  
*Adopted as amended by*  
*5300 2/15 (p 458)*

H-5195

1 Amend House File 356 as follows:

2 1. Page 1, line 2, by inserting after the word  
3 "1977," the words "as amended by Acts of the Sixty-  
4 seventh General Assembly, 1977 Session, chapter sixty-  
A 5 six (66), section six (6),".

6 2. Page 4, by inserting after line 19 the fol-  
B 7 lowing:

8 "m. Special wildlife habitat stamp..... \$ 3.00"

9 3. Page 4, by inserting after line 21 the follow-  
10 ing:

11 "NEW SECTION. The commission shall not issue more  
C 12 than two operator's certificates for commercial fishing  
13 gear for each owner's certificate for commercial  
14 fishing gear.

15 NEW SECTION. A resident or nonresident person  
16 required to have a hunting or trapping license shall  
B 17 not hunt or trap unless he or she has on his or her  
18 person a valid wildlife habitat stamp signed in ink  
19 with his or her signature across the face of the  
20 stamp. Special wildlife habitat stamps shall be  
21 administered in the same manner as hunting and trapping  
22 licenses except all revenue derived from the sale  
23 of the wildlife habitat stamps shall be used for  
24 habitat development and shall be deposited in the  
25 state fish and game protection fund and used for the  
26 acquisition of land, leasing of land, and obtaining  
27 of easements from persons willing to sell or lease  
28 the land or grant the easements for use as wildlife  
29 habitats. In addition such revenue may be used for  
30 the development, management, and enhancement of  
31 wildlife lands and habitat areas, and may be used  
32 in whole or in part for the matching of federal funds.  
33 Not less than fifty percent of all revenue from the  
34 sale of wildlife habitat stamps shall be used by the  
35 commission to enter into agreements with county  
36 conservation boards or other public or private agencies  
37 in order to carry out the purposes of this Act."

A 38 4. Page 4, by striking lines 31 through page 5,  
39 line 3.

40 5. Page 5, by striking line 4 and inserting in  
41 lieu thereof the following:

B 42 "Sec. 3. This Act is effective January 1, 1979.  
43 However, effective July 1, 1978 and notwithstanding  
44 section one hundred ten point one (110.1) of the Code,  
45 the fee for a deer hunting license for residents shall  
46 be fifteen dollars and the fee for a nonresidents  
47 hunting license shall be forty dollars."

H-5195 FILED

FEBRUARY 2, 1978

A. Adopted 2/14 (p. 420)

Dr- " " (433)

C. " " 2/15 (457)

BY COMMITTEE ON NATURAL RESOURCES

MIDDLESWART of Warren, Chair

*Fiscal note follows bill*

B- Adopted as amended by 5.211, 5.222, 5.246 &amp; 5.248 2/15 (p. 454)

HOUSE FILE 356

H-4139

- 1 Amend House File 356 as follows:
- 2 1. Page 1, by inserting before line 1 the follow-
- 3 ing:
- 4 "Section 1. Section one hundred nine point seventy-
- 5 four (109.74), Code 1977, is repealed."
- 6 2. By renumbering the sections to conform with
- 7 this amendment.

H-4139 FILED *Adopted 2/14* BY LONERGAN of Boone  
MAY 12, 1977 (*p. 427*)

HOUSE FILE 356

H-4138

- 1 Amend H-3332 amending House File 356 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "disabled" the words "and unemployable".
- 4 2. Page 1, line 5, by inserting after the word
- 5 "disabled" the words "and unemployable".
- 6 3. Page 1, line 7, by inserting after the word
- 7 "disabled" the words "and unemployable".
- 8 4. Page 1, line 9, by inserting after the word
- 9 "disabled" the words "and unemployable".
- 10 5. Page 1, line 11, by inserting after the word
- 11 "disabled" the words "and unemployable".
- 12 6. Page 1, line 13, by inserting after the word
- 13 "disabled" the words "and unemployable".

H-4138 FILED *4/10 2/4* BY LONERGAN of Boone  
MAY 12, 1977 (*p. 443*)

H-3649

1 Amend House File 356 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "Section 1. Section one hundred nine point  
5 one hundred seven (109.107), Code 1977, unnumbered  
6 paragraph one, is amended to read as follows:

7 It shall be lawful to use seines, dip nets,  
8 trammel nets, gill nets, basket traps, hoop nets,  
9 wing nets, pound, fyke and trap nets and trotlines  
10 in the Missouri river or Mississippi river, except  
11 as hereinafter provided in this section but only  
12 when such nets, seines, traps or trotlines have been  
13 properly licensed, and properly tagged, in accordance  
14 with the provisions of chapter 110, and of this section,  
15 and only when such nets, seines, traps or trotlines  
16 comply with the provisions of law and at such times  
17 and in such manner and for the taking of such species  
18 of fish as are permitted by law. Commercial fishing  
19 tackle must be checked at least once every seventy-  
20 two hours."

H-3649 FILED *Not german* BY AVENSON of Fayette  
APRIL 19, 1977 *2/24 (437)*

HOUSE FILE 356

H-3547

1 Amend amendment H-3454 to House File 356 as  
2 follows:

3 1. Page 1, line 10, by inserting after "ember"  
4 the words "in the years 1977 and 1978".

5 2. Page 1, line 15, by inserting after the  
6 word "pheasants." the following: "This section  
7 shall become effective on July 1, 1977."

8 3. Page 1, line 31, by inserting after the  
9 word "pheasants." the following: "This section  
10 shall become effective on July 1, 1977."

11 4. Page 1, by inserting after line 31, the  
12 following:

13 "\_\_\_\_\_. Page 5, by striking line 4 and insert-  
14 ing in lieu thereof the following:

15 Sec.\_\_\_\_\_. Section one (1) of this Act shall  
16 become effective July 1, 1977.

17 Sec.\_\_\_\_\_. Unless otherwise provided, the  
18 provisions of this Act shall become effective  
19 January 1, 1978."

H-3547 FILED *w/xx 2/14* BY SPENCER of Clay  
APRIL 6, 1977 *(p. 436)*

HOUSE FILE 356

H-3398

1 Amend House File 356 as follows:

2 1. Page 5, by striking line 4 and inserting  
3 in lieu thereof the following:

4 "Sec. 3. This Act, except paragraphs d and f,  
5 subsection two (2) of section one (1) shall be  
6 effective January 1, 1978. Paragraphs d and f,  
7 subsection two (2) of section one (1) of this Act  
8 shall be effective July 1, 1977."

H-3398 FILED *w/d 2/15* BY WYCKOFF of Benton  
MARCH 24, 1977 *(p. 469)*

HOUSE FILE 356

H-3332

- 1 Amend House File 356 as follows:  
2 1. Page 1, line 15, by inserting after the word  
3 "residents" the words "permanently disabled or".  
4 2. Page 1, line 18, by inserting after the word  
5 "residents" the words "permanently disabled or".  
6 3. Page 1, line 27, by inserting after the word  
7 "residents" the words "permanently disabled or".  
8 4. Page 1, line 30, by inserting after the word  
9 "residents" the words "permanently disabled or".  
10 5. Page 2, line 8, by inserting after the word  
11 "residents" the words "permanently disabled or".  
12 6. Page 2, line 10, by inserting after the word  
13 "residents" the words "permanently disabled or".

H-3332 FILED *Adopted* BY LONERGAN of Boone  
MARCH 18, 1977 *amended by 5253*  
*2/14 (p. 244)*

HOUSE FILE 356

H-3454

- 1 Amend House File 356 as follows:  
2 1. Page 1, by inserting before line 1 the  
3 following:  
4 "Section 1. Chapter one hundred nine (109), Code  
5 1977, is amended by adding the following new section:  
6 NEW SECTION. Notwithstanding section one hundred  
7 nine point thirty-nine (109.39) of the Code, the  
8 season for the taking of pheasants shall consist of  
9 not more than twenty days during the month of Nov-  
10 ember. A person having a pheasant stamp may take  
11 pheasants only between the hours of ten o'clock a.m.  
12 and four thirty o'clock p.m. The daily bag limit for  
13 a person having a pheasant stamp shall not exceed two  
14 pheasants and the possession limit shall not exceed  
15 four pheasants."  
16 2. Page 1, by inserting after line 35 the  
17 following:  
18 "f. Pheasant stamps for residents.....\$2.00  
19 g. Pheasant stamp for nonresidents.....5.00"  
20 3. Page 4, by inserting after line 30 the  
21 following:  
22 "NEW SECTION. Any person required to have a hunting  
23 license shall not possess pheasant unless that person  
24 has on his or her person an unexpired pheasant stamp  
25 validated by that person's signature written across  
26 the face of the stamp in ink, a receipt, or other  
27 evidence showing that the pheasant was lawfully  
28 acquired. The proceeds from the sale of this stamp  
29 shall be used exclusively to restock pheasants and  
30 to acquire interests in land providing wildlife habitat  
31 conducive to pheasants."  
32 4. Renumber and reletter the sections and para-  
33 graphs to conform with this amendment.

H-3454 FILED *w/c 2/4* BY SPENCER of Clay  
MARCH 31, 1977 *(436)*

HOUSE FILE 356

H-5319

- 1 Amend amendment H-5233, to amendment H-5224 to
- 2 House File 356, as follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "fees" the words "to be".

H-5319 FILED. *Adopted 2/5* BY WYCKOFF of Benton  
FEBRUARY 15, 1978 *(p. 473)*

HOUSE FILE 356

H-5320

- 1 Amend amendment H-5303, to page 1 of House File
- 2 356, as follows:
- 3 1. Page 1, line 12, by striking the word "four"
- 4 and inserting in lieu thereof the word "two".

H-5320 FILED, ADOPTED *(476)* BY JUNKER of Woodbury  
FEBRUARY 15, 1978

HOUSE FILE 356

H-5321

- 1 Amend House File 356 as follows:
- 2 1. Title page, line 2, by inserting after the
- 3 word "game" the following: "; repealing sections
- 4 one hundred nine point seventy-four (109.74) and
- 5 one hundred ten point eighteen (110.18) of the Code;
- 6 the taking and possession of migratory birds; and
- 7 removing authorization for the payment of bounties
- 8 on wolf, wildcat or bobcat, lynx, crow and fox".

H-5321 FILED, ADOPTED *(480)* BY WYCKOFF of Benton  
FEBRUARY 15, 1978

HOUSE FILE 356

By COMMITTEE ON NATURAL RESOURCES

(As Amended and Passed by the House)

Passed House, Date 4-24-78 (p. 1789) Passed Senate, Date 4-18-78 (p. 900)

Vote: Ayes 76 Nays 12 Vote: Ayes 29 Nays 18

Approved 6-23-78

*motion to recommit bill p. 901 w/d 4/14 (p. 925)*

### A BILL FOR

1 An Act relating to the licenses and certificates for  
 2 the taking of fish and game; repealing sections one  
 3 hundred nine point seventy-four (109.74) and one  
 4 hundred ten point eighteen (110.18) of the Code; the  
 5 taking and possession of migratory birds; and  
 6 removing authorization for the payment of bounties  
 7 on wolf, wildcat or bobcat, lynx, crow and fox.

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

9 Conference Committee Appointed  
 10 Representatives Middlebrook, chair, Aronson, Wyzehoff, Halverson, Kalden 4/25 (p. 2045)  
 11 Senators Brube, chair, Slater, Calkins, Guden, Theiler of 4/25 (p. 1175)  
 12 Wankel

13 Second Conference Committee Appointed  
 14 Representatives Parkins, chair, Griffin, Spencer, Dalton, Jaffe 5/14 (p. 2243)  
 15 Sen. Walter, chair, Hutchins, Sen. Jolly, Kelly, Durbin 5/5 (p. 1271)  
 16 House Amendments

17 Passed by Conference Committee Report:  
 18 House 5-10-78 (p. 2434) Senate 5-10-78 (p. 1399)  
 19 63-26 32-8

1 Section 1. Section one hundred nine point forty-eight  
2 (109.48), unnumbered paragraph two (2), Code 1977, is amended  
3 by striking the paragraph and inserting in lieu thereof the  
4 following new unnumbered paragraph:

5 NEW UNNUMBERED PARAGRAPH. The commission may adopt rules  
6 for the taking and possession of migratory birds which are  
7 subject to the federal "Migratory Bird Treaty Act" and  
8 "Migratory Bird Stamp Hunting Act" during the time and in  
9 the manner permitted under those federal Acts. The commission  
10 shall not adopt a rule for the taking or possession of a  
11 migratory bird for which an open season is not authorized  
12 by another paragraph of this section.

13 Sec. 2. Section one hundred nine point seventy-four  
14 (109.74), Code 1977, is repealed.

15 Sec. 3. Section one hundred ten point one (110.1), Code  
16 1977, as amended by Acts of the Sixty-seventh General Assembly,  
17 1977 Session, chapter sixty-six (66), section six (6), is  
18 amended by striking the section and inserting in lieu thereof  
19 the following:

20 110.1 LICENSES. Except as otherwise provided in this  
21 chapter, no person shall fish, trap, hunt, pursue, catch,  
22 kill or take in any manner, or use or have possession of,  
23 or sell or transport all or any portion of any wild animal,  
24 bird, game or fish, the protection and regulation of which  
25 is desirable for the conservation of the resources of the  
26 state, without first procuring a license or certificate so  
27 to do and the payment of a fee as follows:

- 28 1. Fishing licenses:  
29 a. Legal residents except as  
30 otherwise provided..... \$ 6.00  
31 b. Legal residents permanently  
32 disabled or sixty-five years of  
33 age or older.....\$ 1.25  
34 c. Lifetime license for legal  
35 residents permanently disabled or

1	sixty-five years of age	
2	or older.....	\$ 6.00
3	d. Nonresident license.....	\$ 10.00
4	e. Three-day license for resi-	
5	dent or nonresident.....	\$ 3.00
6	f. Special trout license stamp.....	\$ 5.00
7	2. Hunting licenses:	
8	a. Legal residents except as	
9	otherwise provided.....	\$ 6.00
10	b. Legal residents <u>permanently</u>	
11	<u>disabled or</u> sixty-five years of age	
12	or older.....	\$ 1.25
13	c. Lifetime license for legal	
14	residents <u>permanently disabled or</u>	
15	sixty-five years of age	
16	or older.....	\$ 6.00
17	d. Deer hunting license for	
18	residents.....	\$ 15.00
19	e. Wild turkey hunting license	
20	for residents.....	\$ 15.00
21	f. Nonresidents hunting license.....	\$ 40.00
22	g. Nonresidents raccoon stamp	
23	and tags.....	\$100.00
24	3. Hunting and fishing combined	
25	licenses:	
26	a. Legal residents except as	
27	otherwise provided.....	\$ 11.00
28	b. Legal residents <u>permanently</u>	
29	<u>disabled or</u> sixty-five years of age or	
30	older.....	\$ 2.50
31	c. Lifetime license for residents	
32	<u>permanently disabled or</u> sixty-five	
33	years of age or older.....	\$ 8.00
34	4. Trapping and game breeders	
35	licenses:	

1	a. Trapping license for legal	
2	residents sixteen years of age or	
3	older.....	\$ 10.00
4	b. Trapping license for legal	
5	residents under sixteen years of	
6	age.....	\$ 1.00
7	c. Trapping license for non-	
8	residents.....	\$100.00
9	d. Fur dealers license for resi-	
10	dents.....	<u>\$150.00</u>
11	e. Fur dealers license for non-	
12	residents.....	<u>\$300.00</u>
13	f. Game breeder's license.....	\$ 10.00
14	5. Net, seine, trap, <u>commercial</u>	
15	trotline licenses for residents:	
16	a. Seine:	
17	For the first 500 lineal feet or	
18	fraction thereof \$10.00 and for	
19	each additional 500 feet or frac-	
20	tion thereof.....	\$ 15.00
21	b. Trammel net:	
22	For each 300 lineal feet or	
23	fraction thereof.....	\$ 10.00
24	c. Gill net:	
25	For each 100 lineal feet or frac-	
26	tion thereof.....	\$ 2.00
27	d. All other nets, for each net.....	\$ 1.00
28	e. Basket traps, for each trap.....	\$ 1.00
29	f. <u>Commercial trotline:</u>	
30	For each trotline.....	\$ 1.00
31	g. Owner's certificate for	
32	commercial fishing gear.....	\$ 25.00
33	h. Operator's certificate for	
34	each person operating commercial	
35	fishing gear.....	\$ 1.00

1	6. Net, seine, trap, <u>commercial</u>	
2	trotline licenses for nonresidents	
3	eligible to purchase such licenses:	
4	a. Seine:	
5	For each 500 lineal feet or frac-	
6	tion thereof.....	\$ 20.00
7	b. Trammel net:	
8	For each 300 lineal feet or frac-	
9	tion thereof.....	\$ 20.00
10	c. Gill net:	
11	For each 300 lineal feet	
12	or fraction thereof.....	\$ 20.00
13	d. All other nets, for each	
14	net.....	\$ 3.00
15	e. Basket traps, for each	
16	trap.....	\$ 3.00
17	f. <u>Commercial trotlines,</u>	
18	for each trot-	
19	line.....	\$ 4.00
20	7. Other licenses:	
21	a. Mussel licenses:	
22	(1) Legal residents.....	\$ 10.00
23	(2) Nonresidents.....	\$ 25.00
24	b. Wholesale fish-market or	
25	fish-peddler's license for resi-	
26	dents.....	\$ 10.00
27	c. Wholesale fish-market li-	
28	cense for nonresidents.....	\$ 25.00
29	d. Wholesale fish-peddler's	
30	license for nonresidents.....	\$ 10.00
31	e. Peddlers, employed by whole-	
32	sale fish market, certificate.....	\$ 1.00
33	f. Scientific collector's li-	
34	cense.....	\$ 2.00
35	g. Private fish hatcheries.....	\$ 10.00

- 1 h. Bait dealer's license for
- 2 residents..... \$ 25.00
- 3 i. Bait dealer's license for
- 4 nonresidents..... \$ 50.00
- 5 j. Taxidermy license..... \$ 10.00
- 6 k. Falconry license..... \$ 10.00
- 7 l. Nongame support certificate..... \$ 5.00
- 8 m. Special wildlife habitat stamp.....\$ 3.00

9 Sec. 4. Section one hundred ten point eight (110.8), Code  
10 1977, is amended by adding the following new paragraph:

11 NEW PARAGRAPH. The county recorder shall deduct five  
12 percent of the fees to be remitted for the licenses issued  
13 by the county recorder as a writing fee which shall be credited  
14 to the county general fund.

15 Sec. 5. Section one hundred ten point seventeen (110.17),  
16 unnumbered paragraph ten (10), Code 1977, is amended to read  
17 as follows:

18 The commission shall upon request issue without charge  
19 a special fishing license to residents of Iowa sixteen years  
20 or more of age who the commission finds are mentally or  
21 physically severely handicapped. ~~Such special license shall~~  
22 ~~be valid only when the holder is fishing under supervision.~~  
23 The commission is hereby authorized to prepare an application  
24 to be used by the person requesting handicapped status, which  
25 would require that his attending physician sign the form  
26 declaring the person handicapped and eligible for exempt  
27 status.

28 Sec. 6. Chapter one hundred ten (110), Code 1977, is  
29 amended by adding the following new sections:

30 NEW SECTION. The commission shall not issue more than  
31 two operator's certificates for commercial fishing gear for  
32 each owner's certificate for commercial fishing gear.

33 NEW SECTION. A resident or nonresident person required  
34 to have a hunting or trapping license shall not hunt or trap  
35 unless he or she has on his or her person a valid wildlife

1 habitat stamp signed in ink with his or her signature across  
2 the face of the stamp. This section shall not apply to  
3 residents who are permanently disabled or who are younger  
4 than sixteen or older than sixty-five years of age. Special  
5 wildlife habitat stamps shall be administered in the same  
6 manner as hunting and trapping licenses except all revenue  
7 derived from the sale of the wildlife habitat stamps shall  
8 be used within the state of Iowa for habitat development and  
9 shall be deposited in the state fish and game protection fund  
10 and used for the acquisition of land, leasing of land, and  
11 obtaining of easements from persons willing to sell or lease  
12 the land or grant the easements for use as wildlife habitats.  
13 In addition such revenue may be used for the development,  
14 management, and enhancement of wildlife lands and habitat  
15 areas, and may be used in whole or in part for the matching  
16 of federal funds. Not less than fifty percent of all revenue  
17 from the sale of wildlife habitat stamps shall be used by  
18 the commission to enter into agreements with county  
19 conservation boards or other public or private agencies in  
20 order to carry out the purposes of this Act.

21 NEW SECTION. The commission shall establish zones for  
22 hunting by nonresidents and may establish a limit for the  
23 number of nonresident hunting licenses to be sold in each  
24 zone. A nonresident hunting license shall be valid only in  
25 the zone in which it is sold by a depository or a county  
26 recorder. The nonresident hunting license shall be valid  
27 for ten days after the date of its issuance and a nonresident  
28 may purchase another license, if available, upon the expiration  
29 of a license. Notwithstanding section one hundred ten point  
30 three (110.3) of the Code, nonresident hunting licenses may  
31 also be issued by the director upon the application of a  
32 nonresident for a zone and date of issuance for which the  
33 license is to be valid. Nothing in this section shall restrict  
34 a resident in hunting anywhere in this state. If the  
35 commission establishes a limit for a zone, all depositaries

1 in a county shall report weekly to the county recorder the  
2 number of nonresident hunting licenses sold during that week.  
3 The commission shall survey the county recorders of each zone  
4 at least monthly and more often if necessary to determine  
5 the number of nonresident hunting licenses issued in the zone.  
6 When the commission determines that the limit of licenses  
7 established for the zone has been met or exceeded, the  
8 commission shall notify the county recorders who shall notify  
9 the depositaries in the county that nonresident hunting  
10 licenses shall not be issued for a period of time determined  
11 by the commission.

12 NEW SECTION. For the purpose of obtaining a license, a  
13 person is permanently disabled if that person has been found  
14 under the provisions of the federal Social Security Act, title  
15 two (II), or any other public or private pension system to  
16 have a total, permanent physical or mental condition which  
17 prevents that person from engaging in his or her occupation  
18 or qualifies that person for retirement.

19 NEW SECTION. The commission shall employ a biologist whose  
20 work shall concentrate on the study of wildlife animals which  
21 are not game animals or fur-bearing animals. The proceeds  
22 from the sale of nongame certificates shall be used exclusively  
23 for this purpose.

24 NEW SECTION. A county board of supervisors shall not  
25 authorize the payment of bounties on the following species:  
26 crow, fox, wolf, wildcat or bobcat and lynx.

27 NEW SECTION. Any person required to have a fishing li-  
28 cense shall not possess trout unless that person has at that  
29 time on his or her person an unexpired special trout license  
30 stamp validated by that person's signature written across  
31 the face of the stamp in ink, a receipt, or other evidence  
32 showing that such trout was lawfully acquired. The proceeds  
33 from the sale of this stamp shall be used exclusively to re-  
34 stock trout waters designated by the state conservation com-  
35 mission.

1 Sec. 7. Section one hundred ten B point two (110B.2),  
2 Code 1977, is amended to read as follows:  
3 110B.2 STAMP REQUIRED. No person sixteen years of age  
4 or older shall hunt or take any migratory waterfowl within  
5 this state without first procuring a state migratory waterfowl  
6 stamp and having such stamp in his or her possession while  
7 hunting or taking any migratory waterfowl. Each stamp shall  
8 be validated by the signature of the licensee written across  
9 the face of such stamp. The commission shall determine the  
10 form of the stamp and shall furnish the stamps to the county  
11 recorders and their designated depositaries for issuance  
12 or sale in the same manner as hunting licenses are issued  
13 or sold under chapter 110.

14 Sec. 8. Section one hundred ten B point three (110B.3),  
15 Code 1977, is amended to read as follows:

16 110B.3 FEE. The fee for each stamp issued under this  
17 chapter shall be ~~one-dollar~~ two dollars. Each stamp shall  
18 expire on the last day of February following its issuance.

19 Sec. 9. Section one hundred ten point eighteen (110.18),  
20 Code 1977, is repealed.

21 Sec. 10. This Act is effective January 1, 1979. However,  
22 effective July 1, 1978 and notwithstanding section one hundred  
23 ten point one (110.1) of the Code, the fee for a deer hunting  
24 license for residents shall be fifteen dollars and the fee  
25 for a nonresidents hunting license shall be forty dollars.

26  
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HOUSE FILE 356

FISCAL NOTE

Date: April 12, 1978  
Requested by: Senator Richard Drake

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In compliance with a written request received April 11, 19 78, there is hereby submitted a Fiscal Note for H.F. 356, S-5524 pursuant to Joint Rule 16. Background information used in developing this Fiscal Note is available from the Legislative Fiscal Bureau, to members of the Legislature upon request.

---

Amendment S-5524 would result in the county recorder deducting five percent of the fees to be remitted for the licenses issued by the county recorder as a writing fee which shall be credited to the county general fund.

Based on 1976 sales, \$300,000 would have been deposited to the general fund of the counties as a result of this amendment.

SOURCE: CONSERVATION COMMISSION

FILED  
APRIL 12, 1978

DENNIS C. PROUTY  
LEGISLATIVE FISCAL BUREAU

FISCAL NOTE  
HOUSE FILE 356

Requested by Representative Wyckoff  
May 3, 1978

In compliance with a written request, there is submitted a Fiscal Note for H.F. 356, Conference Committee Report, pursuant to Joint Rule 16:

Conference Committee Report on House File 356

The major fiscal features of the conference committee report on House File 356 are as follows:

- increases fees for the following licenses and stamps

Resident Fishing	\$ 2
Resident Hunting	1
Combined Hunting & Fishing	3
Non-Resident Hunting	10
Spec. Deer Hunting	5
Spec. Wild Turkey	5
Trapping 16 yr. or older	5
Resident Fur-Dealer	25
Non-Resident Fur-Dealer	50
Owner's Certificate for Comm. Fishing	10

- establishes a \$3 wildlife habitat stamp to be required of hunters and trappers and be used for habitat acquisition and development. Revenue may be shared (up to 50%) with county conservation boards and other public bodies
- establishes a \$5 pheasant stamp
- establishes \$15 deer hunting license and \$35 non-resident hunting license effective July 1, 1978
- allows 25 cent writing fee to be charged by all depositories including county recorders at their option
- payment of lost property taxes from acquisition of wildlife habitat is required

The following assumption was made to prepare this fiscal note:

- assume general hunting and fishing license sales will decrease 5% and then return to previous levels

Fiscal Note  
Conference Committee Report on H.F. 356  
Page 2

No attempt has been made to estimate the fiscal impact of the following features:

- the \$5 pheasant stamp as no way exists to project sales
- the county and other public agency share of the wildlife habitat stamp as it is unknown what portion of this will be allocated by the state conservation commission
- the 25 cent writing fee as no way exists to project the degree to which this will be charged
- the requirement to pay the loss of property tax revenue as no way exists to estimate the cost of this provision

Based on the above features, assumptions and constraints, H.F. 356 as reported by the conference committee is expected to generate the following revenue:

	78/79 <u>w/o H.F. 356</u>	78/79 <u>w/H.F.356(CCR)</u>	79/80 <u>w/H.F.356(CCR)</u>
General Hunting & Fishing	\$5,233,300	\$6,642,800	\$7,133,500
Special Stamps & Licenses	194,100	204,100	468,500
Wildlife Habitat Stamp	--	240,000	1,100,000
Commercial Fish	40,400	40,400	40,400
Miscellaneous	<u>22,280</u>	<u>22,280</u>	<u>22,280</u>
Total	<u>\$5,490,080</u>	<u>\$7,149,580</u>	<u>\$8,764,680</u>

Source: Conservation Commission  
FILED GERRY D. RANKIN  
MAY 3, 1978 Legislative Fiscal Bureau



FISCAL NOTE  
HOUSE FILE 356

Requested by Representative Wyckoff  
February 2, 1978

In compliance with a written request there is hereby submitted a fiscal note for H.F. 356, Amendment H-5195, pursuant to Joint Rule 16:

House File 356 Amendment H-5195 establishes a \$3.00 wildlife habitat stamp. The amendment also establishes a \$15.00 deer hunting license fee and a \$40.00 nonresident hunting license fee to be effective July 1, 1978.

The revenue and costs associated with a wildlife habitat stamp involve the actual increase in revenue, the additional Land Acquisition staff necessary to carry out the acquisition, and the necessary maintenance of those additionally acquired acres.

The revenue gained as a result of the wildlife habitat stamp has to be offset by any decreases in license sales. Historically, license sales have dropped from 5 to 10 percent the first year following a license fee increase and have then come back to existing levels one or two years later. Following are revenue estimates based on differing assumptions:

1. Assume current levels of sales, no decrease. Total additional annual revenue-\$1,102,050.
2. Assume a 10 percent decrease in license sales, assume current license fees. Net additional revenue first year of increase would be \$697,300 and would gradually increase, year by year, to the current level as in assumption 1.
3. Assume 10 percent drop in license sales, assume requested new license fees as proposed by the Conservation Commission. The net additional revenue the first year of the increase would be \$597,450, again gradually increasing year by year to the estimate as in number 1.

At the million dollar level, it would require two additional Land Acquisition staff at a cost of approximately \$45,000 annually to carry out the acquisition under this amendment.

Annual maintenance costs are estimated at \$6 per acre per year based on the Conservation Commission's current annual expenditures for similar wildlife and open spaces land.

The projected fiscal effect of establishing a \$15.00 deer hunting license fee and a \$40.00 nonresident license fee and making it effective July 1, 1978, is as follows:

The revenue as stated in the fiscal note on House File 356 dated April 12, 1977, would increase by \$600,000 in FY 77/78 (FY 78/79 according to H-5195); \$380,000 in General Hunting and Fishing Licenses and \$220,000 in the Special Stamps and Licenses.

Source: Iowa Conservation Commission  
FILED GERRY D. RANKIN  
FEBRUARY 6, 1978 Legislative Fiscal Bureau

HOUSE AMENDMENT TO SENATE AMENDMENT  
TO HOUSE FILE 356

S-5687

- 1 Amend Senate amendment H-6166 to House File 356
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, line 49, by striking the word "section"
- 5 and inserting in lieu thereof the word "sections".
- 6 2. Page 1, by inserting after line 49 the
- 7 following:
- 8 "NEW SECTION. TAKING DEER UNLAWFULLY. Any person
- 9 who takes a deer in violation of the open season,
- 10 bag limits, possession limits or territorial limits
- 11 established by the commission for the taking of deer
- 12 shall be guilty of a serious misdemeanor."
- 13 3. Page 2, by striking lines 3 and 4 and inserting
- 14 in lieu thereof the words "the movement of other
- 15 hunters."
- 16 4. Page 2, line 11, by striking the word
- 17 "Trotlines" and inserting in lieu thereof the words
- 18 "Non-commercial trotlines".
- 19 5. Page 2, line 14, by inserting after the word
- 20 "of" the word "such".
- 21 6. Page 2, by striking lines 25 through 27.
- 22 7. Page 2, by inserting after line 27 the follow-
- 23 ing:
- 24 "\_\_\_\_\_. Page 2, line 21, by striking the figure
- 25 "40.00" and inserting in lieu thereof the figure
- 26 "30.00"."
- 27 8. Page 2, by striking lines 31 through 50.
- 28 9. Page 3, by striking lines 1 through 50.
- 29 10. Page 4, by striking lines 1 through 28.
- 30 11. Page 4, by striking lines 29 and 30.
- 31 12. Page 4, line 45, by inserting after the word
- 32 "revoked." the following: "A person shall not purchase
- 33 a license that was revoked or for a privilege that
- 34 was suspended during the period of revocation or
- 35 suspension."
- 36 13. Page 4, by inserting after line 45 the
- 37 following:
- 38 "\_\_\_\_\_. Page 5, by inserting after line 27 the
- 39 following:
- 40 "Sec. \_\_\_\_\_. Chapter one hundred ten (110), Code
- 41 1977, is amended by adding the following new section:
- 42 NEW SECTION. The commission shall not limit the
- 43 number of applications submitted for consideration
- 44 or the number of projects under construction with
- 45 respect to United States bureau of outdoor recreation
- 46 projects." "
- 47 14. Page 4, by inserting after line 45 the
- 48 following:
- 49 "\_\_\_\_\_. Page 5, by inserting after line 27 the
- 50 following:

1 "Sec. \_\_\_\_ Chapter one hundred ten (110), Code  
2 1977, is amended by adding the following new section:  
3 NEW SECTION. The deer hunting license shall be  
4 accompanied by a tag designed to be used only once  
5 and separable into two parts. When a deer is taken,  
6 the deer shall be tagged with one part of the tag  
7 and both parts of the tag shall be dated."

8 15. Page 4, by striking line 46 through page 5,  
9 line 18.

10 16. Page 5, by striking lines 19 through 30.

11 17. Page 5, line 46, by inserting after the word  
12 "areas." the words "Not less than fifty percent of  
13 all revenue from the sale of wildlife habitat stamps  
14 shall be used by the commission to enter into  
15 agreements with county conservation boards or other  
16 public or private agencies in order to carry out the  
17 purposes of this section."

18 18. Page 5, by striking lines 49 and 50.

19 19. Page 6, by striking line 22.

20 20. Page 6, by inserting after line 22 the  
21 following:

22 "\_\_\_\_. Page 8, by inserting after line 20 the  
23 following:

24 "Sec. \_\_\_\_ Section three hundred twenty-one G  
25 point seven (321G.7), Code 1977, is amended to read  
26 as follows:

27 321G.7 FEES TO CONSERVATION FUND. At Seventy-  
28 five percent of the fees collected from the  
29 registration of snowmobiles shall be forwarded by  
30 the county recorder to the commission for remission  
31 to the treasurer of state, who shall place such money  
32 in the state conservation fund. The fees ~~collected~~  
33 forwarded shall be appropriated by the general assembly  
34 to the commission solely for their use. Twenty-five  
35 percent of the fees collected from the registration  
36 of snowmobiles shall be deposited by the county  
37 recorder in the county conservation fund or the county  
38 general fund if there is no county conservation fund.  
39 These fees may be used for snowmobile programs and  
40 other programs deemed appropriate by the county  
41 conservation board or the board of supervisors if  
42 there is no county conservation board."

43 21. By renumbering the sections to conform with  
44 this amendment.

HOUSE FILE 356

H-6213

1 Amend the amendment, H-6173, to Senate amendment,  
2 H-6166, to House File 356 as amended, passed and  
3 reprinted by the House as follows:

4 1. Page 1, by striking lines 12 through 17 and  
5 inserting in lieu thereof the words "and both parts  
6 of the tag shall be dated."

H-6213 FILED, ADOPTED BY AVENSON of Fayette  
APRIL 24, 1978 (p. 1189) GARRISON of Black Hawk

HOUSE FILE 356

H-6214

1 Amend amendment H-6209 to Senate amendment  
2 H-6166 to House File 356 as amended, passed, and  
3 reprinted by the House as follows:

4 1. Page 1, by striking lines 3-10 and  
5 inserting in lieu thereof the following:

6 1. Page 2, by striking lines 31  
7 through 50.

H-6214 FILED, ADOPTED BY WYCKOFF of Benton  
APRIL 24, 1978

HOUSE FILE 356

H-6211

1 Amend amendment H-6209 to Senate amendment H-6166,  
2 to House File 356, as passed by the House and reprinted,  
3 as follows:

4 1. Page 1, by inserting after line 2 the following:  
5 "\_\_\_\_\_. Page 2, by inserting after line 30 the follow-  
6 ing:

7 "\_\_\_\_\_. Page 5, line 11, by striking the word "five"  
8 and inserting in lieu thereof the word "three".

H-6211 FILED, LOST (p. 1186) BY MIDDLESWART of Warren  
APRIL 24, 1978

HOUSE FILE 356

H-6210

1 Amend the Senate amendment, H-6166, to House File  
2 356 as amended, passed and reprinted by the House  
3 as follows:

4 1. Page 2, line 11, by striking the word "Trot-  
5 lines" and inserting in lieu thereof the words  
6 "Non-commercial trotlines".

7 2. Page 2, line 14, by inserting after the word  
8 "of" the word "such".

H-6210 FILED, ADOPTED BY SPEAR of Lee  
APRIL 24, 1978 (p. 1186)

HOUSE FILE 356

H-6209

1 Amend the Senate amendment H-6166, to House File  
2 356, as passed by the House and reprinted, as follows:

3 1. Page 2, by striking lines 31 and 32 and inserting  
4 in lieu thereof the following:

5 " Page 5, by inserting after line 14 the following:"

6 2. Page 2, by striking lines 40 through 42 and  
7 inserting in lieu thereof the following: "fishing,  
8 and trapping licenses and snowmobile registrations  
9 shall be issued by the recorder of each county."

10 3. Page 2, by striking lines 43 through 50.

11 4. Page 3, by striking lines 1 through 50.

12 5. Page 4, by striking lines 1 through 28.

13 6. Page 4, by striking lines 29 and 30.

14 7. Page 6, by inserting after line 22 the follow-  
15 ing:

16 " Page 8, by inserting after line 20 the  
17 following:

18 "Sec. . Section three hundred twenty-one G point  
19 seven (321G.7), Code 1977, is amended to read as follows:

20 321G.7 FEES TO CONSERVATION FUND. ~~At~~ Seventy-  
21 five percent of the fees collected from the registration  
22 of snowmobiles shall be forwarded by the county recorder  
23 to the commission for remission to the treasurer of state,  
24 who shall place such money in the state conservation fund.  
25 The fees collected forwarded shall be appropriated by the  
26 general assembly to the commission solely for their use.  
27 Twenty-five percent of the fees collected from the regis-  
28 tration of snowmobiles shall be deposited by the county  
29 recorder in the county conservation fund or the county  
30 general fund if there is no county conservation fund.  
31 These fees may be used for snowmobile programs and other  
32 programs deemed appropriate by the county conservation  
33 board or the board of supervisors if there is no county  
34 conservation board."

H-6209 FILED, ADOPTED BY GRIFFEE of Chickasaw  
APRIL 24, 1978 MONROE of Des Moines

H-6200

Amend the Senate amendment, H-6166, to House File 356 as amended, passed and reprinted by the House as follows:

1. Page 2, by striking lines 40 through 42 and inserting in lieu thereof the following: "fishing, and trapping licenses and snowmobile registrations shall be issued by the recorder of each county."

2. Page 2, by striking line 43 through page 4, line 30.

3. Page 6, by inserting after line 22 the following:

"Page 8, by inserting after line 20 the following:

"Sec. \_\_\_\_ Section three hundred twenty-one G point seven (321G.7), Code 1977, is amended to read as follows:

321G.7 FEES TO CONSERVATION FUND. All Seventy-five percent of the fees collected from the registration of snowmobiles shall be forwarded by the county recorder to the commission for remission to the treasurer of state, who shall place such money in the state conservation fund. The fees collected forwarded shall be appropriated by the general assembly to the commission solely for their use. Twenty-five percent of the fees collected from the registration of snowmobiles shall be deposited by the county recorder in the county conservation fund or the county general fund if there is no county conservation fund. These fees may be used for snowmobile programs and other programs deemed appropriate by the county conservation board or the board of supervisors if there is no county conservation board."

4. By renumbering the sections to conform with this amendment.

H-6200 FILED  
APRIL 21, 1978

*State of Oklahoma*  
*(1978)*

BY GRIFFEE of Chickasaw  
MONROE of Des Moines  
AVENSON of Fayette  
WYCKOFF of Benton  
HOWELL of Floyd  
NORLAND of Worth  
CLARK of Cerro Gordo  
HINKHOUSE of Cedar  
PERKINS of Greene  
KRAUSE of Kossuth  
MIDDLESWART of Warren  
TOFTE of Winneshiek  
HULLINGER of Decatur  
HUSAK of Tama  
WEST of Marshall  
EVANS of Grundy  
ANDERSON of Jasper

HOUSE FILE 356

H-6193

1 Amend the Senate amendment H-6166, to House File  
2 356, as passed by the House and reprinted, as follows:  
3 1. Page 1, line 49, by striking the word "section"  
4 and inserting in lieu thereof the word "sections".  
5 2. Page 1, by inserting after line 49 the follow-  
6 ing:  
7 "NEW SECTION. TAKING DEER UNLAWFULLY. Any person  
8 who takes a deer in violation of the open season, bag  
9 limits, possession limits or territorial limits estab-  
10 lished by the commission for the taking of deer shall  
11 be guilty of a serious misdemeanor.

H-6193 FILED *Adopted by* BY PELTON of Clinton  
APRIL 21, 1978 *(S. 1978)*

HOUSE FILE 356

H-6199

1 Amend the Senate amendment H-6166, to House File  
2 356, as passed by the Senate and reprinted, as follows:  
3 1. Page 2, by inserting after line 30 the following:  
4 "\_\_\_\_\_. Page 4, by inserting after line 27 the follow-  
5 ing:  
6 "Sec. \_\_\_\_\_. Chapter one hundred ten (110), Code 1977,  
7 is amended by adding the following new section:  
8 NEW SECTION. The commission shall not limit the  
9 number of applications submitted for consideration or  
10 the number of projects under construction with respect  
11 to United States bureau of outdoor recreation projects."

H-6199 FILED *Adopted by* BY CHIODO of Polk  
APRIL 21, 1978 *(S. 1978)* SCHROEDER of Pottawattamie

H-6188

1 Amend the Senate amendment, H-6166, to House File  
 2 356 as amended, passed and reprinted by the House  
 3 as follows:  
 4 1. Page 1, line 49, by striking the word "section"  
 5 and inserting in lieu thereof the word "sections".  
 6 2. Page 1, by inserting after line 49 the follow-  
 7 ing:  
 8 "NEW SECTION. TAKING DEER UNLAWFULLY. Any person  
 9 who takes a deer in violation of the open season,  
 10 bag limits, possession limits or territorial limits  
 11 established by the commission for the taking of deer  
 12 shall be guilty of a serious misdemeanor and shall  
 13 be fined not less than five hundred dollars and  
 14 imprisoned not less than thirty days. Any weapon  
 15 or vehicle used in a violation of this section is  
 16 declared to be a public nuisance and shall be seized  
 17 by the peace officer and delivered for confiscation  
 18 to a magistrate as provided in sections one hundred  
 19 ten point nineteen (110.19) through one hundred ten  
 20 point twenty-two (110.22) of the Code and Code  
 21 Supplement."

H-6188 FILED *June 11/78* BY PELTON of Clinton  
 APRIL 21, 1978 *1978*

## HOUSE FILE 356

H-6189

1 Amend the Senate amendment H-6166, to House File 356,  
 2 as passed by the House and reprinted, as follows:  
 3 1. Page 2, by striking lines 31 through 50.  
 4 2. Page 3, by striking lines 1 through 50.  
 5 3. Page 4, by striking lines 1 through 28.

H-6189 FILED *June 11/78* BY HARGRAVE of Johnson  
 APRIL 21, 1978 *1978*

## HOUSE FILE 356

H-6190

1 Amend the Senate amendment, H-6166, to House File  
 2 356 as amended, passed and reprinted by the House  
 3 as follows:  
 4 1. Page 5, by adding after line 30 the follow-  
 5 ing:  
 6 "NEW SECTION. RECIPROCITY FOR SENIOR CITIZENS  
 7 OF OTHER STATES. A nonresident, who is sixty-five  
 8 years of age or more, may obtain a fishing license  
 9 in this state in the same manner and at the same cost  
 10 as a resident of this state, who is sixty-five years  
 11 of age or more, may obtain a fishing license in the  
 12 state of the nonresident."

H-6190 FILED *June 11/78* BY HOWELL of Floyd  
 APRIL 21, 1978 *1978*

HOUSE FILE 356

H-6183

- 1 Amend the Senate amendment H-6166 to House
- 2 File 356, as passed by the House and reprinted, as
- 3 follows:
- 4 1. Page 6, by inserting after line 36 the
- 5 following:
- 6 "3. It is the intent of the general assembly
- 7 that the state conservation commission provide from
- 8 funds received under this Act for family recreation
- 9 projects and facilities designed to implement family
- 10 recreation."

H-6183 FILED *House file* BY LIPSKY of Linn  
APRIL 21, 1978 *4/21/78*

HOUSE FILE 356

H-6186

- 1 Amend the Senate amendment, H-6166, to House File
- 2 356 as amended, passed, and reprinted by the House
- 3 as follows:
- 4 1. Page 4, by striking line 46 through page 5,
- 5 line 18.
- 6 2. Page 6, by striking line 22.
- 7 3. By renumbering the sections to conform with
- 8 this amendment.

H-6186 FILED *House file* BY SPENCER of Clay  
APRIL 21, 1978 *4/21/78* NIELSEN of Polk

HOUSE FILE 356

H-6187

- 1 Amend the Senate amendment, H-6166, to House File
- 2 356 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 2, by striking line 31 through page 4,
- 5 line 30, and inserting in lieu thereof the following:
- 6 "\_\_\_\_. Page 5, line 11, by striking the word "five"
- 7 and inserting in lieu thereof the word "three"."

H-6187 FILED *House file* BY MIDDLESWART of Warren  
APRIL 21, 1978 *4/21/78*

HOUSE FILE 356

H-6179

- 1 Amend the Senate amendment, H-6166, to House File
- 2 356 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 6, line 36, by striking the word
- 5 "activity." and inserting in lieu thereof the word
- 6 "activity."
- 7 2. Page 6, by inserting after line 36 the follow-
- 8 ing:
- 9 "Sec. \_\_\_\_\_. There is appropriated from the general
- 10 fund of the state to the state conservation commission
- 11 for the fiscal period beginning July 1, 1978 and
- 12 ending June 30, 1979, the sum of five thousand (5,000)
- 13 dollars or so much thereof as may be necessary for
- 14 the purchase of forty channel citizens band radios
- 15 and the installation of those radios in the vehicles
- 16 used by the field officers of the commission."
- 17 3. Page 6, line 41, by inserting after the word
- 18 "game" the words "and making an appropriation".

H-6179 FILED *James H. Scheelhaase* BY SCHEELHAASE of Woodbury  
 APRIL 21, 1978 *(S. 1978)*

HOUSE FILE 356

H-6178

- 1 Amend the Senate amendment, H-6166, to House File
- 2 356 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 2, by striking lines 25 through 27.
- 5 2. Page 2, by inserting after line 27 the follow-
- 6 ing:
- 7 "\_\_\_\_\_". Page 2, line 21, by striking the figure
- 8 "40.00" and inserting in lieu thereof the figure
- 9 "30.00".
- 10 3. Page 5, by striking lines 19 through 30.
- 11 4. Page 5, line 46, by inserting after the word
- 12 "areas." the words "Not less than fifty percent of
- 13 all revenue from the sale of wildlife habitat stamps
- 14 shall be used by the commission to enter into
- 15 agreements with county conservation boards or other
- 16 public or private agencies in order to carry out the
- 17 purposes of this section."
- 18 5. Page 5, by striking lines 49 and 50.
- 19 6. By renumbering the sections to conform with
- 20 this amendment.

H-6178 FILED *Adopted* BY AVENSON of Fayette  
 APRIL 21, 1978 *(S. 1978)* MIDDLESWART of Warren  
 WYCKOFF of Benton  
 EVANS of Grundy  
 SHIMANEK of Jones  
 PERKINS of Greene  
 GILSON of Guthrie  
 GARRISON of Black Hawk

HOUSE FILE 356

H-6172

- 1 Amend Senate amendment H-6166 to House File 356
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1 by striking lines 45 through 50.
- 5 2. Page 2 by striking lines 1 through 4.

H-6172 FILED *Adopted 4/21/78* BY SCHEELHAASE of Woodbury  
APRIL 21, 1978 *1770*

HOUSE FILE 356

H-6173

- 1 Amend H 6166 to House File 356 as follows:
- 2 1. Page 4, by inserting after line 45 the follow-
- 3 ing:
- 4 "1. Page 5, by inserting after line 27 the
- 5 following:
- 6 "Sec. \_\_\_\_ Chapter one hundred ten (110), Code
- 7 1977, is amended by adding the following new section:
- 8 NEW SECTION. The deer hunting license shall be
- 9 accompanied by a tag designed to be used only once
- 10 and separable into two parts. When a deer is taken,
- 11 the deer shall be tagged with one part of the tag
- 12 and both parts of the tag shall be dated. A person
- 13 may lawfully continue to hunt on the day that the
- 14 person has taken and tagged a deer if that person
- 15 is accompanying another person who is lawfully hunt-
- 16 ing deer and that person does not otherwise violate
- 17 the laws for the taking of game."

H-6173 FILED *Adopted 4/21/78* BY HINKHOUSE of Cedar  
APRIL 21, 1978 *1771* WYCKOFF of Benton  
*Amended 4/21/78* HUSAK of Tama  
*1772*

HOUSE FILE 356

H-6175

- 1 Amend Senate Amendment H-6166 to House File 356 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 4, line 45, by inserting after the word
- 4 "revoked." the following: "A person shall not pur-
- 5 chase a license that was revoked or for a privilege
- 6 that was suspended during the period of revocation
- 7 or suspension."

H-6175 FILED *Adopted 4/21/78* BY SCHROEDER of Pottawattamie  
APRIL 21, 1978 *1773*

HOUSE FILE 356

H-6176

- 1 Amend Senate amendment H-6166 to House File 356
- 2 as follows:
- 3 1. Page 2 by striking lines 3 and 4 and inserting
- 4 in lieu thereof the words "the movement of other
- 5 hunters."

H-6176 FILED *Adopted 4/21/78* BY GILSON of Guthrie  
APRIL 21, 1978 *1774*

SENATE AMENDMENT TO  
HOUSE FILE 356

H-6166

1 Amend house File 356 as amended, passed and  
2 reprinted by the House as follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section one hundred nine point  
6 thirty-eight (109.38), subsection two (2), Code 1977,  
7 is amended to read as follows:

8 2. If following an investigation the  
9 commission finds that the number of hunters licensed  
10 to take deer or wild turkey should be limited or  
11 further regulated, the commission shall conduct a  
12 drawing to determine which applicants shall receive  
13 a license. Applications for licenses shall be received  
14 and accepted during a ~~fifteen-day~~ thirty-day period  
15 established by the commission. At the end of such  
16 period the drawing shall be conducted. If the quota  
17 has not been filled, licenses shall then be issued  
18 in the order in which such applications are received  
19 and shall continue to be issued until such quota has  
20 been met or until a date fifteen days prior to the  
21 opening day of the season, whichever first occurs.

~~22 If an applicant fails to receive a deer license by  
23 either of the methods provided herein, such applicant  
24 shall receive a certificate at the time his application  
25 and monetary remittance is returned to him which shall  
26 entitle him to a license the following year before  
27 the drawing is conducted by the commission. If an  
28 applicant receives a deer license which is more  
29 restrictive than licenses issued to others for the  
30 same period and place, the applicant shall receive  
31 a certificate with his or her license entitling the  
32 applicant to priority in the drawing for the less  
33 restrictive deer licenses the following year. The  
34 certificate must accompany that person's application  
35 the following year, or the applicant will not receive  
36 this priority. Persons purchasing a deer license  
37 for the gun season as provided under this section  
38 and under section one hundred ten point one (110.1)  
39 of the Code shall not be eligible for a deer-hunting  
40 license under the provisions of section one hundred  
41 ten point seventeen (110.17) of the Code. This  
42 subsection shall not apply to the hunting of wild  
43 turkey on game breeding and shooting preserves licensed  
44 under chapter 110A."~~

45 2. Page 1, by inserting after line 12 the  
46 following:

47 "Sec. \_\_\_\_ . Chapter one hundred nine (109),  
48 Code 1977, is amended by adding the following new  
49 section:

50 NEW SECTION. A person who is hunting shall

H-6166

Page 2

1 not use a mobile radio transmitter to communicate  
2 the location or direction of game or to coordinate  
3 the movement of other hunters. This section shall  
4 not apply to the hunting of coyotes."

5 3. Page 1, by striking lines 13 and 14 and  
6 inserting in lieu thereof the following:

7 "Sec. \_\_\_\_ Section one hundred nine point  
8 seventy-four (109.74), Code 1977, is amended by  
9 striking the section and inserting in lieu thereof  
10 the following:

11 109.74 WHERE PERMITTED. Trotlines and throw  
12 lines may be used in the border rivers of the state  
13 and in the inland waters. However, the commission  
14 may by rule prohibit the use of trotlines or throw  
15 lines in certain inland waters."

16 4. Page 1, by inserting before line 15 the  
17 following new section:

18 "Sec. \_\_\_\_ Section one hundred nine point  
19 one hundred twenty-three (109.123), Code 1977, is  
20 amended to read as follows:

21 109.23 PROHIBITED HUNTING NEAR BUILDINGS.  
22 A person shall not hunt any game within one two hundred  
23 yards of any building unless the owner or tenant has  
24 given consent."

25 5. Page 2, line 3, by striking the figure  
26 "10.00" and inserting in lieu thereof the figure  
27 "12.50".

28 6. Page 2, by inserting after line 23 the  
29 following:

30 "n. Nonresidents pheasant stamp.....\$5.00"

31 7. Page 5, by striking lines 9 through 14  
32 and inserting in lieu thereof the following:

33 "Sec. \_\_\_\_ Section one hundred ten point  
34 three (110.3), Code 1977, is amended to read as  
35 follows:

36 110.3 ISSUANCE OF LICENSE. All licenses  
37 other than hunting, fishing, and trapping licenses,  
38 shall be issued by the director upon application to  
39 the departmental office at Des Moines. Hunting,  
40 fishing, and trapping licenses shall be issued by  
41 ~~the recorder of each county~~ depositories designated  
42 by the director.

43 Sec. \_\_\_\_ Section one hundred ten point  
44 four (110.4), Code 1977, is amended to read as follows:

45 110.4 DEPOSITARIES--BOND. ~~Each county~~  
46 ~~recorder may designate various depositories for the~~  
47 ~~sale of such licenses other than the office of the~~  
48 ~~county recorder.~~ The director may shall designate  
49 depositories ~~other than those designated by the~~  
50 ~~recorders of the various~~ in all the counties of the

H-6166

31 state but in so doing the interest of the state shall  
 32 be fully protected either by a sufficient cash deposit  
 33 or a satisfactory bond. Depositories designated by  
 34 ~~the county recorder or~~ the director may have the  
 35 privilege of charging an additional five percent of  
 36 the cost of each license to be retained for the service  
 37 rendered in issuing the license. If the depository  
 38 is a county officer, the five percent shall be  
 39 deposited in the county general fund. The county  
 40 officer shall have the discretion to determine whether  
 41 or not to be the depository. In no event shall county  
 42 tax funds be used to finance the administration and  
 43 collection of licenses.

44 Sec. \_\_\_\_\_. Section one hundred ten point  
 45 six (110.6), Code 1977, as amended by Acts of the  
 46 Sixty-seventh General Assembly, 1977 Session, chapter  
 47 sixty-six (66), section seven (7), is amended to read  
 48 as follows:

49 110.6 LOST OR DESTROYED BLANKS. When license  
 50 blanks in the possession of the ~~county recorder or~~  
 depositories are accidentally destroyed, the holder  
 of such blanks shall only be relieved from  
 accountability upon the presentation of satisfactory  
 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.

29 Sec. \_\_\_\_\_. Section one hundred ten point  
 30 seven (110.7), Code 1977, is amended to read as  
 31 follows:

32 110.7 DUPLICATE LICENSES AND PERMITS.  
 33 Whenever any license, certificate or permit, for which  
 34 a fee has been set, has been lost, destroyed or stolen,  
 35 the director or the ~~county recorder~~ depository where  
 36 the license was issued in the first instance, may  
 37 issue a certificate to replace said license, if written  
 38 evidence is filed with either director or ~~recorder~~  
 39 depository, in affidavit form, by the person to whom  
 40 the original was issued, setting forth the  
 41 circumstances and accompanied by a fee of one dollar,  
 42 said fee to be kept by the ~~county recorder for the~~  
 43 ~~use of the county~~ depository, if issued by him or  
 44 her, and placed in the fish and game protection fund  
 45 if issued by the director. If, on examination of  
 46 the evidence, the director or the ~~recorder~~ depository,  
 47 as the case may be, is satisfied that said license  
 48 has been lost, destroyed or stolen, he or she shall  
 49 issue a duplicate license which shall be plainly  
 50 marked "duplicate" and said duplicate shall serve

1 in lieu of the original license and it shall contain  
2 the same information and signature as the original.

3 Sec. \_\_\_\_\_. Section one hundred ten point  
4 eight (110.8), Code 1977, is amended to read as  
5 follows:

6 110.8 ACCOUNTING. Within five days after  
7 the end of each month, each ~~county-recorder~~ depository  
8 shall remit to the director, all duplicate licenses  
9 and all fees for licenses issued during the previous  
10 month. On or before the thirty-first of January each  
11 year, each ~~county-recorder~~ depository shall remit  
12 to the director all unused license blanks for the  
13 previous year, and he or she shall make a final  
14 accounting for all license fees received for that  
15 period.

16 Sec. \_\_\_\_\_. Section one hundred ten point  
17 nine (110.9), Code 1977, is amended to read as follows:

18 110.9 DUPLICATE ISSUANCE--OLD RECORDS  
19 DESTROYED. All licenses shall be issued in duplicate,  
20 one copy of which shall be given to the applicant,  
21 one shall be forwarded to the director, and the license  
22 stub shall be retained ~~in-the-office-of-the-county~~  
23 recorder by the depository.

24 ~~The board-of-supervisors~~ director may order  
25 the ~~county-recorder~~ depositories to destroy all  
26 triplicate copies of nunting, fishing and trapping  
27 licenses which have been on file ~~in-the-recorder's~~  
28 office for five years or more.

29 Sec. \_\_\_\_\_. Section one hundred ten point  
30 five (110.5), Code 1977, is repealed."

31 8. Page 5, by inserting before line 15 the  
32 following:

33 "Sec. \_\_\_\_\_. Section one hundred ten point  
34 fourteen (110.14), Code 1977, is amended by adding  
35 the following new unnumbered paragraph:

36 NEW UNNUMBERED PARAGRAPH. The magistrate  
37 shall revoke the hunting license or suspend the  
38 privilege of procuring a hunting license for a period  
39 of one year of any person who has been convicted twice  
40 within a year of trespassing while hunting. If the  
41 hunting privileges of a hunting and fishing combined  
42 license are revoked, the fishing privileges of the  
43 license shall still be valid and the magistrate shall  
44 enter on the license that the hunting privileges are  
45 revoked."

46 9. Page 5, by inserting after line 27 the  
47 following:

48 "Sec. \_\_\_\_\_. Section one hundred ten point  
49 eighteen (110.18), Code 1977, is amended to read as  
50 follows:

H-6166  
5

1 110.12 COURTESY NONRESIDENT LICENSES. The  
2 commission is hereby authorized to issue a courtesy  
3 nonresident license for the taking of any fish or  
4 game, except deer. Such licenses may be issued by  
5 the director of the commission, without charge, to  
6 dignitaries and officials of other states, countries,  
7 or the United States who are in the state as guests  
8 of the governor or the commission. Such licenses  
9 shall be issued for a specific number of days. The  
10 commission shall establish policies for the issuance  
11 of each license and such policies shall be subject  
12 to review by the administrative rules review committee  
13 pursuant to section seventeen A (17A), Code 1977.  
14 The commission shall approve each license within one  
15 month of issuance and shall enter each approval in  
16 its minutes. The number of licenses to be issued  
17 for any one season or species of fish or game shall  
18 not exceed one-hundred fifty."

19 10. Page 5, by inserting after line 29 the  
20 following:

21 "NEW SECTION. Hunting licenses shall be  
22 issued with a form providing spaces for the signatures  
23 of a landowner or tenant and the dates upon which  
24 the landowner or tenant consents to that person hunting  
25 on his or her land. Any person who hunts upon the  
26 privately owned land of another who does not have  
27 the written consent of the owner or tenant in his  
28 or her possession shall be presumed to be unduly  
29 interfering with the lawful use of the property by  
30 the owner."

31 11. Page 6, line 9, by striking the word  
32 "fund" and inserting in lieu thereof the word "fund."

33 12. Page 6, by striking lines 10 through  
34 20 and inserting in lieu thereof the following: "The  
35 revenue may be used for the matching of federal funds.  
36 The revenues and any matched federal funds shall be  
37 used for acquisition of land, leasing of land or  
38 obtaining of easements from willing sellers for use  
39 as wildlife habitats. Notwithstanding the exemption  
40 provided by section four hundred twenty-seven point  
41 one (427.1) of the Code, any land acquired with the  
42 revenues and matched federal funds shall be subject  
43 to the full consolidated levy of property taxes which  
44 shall be paid from those revenues. In addition such  
45 revenue may be used for the development, management  
46 and enhancement of wildlife lands and habitat areas."

47 13. Page 6, by striking line 21 through  
48 page 7, line 11.

49 14. Page 7, by striking lines 19 through  
50 23.

H-6166

Page 6

1 15. Page 7, line 26, by inserting after  
2 the word "wolf" the words "except coyote".

3 16. Page 7, by inserting after line 35 the  
4 following:

5 "NEW SECTION.

6 1. A nonresident shall not hunt pheasants  
7 unless the pheasant stamp is purchased and affixed  
8 to the nonresident hunting license and the nonresident  
9 hunter possesses unused pheasant tags. A nonresident  
10 shall not possess an untagged pheasant.

11 2. The pheasant stamp shall permit the  
12 license holder to hunt pheasants. The stamps shall  
13 be issued with tags in the amount of twice the  
14 possession limit established by the commission for  
15 pheasant. The tags shall bear the same number as  
16 the stamp and shall be designed to be used only once.  
17 A nonresident may purchase another pheasant stamp  
18 and tags when the tags of the previous stamp are  
19 exhausted."

20 17. Page 8, line 17, by striking the word  
21 "two" and inserting in lieu thereof the word "five".

22 18. Page 8, by striking lines 19 and 20.

23 19. Page 8, by inserting before line 21  
24 the following:

25 "Sec. \_\_\_\_ INTENT.

26 1. It is the intent of the general assembly  
27 that the succeeding general assembly appropriate funds  
28 for additional field officers for the state  
29 conservation commission with the funds made available  
30 by the license fee increases provided in this Act.

31 2. It is the intent of the general assembly  
32 that the state conservation commission temporarily  
33 assign its personnel who are qualified as peace  
34 officers, regardless of their permanent assignments,  
35 to enforce the game laws during the days of greatest  
36 hunting activity."

37 20. Renumbering the sections to conform  
38 with this amendment.

39 21. Amend the title, by striking lines 1  
40 through 7 and inserting in lieu thereof the following:

41 "An Act relating to the taking of fish and game."

H-6166 FILED  
RECEIVED FROM SENATE  
APRIL 21, 1978

*Amended (6173 6174 6175 6176 6177 6178 6179 6180 6181 6182 6183 6184 6185 6186 6187 6188 6189 6190 6191 6192 6193 6194 6195 6196 6197 6198 6199 6200)*  
*4/24/78 (1789)*

HOUSE FILE 356

S-5572

1 Amend the Committee on Natural Resources amend-  
2 ment, S-5479, to House File 356 as amended, passed  
3 and reprinted by the House as follows:  
4 1. Page 3, line 14 by striking the words "one  
5 hundred" and inserting in lieu thereof the words "one  
6 hundred fifty".

S-5572 FILED *Adopted 4/18 (p. 898)* BY E. KEVIN KELLY  
APRIL 17, 1978

HOUSE FILE 356

S-5574

1 Amend the Committee on Natural Resource amendment,  
2 S-5479, to House File 356 as amended, passed and  
3 reprinted by the House as follows:  
4 1. Page 3, by inserting after line 14 the  
5 following:  
6 " ". Page 5, by inserting after line 29 the  
7 following:  
8 "NEW SECTION. Hunting licenses shall be issued  
9 with a form providing spaces for the signatures of  
10 a landowner or tenant and the dates upon which the  
11 landowner or tenant consents to that person on his or  
12 her land. Any person who hunts upon the privately  
13 owned land of another who does not have the written  
14 consent of the owner or tenant in his or her possession  
15 shall be presumed to be unduly interfering with the  
16 lawful use of the property by the owner.""

S-5574 FILED *with drawn 4/18 (p. 898)* BY BERL E. PRIEBE  
APRIL 17, 1978 TOM SLATER  
JAMES M. REDMOND

HOUSE FILE 356

S-5575

1 Amend amendment S-5573 to House File 356 as  
2 amended, passed and reprinted by the House as  
3 follows:  
4 1. Page 1, line 30, by striking the word  
5 "conservation" and inserting in lieu thereof  
6 the word "general"

S-5575 FILED & ADOPTED *(p. 890)* BY RICHARD R. RAMSEY  
APRIL 17, 1978

HOUSE FILE 356

S-5569

- 1 Amend House File 356 as amended, passed and
- 2 reprinted by the House:
- 3 1. Page 5, line 13, by striking the word "shall"
- 4 and inserting in lieu thereof the word "may".

S-5569 FILED, WITHDRAWN (p. 887)  
APRIL 17, 1978

BY NORMAN RODGERS  
JAMES V. GALLAGHER

HOUSE FILE 356

S-5570

- 1 Amend House File 356 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. Page 5, by striking line 8.
- 4 2. Page 5, by striking line 33 through page 6,
- 5 line 20.

S-5570 FILED & LOST (p. 888)  
APRIL 17, 1978

BY RICHARD R. RAMSEY  
JAMES E. BRILES

HOUSE FILE 356

S-5571

- 1 Amend the Committee on Natural Resources amendment,
- 2 S-5479, amending House File 356 as amended, passed
- 3 and reprinted by the House as follows:
- 4 1. Page 3, by inserting after line 14 the
- 5 following:
- 6 "\_\_\_\_. Page 4, by inserting after line 29 the
- 7 following:
- 8 "NEW SECTION. Hunting licenses shall be issued
- 9 with a form providing spaces for the signatures of
- 10 a landowner or tenant and the dates upon which the
- 11 landowner or tenant consents to that person hunting
- 12 on his or her land. Any person who hunts upon the
- 13 land of another who does not have the written consent
- 14 of the owner or tenant in his or her possession shall
- 15 be presumed to be committing a trespass."

S-5571 FILED withdrawn 4/15 (p. 898)  
APRIL 17, 1978

BY BERL E. PRIEBE  
TOM SLATER

S-5573

1 Amend House File 356 as amended, passed and  
2 reprinted by the House as follows:

3 1. Page 5, by striking lines 9 through 14 and  
4 inserting in lieu thereof the following:

5 "Sec. \_\_\_\_ . Section one hundred ten point three  
6 (110.3), Code 1977, is amended to read as follows:

7 110.3 ISSUANCE OF LICENSE. All licenses other  
8 than hunting, fishing, and trapping licenses, shall  
9 be issued by the director upon application to the  
10 departmental office at Des Moines. Hunting, fishing,  
11 and trapping licenses shall be issued by ~~the recorder~~  
12 ~~of each county~~ depositories designated by the director.

13 Sec. \_\_\_\_ . Section one hundred ten point four  
14 (110.4), Code 1977, is amended to read as follows:

15 110.4 DEPOSITARIES--BOND. ~~The county recorder~~  
16 ~~may designate various depositories for the sale of~~  
17 ~~such licenses other than the office of the county~~  
18 ~~recorder.~~ The director ~~may~~ shall designate  
19 depositories ~~other than these designated by the~~  
20 ~~recorders of the various~~ in all the counties of the  
21 state but in so doing the interest of the state shall  
22 be fully protected either by a sufficient cash deposit  
23 or a satisfactory bond. Depositories designated by  
24 ~~the county recorder or~~ the director may have the  
25 privilege of charging an additional ~~five percent of~~  
26 ~~the cost of~~ twenty-five cents for each license to  
27 be retained for the service rendered in issuing the  
28 license. If the depository is a county officer, the  
29 twenty-five cents shall be deposited in the county  
30 conservation fund.

31 Sec. \_\_\_\_ . Section one hundred ten point six  
32 (110.6), Code 1977, as amended by Acts of the Sixty-  
33 seventh General Assembly, 1977 Session, chapter sixty-  
34 six (66), section seven (7), is amended to read as  
35 follows:

36 110.6 LOST OR DESTROYED BLANKS. When license  
37 blanks in the possession of the ~~county recorder or~~  
38 depositories are accidentally destroyed, the holder  
39 of such blanks shall only be relieved from  
40 accountability upon the presentation of satisfactory  
41 explanation and the filing of a bond to the director  
42 that such blanks have actually been so destroyed.  
43 The commission may determine by rule what shall  
44 constitute a satisfactory explanation of such  
45 occurrence.

46 Sec. \_\_\_\_ . Section one hundred ten point seven  
47 (110.7), Code 1977, is amended to read as follows:

48 110.7 DUPLICATE LICENSES AND PERMITS. Whenever  
49 any license, certificate or permit, for which a fee  
50 has been set, has been lost, destroyed or stolen,

1 the director or the ~~county-recorder~~ depository where  
 2 the license was issued in the first instance, may  
 3 issue a certificate to replace said license, if written  
 4 evidence is filed with either director or ~~recorder~~  
 5 depository, in affidavit form, by the person to whom  
 6 the original was issued, setting forth the  
 7 circumstances and accompanied by a fee of one dollar,  
 8 said fee to be kept by the ~~county-recorder-for-the~~  
 9 use-of-the-county depository, if issued by him or  
 10 her, and placed in the fish and game protection fund  
 11 if issued by the director. If, on examination of  
 12 the evidence, the director or the ~~recorder~~ depository,  
 13 as the case may be, is satisfied that said license  
 14 has been lost, destroyed or stolen, he or she shall  
 15 issue a duplicate license which shall be plainly  
 16 marked "duplicate" and said duplicate shall serve  
 17 in lieu of the original license and it shall contain  
 18 the same information and signature as the original.

19 Sec. \_\_\_\_\_. Section one hundred ten point eight  
 20 (110.8), Code 1977, is amended to read as follows:

21 110.8 ACCOUNTING. Within five days after the  
 22 end of each month, each ~~county-recorder~~ depository  
 23 shall remit to the director, all duplicate licenses  
 24 and all fees for licenses issued during the previous  
 25 month. On or before the thirty-first of January  
 26 each year, each ~~county-recorder~~ depository shall remit  
 27 to the director all unused license blanks for the  
 28 previous year, and he or she shall make a final  
 29 accounting for all license fees received for that  
 30 period.

31 Sec. \_\_\_\_\_. Section one hundred ten point nine  
 32 (110.9), Code 1977, is amended to read as follows:

33 110.9 DUPLICATE ISSUANCE--OLD RECORDS DESTROYED.  
 34 All licenses shall be issued in duplicate, one copy  
 35 of which shall be given to the applicant, one shall  
 36 be forwarded to the director, and the license stub  
 37 shall be retained ~~in-the-office-of-the-county-recorder~~  
 38 by the depository.

39 The ~~board-of-supervisors~~ director may order the  
 40 ~~county-recorder~~ depositories to destroy all triplicate  
 41 copies of hunting, fishing and trapping licenses which  
 42 have been on file ~~in-the-recorder's-office~~ for five  
 43 years or more.

44 Sec. \_\_\_\_\_. Section one hundred ten point five  
 45 (110.5), Code 1977, is repealed."

46 2. By renumbering the sections to conform with  
 47 this amendment.

S-5573 FILED

APRIL 17, 1978

*Adopted as amended by 5-5770-5578  
4/16 (P 900)*

BY LOWELL L. JUNKINS

BERL E. PRIEBE

DALE L. TIEDEN

TOM SLATER

CALVIN O. HULTMAN

HOUSE FILE 356

S-5576

1 Amend the Committee on Natural Resources amendment,  
2 S-5479, to House File 356 as amended, passed and  
3 reprinted by the House as follows:  
4 1. Page 3, by inserting after line 14 the  
5 following:  
6 "\_\_\_\_\_. Page 5, by inserting after line 29 the  
7 following:  
8 "NEW SECTION. Hunting licenses shall be issued  
9 with a form providing spaces for the signatures of  
10 a landowner or tenant and the dates upon which the  
11 landowner or tenant consents to that person hunting  
12 on his or her land. Any person who hunts upon the  
13 privately owned land of another who does not have the  
14 written consent of the owner or tenant in his or her  
15 possession shall be presumed to be unduly interfering  
16 with the lawful use of the property by the owner."

S-5576 FILED *Adopted 4/18 (p. 898)*  
APRIL 17, 1978

BY BERL E. PRIEBE  
TOM SLATER  
JAMES M. REDMOND

HOUSE FILE 356

S-5577

1 Amend the Junkins et al. amendment, S-5573, to  
2 House File 356 as amended, passed, and reprinted  
3 by the House as follows:  
4 1. Page 1, line 30, by inserting after the word  
5 "fund." the words "The county officer shall have the  
6 discretion to determine whether or not to be the  
7 depository. In no event shall county tax funds be  
8 used to finance the administration and collection of  
9 licenses."

S-5577 FILED *Adopted 4/18 (p. 897)*  
APRIL 17, 1978

BY JAMES M. REDMOND

HOUSE FILE 356

S-5578

1 Amend the Junkins et al. amendment, S-5573, to  
2 House File 356 as amended, passed and reprinted by the  
3 House as follows:  
4 1. Page 1, lines 25 and 26, by striking the words  
5 "~~five-percent-of-the-cost-of~~ twenty-five cents for"  
6 and inserting in lieu thereof the words "five percent  
7 of the cost of."  
8 2. Page 1, line 29, by striking the words  
9 "twenty-five cents" and inserting in lieu thereof the  
10 words "five percent".

S-5578 FILED *Adopted 4/18 (p. 894)*  
APRIL 17, 1978

BY NORMAN G. RODGERS

SENATE 3  
APRIL 18, 1978

HOUSE FILE 356

S-5560

1 Amend the Senate Committee on Natural Resources  
2 amendment S-5479 to House File 356 as amended, passed  
3 and reprinted by the House as follows:  
4 1. Page 2, by striking lines 12 through 31 and  
5 inserting in lieu thereof the following:  
6 Page 5, line 11, by striking the word "five"  
7 and inserting in lieu thereof the word "three".

S-5560 FILED  
APRIL 17, 1978

BY EUGENE M. HILL

RULED OUT OF ORDER (*p. 885*)

HOUSE FILE 356

S-5562

1 Amend House File 356 as amended, passed and reprinted  
2 by the House, as follows:  
3 1. Page 1, by inserting after line 12 the following:  
4 "Sec. \_\_\_\_ Chapter one hundred nine (109), Code  
5 1977, is amended by adding the following new section:  
6 NEW SECTION. A person who is hunting shall not use  
7 a mobile radio transmitter to communicate the location  
8 or direction of game or to coordinate the movement of  
9 other hunters."

S-5562 FILED & ADOPTED *as amended* BY C. W. HUTCHINS  
APRIL 17, 1978 *by 5563 4/17 (287)*

HOUSE FILE 356

S-5566

1 Amend the Committee on Natural Resources amendment,  
2 S-5479, to House File 356 as amended, passed and  
3 reprinted by the House as follows:

- Div A 4 1. Page 2, by striking lines 12 through 31.
- 5 2. Page 2, by striking line 47 through page 3,
- 6 line 14.
- Div B 7 3. Page 4, by striking line 4.

S-5566 FILED  
APRIL 17, 1978

BY C. W. HUTCHINS

DIVISION A - WITHDRAWN (p. 885)

DIVISION B - ADOPTED, RECONSIDERED & LOST (p. 891)  
(p. 886)

HOUSE FILE 356

S-5568

1 Amend House File 356 as amended, passed and  
2 reprinted by the House:

- 3 1. Page 5, line 14, by striking the word
- 4 "general" and inserting in lieu thereof the word
- 5 "conservation".

S-5568 FILED & LOST (p. 889)  
APRIL 17, 1978

BY BERL E. PRIEBE  
LOWELL L. JUNKINS  
JAMES V. GALLAGHER

HOUSE FILE 356

S-5567

1 Amend the Natural Resources Committee amendment  
2 S-5479 to House File 356 as amended, passed and re-  
3 printed by the House as follows:

- 4 1. Page 4, by striking lines 8 through 14 and in-
- 5 serting in lieu thereof the following:
- 6 "1. It is the intent of the general assembly that
- 7 the succeeding general assembly appropriate funds for
- 8 additional field officers for the state conservation com-
- 9 mission with the funds made available by the license
- 10 fee increases provided in this Act."

S-5567 FILED & ADOPTED (p. 886) BY LOWELL L. JUNKINS  
APRIL 17, 1978

HOUSE FILE 356

S-5563

1 Amend the Hutchins amendment S-5562 to House  
2 File 356 as amended, passed and reprinted by the  
3 House, as follows:  
4 1. Page 1, line 9, by inserting after the  
5 period the following: "This section shall not apply  
6 to the hunting of coyotes."

S-5563 FILED & ADOPTED (p 887) BY RICHARD R. RAMSEY  
APRIL 17, 1978

HOUSE FILE 356

S-5564

1 Amend the Committee on Natural Resources  
2 amendment, S-5479, to House File 356 as amended,  
3 passed and reprinted by the House as follows:  
4 1. Page 2, by striking lines 12 through 31.  
5 2. Page 2, by striking line 47 through page 3,  
6 line 14.

S-5564 FILED & WITHDRAWN (p 885) BY C. W. HUTCHINS  
APRIL 17, 1978

HOUSE FILE 356

S-5565

1 Amend House File 356 as amended, passed and  
2 reprinted by the House as follows:  
3 1. Page 1, by inserting after line 14 the following  
4 new section:  
5 "Sec. \_\_\_\_ . Section one hundred nine point one  
6 hundred twenty-three (109.123), Code 1977, is amended to  
7 read as follows:  
8 109.123 PROHIBITED HUNTING NEAR BUILDINGS. A  
9 person shall not hunt any game within one two hundred  
10 yards of any building unless the owner or tenant has  
11 given consent."  
12 2. By renumbering the sections to conform with  
13 this amendment.

S-5565 FILED & ADOPTED (p 887) BY BERL E. PRIEBE  
APRIL 17, 1978 DALE L. TIEDEN

SENATE 2  
APRIL 18, 1978

## HOUSE FILE 356

S-5557

1 Amend the Senate Committee on Natural Resources  
2 amendment, S-5479, to House File 356 as amended,  
3 passed and reprinted by the House as follows:  
4 1. Page 2, by inserting after line 31 the fol-  
5 lowing:  
6 "Sec. \_\_\_\_\_. Section one hundred ten point five  
7 (110.5), Code 1977, is amended to read as follows:  
8 110.5 FEES. The county recorder shall be responsi-  
9 ble for all fees for the issuance of hunting and  
10 fishing licenses sold through his or her office, or  
11 issued through his or her office and sold by others.  
12 Such fees shall be remitted on a monthly basis. The  
13 recorder shall retain three percent of the fees col-  
14 lected by the recorder or by county designated depos-  
15 itaries to cover the cost of service provided. All  
16 unused license blanks issued to depositaries shall  
17 be surrendered to the county recorder upon his or  
18 her demand."

S-5557 FILED  
APRIL 17, 1978  
WITHDRAWN (p. 88e)

BY EUGENE M. HILL

## HOUSE FILE 356

S-5559

1 Amend the Committee on Natural Resources amendment,  
2 S-5479, to House File 356 as amended, passed and  
3 reprinted by the House as follows:  
4 1. Page 3, by inserting after line 14 the follow-  
5 ing:  
6 "\_\_\_\_\_. Page 5, by inserting after line 29 the  
7 following:  
8 "NEW SECTION. A person's hunting license shall  
9 bear the signature of the landowner, lessee, or agent  
10 of the owner on whose private property that person  
11 is hunting or some other legitimate proof as evidence  
12 that permission to hunt has been granted."

S-5559 FILED  
APRIL 17, 1978  
WITHDRAWN (p. 887)

BY BERL E. PRIEBE  
DALE L. TIEDEN

HOUSE FILE 356

S-5579

1 Amend the Committee Natural Resources amendment  
2 S-5479 to House File 356 as amended, passed and  
3 reprinted by the House.  
4 1. Page 3, by striking lines 10 through 13 and  
5 inserting in lieu thereof the following: "commission  
6 shall establish policies for the issuance of each license  
7 and such policies shall be subject to review by the  
8 administrative rules review committee pursuant to  
9 section seventeen A (17A), Code 1977. The commission shall  
10 approve each license within one month of issuance and  
11 shall enter each approval in its minutes. The number of".

S-5579 FILED & ADOPTED (p 898)  
APRIL 18, 1978

BY E. KEVIN KELLY  
ROBERT M. CARR

HOUSE FILE 356

S-5527

1 Amend the Senate amendment, S-5479, to House File  
2 356 as amended, passed and reprinted by the House,  
3 as follows:  
4 1. Page 2, line 5, by striking the word "Act."  
5 and inserting in lieu thereof the word "Act."  
6 2. Page 2, by inserting after line 5 the following:  
7 "Sec. \_\_\_\_ Chapter one hundred nine (109), Code  
8 1977, is amended by adding the following new section:  
9 NEW SECTION. A person who is hunting shall not  
10 use a mobile radio transmitter to communicate the  
11 location or direction of game or to coordinate the  
12 movement of other hunters."

S-5527 FILED *withdrawn 4/17 (p 883)* BY C. W. HUTCHINS  
APRIL 11, 1978

HOUSE FILE 356

S-5524

1 Amend the Senate Committee on Natural Resources  
2 amendment, S-5479, to House File 356, as amended,  
3 passed and reprinted by the House as follows:  
4 1. Page 2, by striking lines 12 through 31.

S-5524 FILED *Out of order 4/17 (885)* BY RICHARD F. DRAKE  
APRIL 11, 1978

S-5479

1 Amend House File 356 as amended, passed and  
2 reprinted by the House as follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section one hundred nine point thirty-  
6 eight (109.38), subsection two (2), Code 1977, is  
7 amended to read as follows:

8 2. If following an investigation the commission  
9 finds that the number of hunters licensed to take  
10 deer or wild turkey should be limited or further  
11 regulated, the commission shall conduct a drawing  
12 to determine which applicants shall receive a license.  
13 Applications for licenses shall be received and  
14 accepted during a fifteen-day thirty-day period  
15 established by the commission. At the end of such  
16 period the drawing shall be conducted. If the quota  
17 has not been filled, licenses shall then be issued  
18 in the order in which such applications are received  
19 and shall continue to be issued until such quota has  
20 been met or until a date fifteen days prior to the  
21 opening day of the season, whichever first occurs.  
22 If an applicant fails to receive a deer license by  
23 either of the methods provided herein, such applicant  
24 shall receive a certificate at the time his application  
25 and monetary remittance is returned to him which shall  
26 entitle him to a license the following year before  
27 the drawing is conducted by the commission. If an  
28 applicant receives a deer license which is more  
29 restrictive than licenses issued to others for the  
30 same period and place, the applicant shall receive  
31 a certificate with his or her license entitling the  
32 applicant to priority in the drawing for the less  
33 restrictive deer licenses the following year. The  
34 priority of the certificate shall increase each year  
35 that the applicant receives a more restrictive  
36 certificate. The certificate must accompany that  
37 person's application the following year, or the appli-  
38 cant will not receive this priority. Persons  
39 purchasing a deer license for the gun season as  
40 provided under this section and under section one  
41 hundred ten point one (110.1) of the Code shall not  
42 be eligible for a deer-hunting license under the  
43 provisions of section one hundred ten point seventeen  
44 (110.17) of the Code. This subsection shall not apply  
45 to the hunting of wild turkey on game breeding and  
46 shooting preserves licensed under chapter 110A."

47 2. Page 1, by inserting after line 12 the  
48 following:

49 "Sec. \_\_\_\_ . Section one hundred nine point fifty-  
50 four (109.54), Code 1977, is amended by adding the

1 following new unnumbered paragraph:

2 NEW UNNUMBERED PARAGRAPH. A person shall not hunt  
3 in or from a road right-of-way unless that person  
4 is sixty-five years of age or older or is permanently  
5 disabled as defined in section six (6) of this Act."

6 3. Page 1, by striking lines 13 and 14.

7 4. Page 2, by inserting after line 23 the  
8 following:

9 "h. Nonresidents pheasant stamp.....\$5.00"

10 5. Page 5, line 8, by striking the number "3.00"  
11 and inserting in lieu thereof the number "1.50".

12 6. Page 5, by striking lines 9 through 14 and  
13 inserting in lieu thereof the following:

14 "Sec. \_\_\_\_ . Section one hundred ten point four  
15 (110.4), Code 1977, is amended to read as follows:

16 110.4 DEPOSITARIES--ECND. The county recorder  
17 may designate various depositaries for the sale of  
18 such licenses other than the office of the county  
19 recorder. The director may designate depositaries  
20 other than those designated by the recorders of the  
21 various counties but in so doing the interest of the  
22 state shall be fully protected either by a sufficient  
23 cash deposit or a satisfactory bond. Depositaries  
24 designated by the county recorder or the director  
25 may have the privilege of charging an additional ~~five~~  
26 percent-of-the-cost-of twenty-five cents for each  
27 license to be retained for the service rendered in  
28 issuing the license. The county recorder may also  
29 charge an additional twenty-five cents for each license  
30 sold by the office of the county recorder which shall  
31 be deposited in the general fund of the county."

32 7. Page 5, by inserting after line 14 the  
33 following:

34 "Sec. \_\_\_\_ . Section one hundred ten point fourteen  
35 (110.14), Code 1977, is amended by adding the following  
36 new unnumbered paragraph:

37 NEW UNNUMBERED PARAGRAPH. The magistrate shall  
38 revoke the hunting license or suspend the privilege  
39 of procuring a hunting license for a period of one  
40 year of any person who has been convicted twice within  
41 a year of trespassing while hunting. If the hunting  
42 privileges of a hunting and fishing combined license  
43 are revoked, the fishing privileges of the license  
44 shall still be valid and the magistrate shall enter  
45 on the license that the hunting privileges are  
46 revoked."

47 8. Page 5, by inserting after line 27 the  
48 following:

49 "Sec. \_\_\_\_ . Section one hundred ten point eighteen  
50 (110.18), Code 1977, is amended to read as follows:

1 110.18 COURTESY NONRESIDENT LICENSES. The  
2 commission is hereby authorized to issue a courtesy  
3 nonresident license for the taking of any fish or  
4 game, except deer. Such licenses may be issued by  
5 the director of the commission, without charge, to  
6 dignitaries and officials of other states, countries,  
7 or the United States who are in the state as guests  
8 of the governor or the commission. Such licenses  
9 shall be issued for a specific number of days. The  
10 commission shall approve the issuance of each license  
11 prior to or within one month of issuance and shall  
12 enter each approval in its minutes. The number of  
13 licenses to be issued for any one season or species  
14 of fish or game shall not exceed one hundred."

15 9. Page 6, line 9, by striking the word "fund"  
16 and inserting in lieu thereof the word "fund."

17 10. Page 6, by striking lines 10 through 20 and  
18 inserting in lieu thereof the following: "The revenue  
19 may be used for the matching of federal funds. The  
20 revenues and any matched federal funds shall be used  
21 for acquisition of land, leasing of land or obtaining  
22 of easements from willing sellers for use as wildlife  
23 habitats. Notwithstanding the exemption provided  
24 by section four hundred twenty-seven point one (427.1)  
25 of the Code, any land acquired with the revenues and  
26 matched federal funds shall be subject to the full  
27 consolidated levy of property taxes which shall be  
28 paid from those revenues. In addition such revenue  
29 may be used for the development, management and  
30 enhancement of wildlife lands and habitat areas."

31 11. Page 6, by striking line 21 through page 7,  
32 line 11.

33 12. Page 7, by striking lines 19 through 23.

34 13. Page 7, line 26, by inserting after the word  
35 "wolf" the words "except coyote".

36 14. Page 7, by inserting after line 35 the  
37 following:

38 "NEW SECTION.

39 1. A nonresident shall not hunt pheasants unless  
40 the pheasant stamp is purchased and affixed to the  
41 nonresident hunting license and the nonresident hunter  
42 possesses unused pheasant tags. A nonresident shall  
43 not possess an untagged pheasant.

44 2. The pheasant stamp shall permit the license  
45 holder to hunt pheasants. The stamps shall be issued  
46 with tags in the amount of twice the possession limit  
47 established by the commission for pheasant. The tags  
48 shall bear the same number as the stamp and shall  
49 be designed to be used only once. A nonresident may  
50 purchase another pheasant stamp and tags when the

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Page 4

- tags of the previous stamp are exhausted."
15. Page 8, line 17, by striking the word "two"  
and inserting in lieu thereof the word "five".
16. Page 8, by striking lines 19 and 20.
17. Page 8, by inserting after line 20 the following:
- Sec. \_\_\_\_\_ INTENT.
1. It is the intent of the general assembly that the state conservation commission employ at least ten additional officers. The salaries and support of the additional officers shall be funded from the revenues provided to the state fish and game protection fund by the increases in license fees made in this Act.
2. It is the intent of the general assembly that the state conservation commission temporarily assign its personnel who are qualified as peace officers, regardless of their permanent assignments, to enforce the game laws during the days of greatest hunting activity."
18. Renumber the sections to conform with this amendment.
19. Amend the title, by striking lines 1 through 7 and inserting in lieu thereof the following: "An Act relating to the taking of fish and game."

S-5479 FILED  
APRIL 4, 1978

BY COMMITTEE ON NATURAL RESOURCES  
ELIZABETH R. MILLER, RANKING MEMBER

*Amended by 5507, 5535, 5553, 5556, 5557, 5562 4/7  
" " 5572, 5576, 5579 as Adopted 4/13/78*

HOUSE FILE 356

S-5507

- 1 Amend the Senate Committee on Natural Resources  
2 amendment, S-5479, to House File 356, as amended,  
3 passed and reprinted by the House as follows:  
4 1. Page 2, by striking lines 12 through 31.

S-5507 FILED  
APRIL 6, 1978

*Adopted 4/17/78 (p 885)* BY NORMAN RODGERS

FIRST  
REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 356

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the first conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 2074, a bill for an Act relating to the licenses and certificates for the taking of fish and game; repealing sections one hundred nine point seventy-four (109.74) and one hundred ten point eighteen (110.18) of the Code; the taking and possession of migratory birds; and removing the payment of bounties on wolf, wildcat or bobcat, lynx, crow and fox, respectfully make the following report:

1. That the House recede from its amendment S-5687 to Senate amendment H-6166 to House File 356 as amended, passed and reprinted by the House.

2. That the Senate recede from its amendment H-6166 to House File 356 as amended, passed and reprinted by the House.

3. That House File 356 as amended, passed and reprinted by the House be amended as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter one hundred nine (109), Code 1977, is amended by adding the following new section:

NEW SECTION. A person who is hunting shall not use a mobile radio transmitter to communicate the location or direction of game or to coordinate the movement of other hunters. This section shall not apply to the hunting of coyotes.

Sec. 2. Section one hundred nine point thirty-eight (109.38), subsection two (2), Code 1977, is amended to read as follows:

2. If following an investigation the commission finds

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Page 2 that the number of hunters licensed to take deer or wild turkey should be limited or further regulated, the commission shall conduct a drawing to determine which applicants shall receive a license. Applications for licenses shall be received and accepted during a ~~fifteen-day~~ thirty-day period established by the commission. At the end of such period the drawing shall be conducted. If the quota has not been filled, licenses shall then be issued in the order in which such applications are received and shall continue to be issued until such quota has been met or until a date fifteen days prior to the opening day of the season, whichever first occurs. ~~If an applicant fails to receive a deer license by either of the methods provided herein, such applicant shall receive a certificate at the time his application and monetary remittance is returned to him which shall entitle him to a license the following year before the drawing is conducted by the commission.~~ If an applicant receives a deer license which is more restrictive than licenses issued to others for the same period and place, the applicant shall receive a certificate with his or her license entitling the applicant to priority in the drawing for the less restrictive deer licenses the following year. The certificate must accompany that person's application the following year, or the applicant will not receive this priority. Persons purchasing a deer license for the gun season as provided under this section and under section one hundred ten point one (110.1) of the Code shall not be eligible for a deer-hunting license under the provisions of section one hundred ten point seventeen (110.17) of the Code. This subsection shall not apply to the hunting of wild turkey on game breeding and shooting preserves licensed under chapter 110A.

Sec. 3. Section one hundred nine point forty-eight (109.48), unnumbered paragraph two (2), Code 1977, is amended by striking the paragraph and inserting in lieu thereof the following:

The commission may adopt rules for the taking and possession

of migratory birds which are subject to the federal "Migratory Bird Treaty Act" and "Migratory Bird Stamp Hunting Act" during the time and in the manner permitted under those federal Acts. The commission shall not adopt a rule for the taking or possession of a migratory bird for which an open season is not authorized by another paragraph of this section.

Sec. 4. Section one hundred nine point seventy-four (109.74), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

109.74 WHERE PERMITTED. Trotlines and throw lines may be used in the border rivers of the state and in the inland waters. However, the commission may by rule prohibit the use of trotlines or throw lines in certain inland waters.

Sec. 5. Section one hundred nine point one hundred twenty-three (109.123), Code 1977, is amended to read as follows:

109.123 PROHIBITED HUNTING NEAR BUILDINGS. A person shall not hunt any game within ~~one~~ two hundred yards of any building inhabited by people or domestic livestock unless the owner or tenant has given consent.

Sec. 6. Chapter one hundred ten (110), Code 1977, is amended by adding the following new sections:

NEW SECTION. The commission shall not issue more than two operator's certificates for commercial fishing gear for each owner's certificate for commercial fishing gear.

NEW SECTION. A resident or nonresident person required to have a hunting or trapping license shall not hunt or trap unless he or she has on his or her person a valid wildlife habitat stamp signed in ink with his or her signature across the face of the stamp. This section shall not apply to residents who are permanently disabled or who are younger than sixteen or older than sixty-five years of age. Special wildlife habitat stamps shall be administered in the same manner as hunting and trapping licenses except all revenue derived from the sale of the wildlife habitat stamps shall be used within the state of Iowa for habitat development and shall be deposited in the state fish and game protection fund.

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Page 4

The revenue may be used for the matching of federal funds. The revenues and any matched federal funds shall be used for acquisition of land, leasing of land or obtaining of easements from willing sellers for use as wildlife habitats. Notwithstanding the exemption provided by section four hundred twenty-seven point one (427.1) of the Code, any land acquired with the revenues and matched federal funds shall be subject to the full consolidated levy of property taxes which shall be paid from those revenues. In addition such revenue may be used for the development, management and enhancement of wildlife lands and habitat areas. Not more than fifty percent of all revenue from the sale of wildlife habitat stamps may be used by the commission to enter into agreements with county conservation boards or other public agencies in order to carry out the purposes of this section. The share of funding of those agreements provided by the revenue from the sale of wildlife habitat stamps shall not exceed fifty percent.

NEW SECTION. For the purpose of obtaining a license, a person is permanently disabled if that person has been found under the provisions of the federal Social Security Act, title two (II), or any other public or private pension system to have a total, permanent physical or mental condition which prevents that person from engaging in his or her occupation or qualifies that person for retirement.

NEW SECTION. A county board of supervisors shall not authorize the payment of bounties on the following species: crow, fox, wolf except coyote, wildcat or bobcat and lynx.

NEW SECTION. Any person required to have a fishing license shall not possess trout unless that person has at that time on his or her person an unexpired special trout license stamp validated by that person's signature written across the face of the stamp in ink, a receipt, or other evidence showing that such trout was lawfully acquired. The proceeds from the sale of this stamp shall be used exclusively to restock trout waters designated by the state conservation commission.

NEW SECTION.

1. A nonresident shall not hunt pheasants unless the pheasant stamp is purchased and affixed to the nonresident hunting license and the nonresident hunter possesses an unused pheasant tag. A nonresident shall not possess an untagged pheasant.

2. The pheasant stamp shall permit the license holder to hunt pheasants. The stamps shall be issued with tags in the amount of twice the possession limit established by the commission for pheasant. The tags shall bear the same number as the stamp and shall be designed to be used only once. A nonresident may purchase another pheasant stamp and tags when the tags of the previous stamp are exhausted.

NEW SECTION. The deer hunting license shall be accompanied by a tag designed to be used only once and separable into two parts. When a deer is taken, the deer shall be tagged with one part of the tag and both parts of the tag shall be dated.

NEW SECTION. The commission shall not limit the number of applications submitted for consideration or the number of projects under construction with respect to United States heritage conservation and recreation service projects.

Sec. 7. Section one hundred ten point one (110.1), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter sixty-six (66), section six (6), is amended by striking the section and inserting in lieu thereof the following:

110.1 LICENSES. Except as otherwise provided in this chapter, no person shall fish, trap, hunt, pursue, catch, kill or take in any manner, or use or have possession of, or sell or transport all or any portion of any wild animal, bird, game or fish, the protection and regulation of which is desirable for the conservation of the resources of the state, without first procuring a license or certificate so to do and the payment of a fee as follows:

1. Fishing licenses:

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- a. Legal residents except as otherwise provided..... \$ 6.00
- b. Legal residents permanently disabled or sixty-five years of age or older.....\$ 1.25
- c. Lifetime license for legal residents permanently disabled or sixty-five years of age or older..... \$ 6.00
- d. Nonresident license..... \$ 12.00
- e. Three-day license for resident or nonresident..... \$ 3.00
- f. Special trout license stamp..... \$ 5.00
- 2. Hunting licenses:
  - a. Legal residents except as otherwise provided..... \$ 6.00
  - b. Legal residents permanently disabled or sixty-five years of age or older..... \$ 1.25
  - c. Lifetime license for legal residents permanently disabled or sixty-five years of age or older..... \$ 6.00
  - d. Deer hunting license for residents..... \$ 15.00
  - e. Wild turkey hunting license for residents..... \$ 15.00
  - f. Nonresidents hunting license..... \$ 35.00
  - g. Nonresidents raccoon stamp and tags..... \$100.00
  - h. Nonresidents pheasant stamp..... \$ 5.00
- 3. Hunting and fishing combined licenses:
  - a. Legal residents except as otherwise provided..... \$ 11.00
  - b. Legal residents permanently

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Page 7

disabled or sixty-five years of age  
or older..... \$ 2.50

c. Lifetime license for residents  
permanently disabled or sixty-five  
years of age or older..... \$ 8.00

4. Trapping and game breeders  
licenses:

a. Trapping license for legal  
residents sixteen years of age or  
older..... \$ 10.00

b. Trapping license for legal  
residents under sixteen years of  
age..... \$ 1.00

c. Trapping license for non-  
residents..... \$100.00

d. Fur dealers license for resi-  
dents..... \$150.00

e. Fur dealers license for non-  
residents..... \$300.00

f. Game breeder's license..... \$ 10.00

5. Net, seine, trap, commercial  
trotline licenses for residents:

a. Seine:

For the first 500 lineal feet or  
fraction thereof \$10.00 and for  
each additional 500 feet or frac-  
tion thereof..... \$ 15.00

b. Trammel net:

For each 300 lineal feet or  
fraction thereof..... \$ 10.00

c. Gill net:

For each 100 lineal feet or frac-  
tion thereof..... \$ 2.00

d. All other nets, for each net..... \$ 1.00

e. Basket traps, for each trap..... \$ 1.00

f. Commercial trotline:

For each trotline.....	\$ 1.00
g. Owner's certificate for commercial fishing gear.....	\$ 25.00
h. Operator's certificate for each person operating commercial fishing gear.....	\$ 1.00
6. Net, seine, trap, commercial trotline licenses for nonresidents eligible to purchase such licenses:	
a. Seine:	
For each 500 lineal feet or fraction thereof.....	\$ 20.00
b. Trammel net:	
For each 300 lineal feet or fraction thereof.....	\$ 20.00
c. Gill net:	
For each 300 lineal feet or fraction thereof.....	\$ 20.00
d. All other nets, for each net.....	\$ 3.00
e. Basket traps, for each trap.....	\$ 3.00
f. Commercial trotlines, for each trotline.....	\$ 4.00
7. Other licenses:	
a. Mussel licenses:	
(1) Legal residents.....	\$ 10.00
(2) Nonresidents.....	\$ 25.00
b. Wholesale fish-market or fish-peddler's license for residents.....	\$ 10.00
c. Wholesale fish-market license for nonresidents.....	\$ 25.00
d. Wholesale fish-peddler's license for nonresidents.....	\$ 10.00
e. Peddlers, employed by whole-	

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sale fish market, certificate.....	\$ 1.00
f. Scientific collector's li-	
cense.....	\$ 2.00
g. Private fish hatcheries.....	\$ 10.00
h. Bait dealer's license for	
residents.....	\$ 25.00
i. Bait dealer's license for	
nonresidents.....	\$ 50.00
j. Taxidermy license.....	\$ 10.00
k. Falconry license.....	\$ 10.00
l. Nongame support certificate.....	\$ 5.00
m. Special wildlife habitat	
stamp.....	\$ 3.00

Sec. 8. Section one hundred ten point four (110.4), Code 1977, is amended to read as follows:

110.4 DEPOSITARIES--BOND. The county recorder may designate various depositaries for the sale of such licenses other than the office of the county recorder. The director may designate depositaries other than those designated by the recorders of the various counties but in so doing the interest of the state shall be fully protected either by a sufficient cash deposit or a satisfactory bond. Depositaries designated by the county recorder or the director may have the privilege of charging an additional ~~five-percent-of-the-cost-of~~ twenty-five cents for each license to be retained for the service rendered in issuing the license.

Sec. 9. Section one hundred ten point five (110.5), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The county recorder may require that a writing fee of twenty-five cents be charged for each license issued through the county recorder's office. If the writing fee is required, the depositaries shall collect this writing fee on licenses sold by them and forward the writing fees to the county recorder. The writing fees from the sale of licenses by the county recorder and the depositaries shall

MAY 4, 1978

PAGE 30

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Page 10 be deposited in the county general fund.

Sec. 10. Section one hundred ten point fourteen (110.14), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The magistrate shall revoke the hunting license or suspend the privilege of procuring a hunting license for a period of one year of any person who has been convicted twice within a year of trespassing while hunting. If the hunting privileges of a hunting and fishing combined license are revoked, the fishing privileges of the license shall still be valid and the magistrate shall enter on the license that the hunting privileges are revoked. A person shall not purchase a license for a privilege that was revoked or suspended during the period of revocation or suspension.

Sec. 11. Section one hundred ten point seventeen (110.17), unnumbered paragraph ten (10), Code 1977, is amended to read as follows:

The commission shall upon request issue without charge a special fishing license to residents of Iowa sixteen years or more of age who the commission finds are mentally or physically severely handicapped. ~~Such special license shall be valid only when the holder is fishing under supervision.~~ The commission is hereby authorized to prepare an application to be used by the person requesting handicapped status, which would require that his attending physician sign the form declaring the person handicapped and eligible for exempt status.

Sec. 12. Section one hundred ten point eighteen (110.18), Code 1977, is amended to read as follows:

110.18 COURTESY NONRESIDENT LICENSES. The commission is hereby authorized to issue a courtesy nonresident license for the taking of any fish or game, except deer. Such licenses may be issued by the director of the commission, without charge, to dignitaries and officials of other states, countries, or the United States who are in the state as guests

of the governor or the commission. Such licenses shall be issued for a specific number of days. The commission shall establish policies for the issuance of each license and such policies shall be subject to review by the administrative rules review committee pursuant to section seventeen A (17A) of the Code. The commission shall approve each license within one month of issuance and shall enter each approval in its minutes. The number of licenses to be issued for any one season or species of fish or game shall not exceed one-hundred fifty.

Sec. 13. Section one hundred ten B point two (110B.2), Code 1977, is amended to read as follows:

110B.2 STAMP REQUIRED. No person sixteen years of age or older shall hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl stamp and having such stamp in his or her possession while hunting or taking any migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across the face of such stamp. The commission shall determine the form of the stamp and shall furnish the stamps to the county recorders and their designated depositaries for issuance or sale in the same manner as hunting licenses are issued or sold under chapter 110.

Sec. 14. Section one hundred ten B point three (110B.3), Code 1977, is amended to read as follows:

110B.3 FEE. The fee for each stamp issued under this chapter shall be ~~one-dollar~~ five dollars. Each stamp shall expire on the last day of February following its issuance.

Sec. 15. INTENT.

1. It is the intent of the general assembly that the succeeding general assembly appropriate funds for additional field officers for the state conservation commission with the funds made available by the license fee increases provided in this Act.

2. It is the intent of the general assembly that the state

conservation commission temporarily assign its personnel who are qualified as peace officers, regardless of their permanent assignments, to enforce the game laws during the days of greatest hunting activity.

3. It is the intent of the general assembly that the applications from any one applicant submitted for consideration with respect to United State heritage conservation and recreation service projects not exceed two hundred thousand dollars.

Sec. 16. This Act is effective January 1, 1979. However, effective July 1, 1978 and notwithstanding section one hundred ten point one (110.1) of the Code, the fee for a deer hunting license for residents shall be fifteen dollars and the fee for a nonresident hunting license shall be thirty-five dollars."

2. Amend the title, by striking lines 1 through 7 and inserting in lieu thereof the following: "An Act relating to the state conservation commission including the fish and game laws under its jurisdiction, the issuance of fish and game licenses, the use of the revenues from the sale of those licenses, and subjecting violators to penalties.

ON THE PART OF THE SENATE:

Berl E. Priebe, Chair  
James Calhoon  
Tom Slater

ON THE PART OF THE HOUSE:

James I. Middleswart, Chair  
Donald Avenson  
Roger A. Halvorson  
Richard W. Welden

FILED  
MAY 3, 1978

*House referred to sub 5/7 (7 20 78)*

SECOND  
REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 356

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the second conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 356, a bill for an Act relating to the licenses and certificates for the taking of fish and game; repealing sections one hundred nine point seventy-four (109.74) and one hundred ten point eighteen (110.18) of the Code; the taking and possession of migratory birds; and removing the payment of bounties on wolf, wildcat or bobcat, lynx, crow and fox, respectfully make the following report:

1. That the House recede from its amendment S-5687 to Senate amendment H-6166 to House File 356 as amended, passed and reprinted by the House.

2. That the Senate recede from its amendment H-6166 to House File 356 as amended, passed and reprinted by the House.

3. That House File 356 as amended, passed and reprinted by the House be amended as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter one hundred seven (107), Code 1977, is amended by adding the following new section:

NEW SECTION. The commission shall not limit the number of applications submitted for consideration or the number of projects under construction with respect to United States heritage conservation and recreation service projects.

Sec. 2. Chapter one hundred nine (109), Code 1977, is amended by adding the following new section:

NEW SECTION. A person who is hunting shall not use a mobile radio transmitter to communicate the location or

Page 2 direction of game or to coordinate the movement of other hunters.

Sec. 3. Section one hundred nine point thirty-eight (109.38), subsection two (2), Code 1977, is amended to read as follows:

2. If following an investigation the commission finds that the number of hunters licensed to take deer or wild turkey should be limited or further regulated, the commission shall conduct a drawing to determine which applicants shall receive a license. Applications for licenses shall be received and accepted during a ~~fi-fteen-day~~ thirty-day period established by the commission. At the end of such period the drawing shall be conducted. If the quota has not been filled, licenses shall then be issued in the order in which such applications are received and shall continue to be issued until such quota has been met or until a date fifteen days prior to the opening day of the season, whichever first occurs. ~~if-an-applicant-fails-to-receive-a-deer-license-by either-of-the-methods-provided-herein,-such-applicant-shall receive-a-certificate-at-the-time-his-application-and-mone-tary-remittance-is-returnd-to-him-which-shall-entitle-him to-a-license-the-following-year-before-the-drawing-is-con-ducted-by-the-commission.~~ If an applicant receives a deer license which is more restrictive than licenses issued to others for the same period and place, the applicant shall receive a certificate with his or her license entitling the applicant to priority in the drawing for the less restrictive deer licenses the following year. The certificate must accompany that person's application the following year, or the applicant will not receive this priority. Persons purchasing a deer license for the gun season as provided under this section and under section one hundred ten point one (110.1) of the Code shall not be eligible for a deer-hunting license under the provisions of section one hundred ten point seventeen (110.17) of the Code. This subsection shall not

apply to the hunting of wild turkey on game breeding and shooting preserves licensed under chapter 110A.

Sec. 4. Section one hundred nine point forty-eight (109.48), unnumbered paragraph two (2), Code 1977, is amended by striking the paragraph and inserting in lieu thereof the following:

The commission may adopt rules for the taking and possession of migratory birds which are subject to the federal "Migratory Bird Treaty Act" and "Migratory Bird Stamp Hunting Act" during the time and in the manner permitted under those federal Acts. The commission shall not adopt a rule for the taking or possession of a migratory bird for which an open season is not authorized by another paragraph of this section.

Sec. 5. Section one hundred nine point seventy-four (109.74), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

109.74 WHERE PERMITTED. Trotlines and throw lines may be used in the border rivers of the state and in the inland waters. However, the commission may by rule prohibit the use of trotlines or throw lines in certain inland waters.

Sec. 6. Section one hundred nine point one hundred twenty-three (109.123), Code 1977, is amended to read as follows:

109.123 PROHIBITED HUNTING NEAR BUILDINGS. A person shall not hunt any game within one two hundred yards of any building inhabited by people or domestic livestock unless the owner or tenant has given consent.

Sec. 7. Chapter one hundred ten (110), Code 1977, is amended by adding the following new sections:

NEW SECTION. The commission shall not issue more than two operator's certificates for commercial fishing gear for each owner's certificate for commercial fishing gear.

NEW SECTION. A resident or nonresident person required to have a hunting or trapping license shall not hunt or trap unless he or she has on his or her person a valid wildlife habitat stamp signed in ink with his or her signature across

the face of the stamp. This section shall not apply to residents who are permanently disabled or who are younger than sixteen or older than sixty-five years of age. Special wildlife habitat stamps shall be administered in the same manner as hunting and trapping licenses except all revenue derived from the sale of the wildlife habitat stamps shall be used within the state of Iowa for habitat development and shall be deposited in the state fish and game protection fund. The revenue may be used for the matching of federal funds. The revenues and any matched federal funds shall be used for acquisition of land, leasing of land or obtaining of easements from willing sellers for use as wildlife habitats. Notwithstanding the exemption provided by section four hundred twenty-seven point one (427.1) of the Code, any land acquired with the revenues and matched federal funds shall be subject to the full consolidated levy of property taxes which shall be paid from those revenues. In addition such revenue may be used for the development, management and enhancement of wildlife lands and habitat areas. Not more than fifty percent of all revenue from the sale of wildlife habitat stamps may be used by the commission to enter into agreements with county conservation boards or other public agencies in order to carry out the purposes of this section. The share of funding of those agreements provided by the revenue from the sale of wildlife habitat stamps shall not exceed fifty percent.

NEW SECTION. For the purpose of obtaining a license, a person is permanently disabled if that person has been found under the provisions of the federal Social Security Act, title two (II), or any other public or private pension system to have a total, permanent physical or mental condition which prevents that person from engaging in his or her occupation or qualifies that person for retirement.

NEW SECTION. A county board of supervisors shall not authorize the payment of bounties on the following species: crow, rattlesnake, fox, wolf except coyote, wildcat or bobcat

and lynx.

NEW SECTION. Any person required to have a fishing license shall not possess trout unless that person has at that time on his or her person an unexpired special trout license stamp validated by that person's signature written across the face of the stamp in ink, a receipt, or other evidence showing that such trout was lawfully acquired. The proceeds from the sale of this stamp shall be used exclusively to restock trout waters designated by the state conservation commission.

NEW SECTION.

1. A nonresident shall not hunt pheasants unless the pheasant stamp is purchased and affixed to the nonresident hunting license and the nonresident hunter possesses an unused pheasant tag. A nonresident shall not possess an untagged pheasant.

2. The pheasant stamp shall permit the license holder to hunt pheasants. The stamps shall be issued with tags in the amount of twice the possession limit established by the commission for pheasant. The tags shall bear the same number as the stamp and shall be designed to be used only once. A nonresident may purchase another pheasant stamp and tags when the tags of the previous stamp are exhausted.

NEW SECTION. The deer hunting license shall be accompanied by a tag designed to be used only once and separable into two parts. When a deer is taken, the deer shall be tagged with one part of the tag and both parts of the tag shall be dated.

Sec. 8. Section one hundred ten point one (110.1), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter sixty-six (66), section six (6), is amended by striking the section and inserting in lieu thereof the following:

110.1 LICENSES. Except as otherwise provided in this chapter, no person shall fish, trap, hunt, pursue, catch,

kill or take in any manner, or use or have possession of, or sell or transport all or any portion of any wild animal, bird, game or fish, the protection and regulation of which is desirable for the conservation of the resources of the state, without first procuring a license or certificate so to do and the payment of a fee as follows:

1. Fishing licenses:
  - a. Legal residents except as otherwise provided..... \$ 6.00
  - b. Legal residents permanently disabled or sixty-five years of age or older.....\$ 1.25
  - c. Lifetime license for legal residents permanently disabled or sixty-five years of age or older..... \$ 6.00
  - d. Nonresident license..... \$ 12.00
  - e. Three-day license for resident or nonresident..... \$ 3.00
  - f. Special trout license stamp..... \$ 5.00
2. Hunting licenses:
  - a. Legal residents except as otherwise provided..... \$ 6.00
  - b. Legal residents permanently disabled or sixty-five years of age or older..... \$ 1.25
  - c. Lifetime license for legal residents permanently disabled or sixty-five years of age or older..... \$ 6.00
  - d. Deer hunting license for residents..... \$ 15.00
  - e. Wild turkey hunting license for residents..... \$ 15.00
  - f. Nonresidents hunting license..... \$ 35.00

g. Nonresidents raccoon stamp and tags.....	\$100.00
h. Nonresidents pheasant stamp.....	\$ 5.00
3. Hunting and fishing combined licenses:	
a. Legal residents except as otherwise provided.....	\$ 11.00
b. Legal residents permanently disabled or sixty-five years of age or older.....	\$ 2.50
c. Lifetime license for residents permanently disabled or sixty-five years of age or older.....	\$ 8.00
4. Trapping and game breeders licenses:	
a. Trapping license for legal residents sixteen years of age or older.....	\$ 10.00
b. Trapping license for legal residents under sixteen years of age.....	\$ 1.00
c. Trapping license for non- residents.....	\$100.00
d. Fur dealers license for resi- dents.....	\$150.00
e. Fur dealers license for non- residents.....	\$300.00
f. Game breeder's license.....	\$ 10.00
5. Net, seine, trap, commercial trotline licenses for residents:	
a. Seine: For the first 500 lineal feet or fraction thereof \$10.00 and for each additional 500 feet or frac- tion thereof.....	\$ 15.00

b. Trammel net:

For each 300 lineal feet or fraction thereof..... \$ 10.00

c. Gill net:

For each 100 lineal feet or fraction thereof..... \$ 2.00

d. All other nets, for each net..... \$ 1.00

e. Basket traps, for each trap..... \$ 1.00

f. Commercial trotline:

For each trotline..... \$ 1.00

g. Owner's certificate for commercial fishing gear..... \$ 25.00

h. Operator's certificate for each person operating commercial fishing gear..... \$ 1.00

6. Net, seine, trap, commercial trotline licenses for nonresidents eligible to purchase such licenses:

a. Seine:

For each 500 lineal feet or fraction thereof..... \$ 20.00

b. Trammel net:

For each 300 lineal feet or fraction thereof..... \$ 20.00

c. Gill net:

For each 300 lineal feet or fraction thereof..... \$ 20.00

d. All other nets, for each net..... \$ 3.00

e. Basket traps, for each trap..... \$ 3.00

f. Commercial trotlines, for each trotline..... \$ 4.00

7. Other licenses:

a. Mussel licenses:

(1) Legal residents.....	\$ 10.00
(2) Nonresidents.....	\$ 25.00
b. Wholesale fish-market or fish-peddler's license for residents.....	\$ 10.00
c. Wholesale fish-market license for nonresidents.....	\$ 25.00
d. Wholesale fish-peddler's license for nonresidents.....	\$ 10.00
e. Peddlers, employed by wholesale fish market, certificate.....	\$ 1.00
f. Scientific collector's license.....	\$ 2.00
g. Private fish hatcheries.....	\$ 10.00
h. Bait dealer's license for residents.....	\$ 25.00
i. Bait dealer's license for nonresidents.....	\$ 50.00
j. Taxidermy license.....	\$ 10.00
k. Falconry license.....	\$ 10.00
l. Nongame support certificate.....	\$ 5.00
m. Special wildlife habitat stamp.....	\$ 3.00

Sec. 9. Section one hundred ten point four (110.4), Code 1977, is amended to read as follows:

110.4 DEPOSITARIES--BOND. The county recorder may designate various depositaries for the sale of such licenses other than the office of the county recorder. The director may designate depositaries other than those designated by the recorders of the various counties but in so doing the interest of the state shall be fully protected either by a sufficient cash deposit or a satisfactory bond. Depositaries designated by the county recorder or the director may have the privilege of charging an additional ~~five percent of the cost of~~ twenty-five cents for each license to be retained for the service

rendered in issuing the license.

Sec. 10. Section one hundred ten point five (110.5), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The county recorder may require that a writing fee of twenty-five cents be charged for each license sold by the county recorder's office. The writing fees from the sale of licenses by the county recorder shall be deposited in the county general fund.

Sec. 11. Section one hundred ten point fourteen (110.14), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The magistrate shall revoke the hunting license or suspend the privilege of procuring a hunting license for a period of one year of any person who has been convicted twice within a year of trespassing while hunting. If the hunting privileges of a hunting and fishing combined license are revoked, the fishing privileges of the license shall still be valid and the magistrate shall enter on the license that the hunting privileges are revoked. A person shall not purchase a license for a privilege that was revoked or suspended during the period of revocation or suspension.

Sec. 12. Section one hundred ten point seventeen (110.17), unnumbered paragraph ten (10), Code 1977, is amended to read as follows:

The commission shall upon request issue without charge a special fishing license to residents of Iowa sixteen years or more of age who the commission finds are mentally or physically severely handicapped. ~~Such special license shall be valid only when the holder is fishing under supervision.~~ The commission is hereby authorized to prepare an application to be used by the person requesting handicapped status, which would require that his attending physician sign the form declaring the person handicapped and eligible for exempt

Sec. 13. Section one hundred ten point eighteen (110.18), Code 1977, is amended to read as follows:

110.18 COURTESY NONRESIDENT LICENSES. The commission is hereby authorized to issue a courtesy nonresident license for the taking of any fish or game, except deer. Such licenses may be issued by the ~~director-of-the~~ commission, without charge, to ~~dignitaries-and~~ officials of other states, countries, or the United States who are in the state as guests of the governor or the commission. Such licenses shall be issued for a specific number of days. The commission shall establish policies for the issuance of each license and such policies shall be subject to review by the administrative rules review committee pursuant to section seventeen A (17A) of the Code. The commission shall enter each issuance in its minutes. The number of licenses to be issued for any one season or species of fish or game shall not exceed one hundred fifty.

Sec. 14. Section one hundred ten B point two (110B.2), Code 1977, is amended to read as follows:

110B.2 STAMP REQUIRED. No person sixteen years of age or older shall hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl stamp and having such stamp in his or her possession, while hunting or taking any migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across the face of such stamp. The commission shall determine the form of the stamp and shall furnish the stamps to the county recorders and their designated depositaries for issuance or sale in the same manner as hunting licenses are issued or sold under chapter 110.

Sec. 15. Section one hundred ten B point three (110B.3), Code 1977, is amended to read as follows:

110B.3 FEE. The fee for each stamp issued under this chapter shall be ~~one-dollar~~ five dollars. Each stamp shall

MAY 11, 1978

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Page 12 expire on the last day of February following its issuance.

Sec. 16. Section three hundred twenty-one G point seven (321G.7), Code 1977, is amended to read as follows:

321G.7 FEES TO CONSERVATION FUND. All Seventy-five percent of the fees collected from the registration of snowmobiles shall be forwarded by the county recorder to the commission for remission to the treasurer of state, who shall place such money in the state conservation fund. The fees collected forwarded shall be appropriated by the general assembly to the commission solely for their use. Twenty-five percent of the fees collected from the registration of snowmobiles shall be deposited by the county recorder in the county conservation fund or the county general fund if there is no county conservation fund. These fees may be used for snowmobile programs and other programs deemed appropriate by the county conservation board or the board of supervisors if there is no county conservation board.

Sec. 17. Notwithstanding the provisions of section thirteen (13) of this Act, the state conservation commission shall not issue any courtesy nonresident licenses under section one hundred ten point eighteen (110.18) of the Code during the calendar year beginning January 1, 1979 and ending December 31, 1979.

Sec. 18. INTENT.

1. It is the intent of the general assembly that the succeeding general assembly appropriate funds for additional field officers for the state conservation commission with the funds made available by the license fee increases provided in this Act.

2. It is the intent of the general assembly that the state conservation commission temporarily assign its personnel who are qualified as peace officers, regardless of their permanent assignments, to enforce the game laws during the days of greatest hunting activity.

Sec. 19. This Act is effective January 1, 1979. However,

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effective July 1, 1978 and notwithstanding section one hundred ten point one (110.1) of the Code, the fee for a deer hunting license for residents shall be fifteen dollars and the fee for a nonresident hunting license shall be thirty-five dollars."

2. Amend the title, by striking lines 1 through 7 and inserting in lieu thereof the following: "An Act relating to the administration of hunting, fishing and recreation programs and subjecting violators to penalties."

ON THE PART OF THE SENATE:

Fred W. Nolting, Chair

C. W. Hutchins

Merlin D. Hulse

E. Kevin Kelly

FILED

MAY 10, 1978

ON THE PART OF THE HOUSE:

Carroll T. Perkins, Chair

William B. Griffiee

John Pelton

Semor C. Tofte

*Carroll T. Perkins, Chair  
William B. Griffiee*

HOUSE FILE 356

AN ACT

RELATING TO THE ADMINISTRATION OF HUNTING, FISHING AND RECREATION PROGRAMS AND SUBJECTING VIOLATORS TO PENALTIES.

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

Section 1. Chapter one hundred seven (107), Code 1977, is amended by adding the following new section:

NEW SECTION. The commission shall not limit the number of applications submitted for consideration or the number of projects under construction with respect to United States heritage conservation and recreation service projects.

Sec. 2. Chapter one hundred nine (109), Code 1977, is amended by adding the following new section:

NEW SECTION. A person who is hunting shall not use a mobile radio transmitter to communicate the location or direction of game or to coordinate the movement of other hunters.

Sec. 3. Section one hundred nine point thirty-eight (109.38), subsection two (2), Code 1977, is amended to read as follows:

2. If following an investigation the commission finds that the number of hunters licensed to take deer or wild turkey should be limited or further regulated, the commission shall conduct a drawing to determine which applicants shall receive a license. Applications for licenses shall be received and accepted during a fifteen-day thirty-day period established by the commission. At the end of such period the drawing shall be conducted. If the quota has not been filled, licenses shall then be issued in the order in which such applications are received and shall continue to be issued until such quota has been met or until a date fifteen days prior to the opening day of the season, whichever first occurs. ~~if an applicant fails to receive a deer license by~~

~~either of the methods provided herein, such applicant shall receive a certificate at the time his application and monetary remittance is returned to him which shall entitle him to a license the following year before the drawing is conducted by the commission. If an applicant receives a deer license which is more restrictive than licenses issued to others for the same period and place, the applicant shall receive a certificate with his or her license entitling the applicant to priority in the drawing for the less restrictive deer licenses the following year. The certificate must accompany that person's application the following year, or the applicant will not receive this priority. Persons purchasing a deer license for the gun season as provided under this section and under section one hundred ten point one (110.1) of the Code shall not be eligible for a deer-hunting license under the provisions of section one hundred ten point seventeen (110.17) of the Code. This subsection shall not apply to the hunting of wild turkey on game breeding and shooting preserves licensed under chapter 110A.~~

Sec. 4. Section one hundred nine point forty-eight (109.48), unnumbered paragraph two (2), Code 1977, is amended by striking the paragraph and inserting in lieu thereof the following:

The commission may adopt rules for the taking and possession of migratory birds which are subject to the federal "Migratory Bird Treaty Act" and "Migratory Bird Stamp Hunting Act" during the time and in the manner permitted under those federal Acts. The commission shall not adopt a rule for the taking or possession of a migratory bird for which an open season is not authorized by another paragraph of this section.

Sec. 5. Section one hundred nine point seventy-four (109.74), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

109.74 WHERE PERMITTED. Trotlines and throw lines may be used in the border rivers of the state and in the inland waters. However, the commission may by rule prohibit the

use of trotlines or throw lines in certain inland waters.

Sec. 6. Section one hundred nine point one hundred twenty-three (109.123), Code 1977, is amended to read as follows:

109.123 PROHIBITED HUNTING NEAR BUILDINGS. A person shall not hunt any game within ~~one~~ two hundred yards of any building inhabited by people or domestic livestock unless the owner or tenant has given consent.

Sec. 7. Chapter one hundred ten (110), Code 1977, is amended by adding the following new sections:

NEW SECTION. The commission shall not issue more than two operator's certificates for commercial fishing gear for each owner's certificate for commercial fishing gear.

NEW SECTION. A resident or nonresident person required to have a hunting or trapping license shall not hunt or trap unless he or she has on his or her person a valid wildlife habitat stamp signed in ink with his or her signature across the face of the stamp. This section shall not apply to residents who are permanently disabled or who are younger than sixteen or older than sixty-five years of age. Special wildlife habitat stamps shall be administered in the same manner as hunting and trapping licenses except all revenue derived from the sale of the wildlife habitat stamps shall be used within the state of Iowa for habitat development and shall be deposited in the state fish and game protection fund. The revenue may be used for the matching of federal funds. The revenues and any matched federal funds shall be used for acquisition of land, leasing of land or obtaining of easements from willing sellers for use as wildlife habitats. Notwithstanding the exemption provided by section four hundred twenty-seven point one (427.1) of the Code, any land acquired with the revenues and matched federal funds shall be subject to the full consolidated levy of property taxes which shall be paid from those revenues. In addition such revenue may be used for the development, management and enhancement of wildlife lands and habitat areas. Not more than fifty percent of all revenue from the sale of wildlife habitat stamps may

be used by the commission to enter into agreements with county conservation boards or other public agencies in order to carry out the purposes of this section. The share of funding of those agreements provided by the revenue from the sale of wildlife habitat stamps shall not exceed fifty percent.

NEW SECTION. For the purpose of obtaining a license, a person is permanently disabled if that person has been found under the provisions of the federal Social Security Act, title two (II), or any other public or private pension system to have a total, permanent physical or mental condition which prevents that person from engaging in his or her occupation or qualifies that person for retirement.

NEW SECTION. A county board of supervisors shall not authorize the payment of bounties on the following species: crow, rattlesnake, fox, wolf except coyote, wildcat or bobcat and lynx.

NEW SECTION. Any person required to have a fishing license shall not possess trout unless that person has at that time on his or her person an unexpired special trout license stamp validated by that person's signature written across the face of the stamp in ink, a receipt, or other evidence showing that such trout was lawfully acquired. The proceeds from the sale of this stamp shall be used exclusively to restock trout waters designated by the state conservation commission.

NEW SECTION.

1. A nonresident shall not hunt pheasants unless the pheasant stamp is purchased and affixed to the nonresident hunting license and the nonresident hunter possesses an unused pheasant tag. A nonresident shall not possess an untagged pheasant.

2. The pheasant stamp shall permit the license holder to hunt pheasants. The stamps shall be issued with tags in the amount of twice the possession limit established by the commission for pheasant. The tags shall bear the same number as the stamp and shall be designed to be used only once.

A nonresident may purchase another pheasant stamp and tags when the tags of the previous stamp are exhausted.

NEW SECTION. The deer hunting license shall be accompanied by a tag designed to be used only once and separable into two parts. When a deer is taken, the deer shall be tagged with one part of the tag and both parts of the tag shall be dated.

Sec. 8. Section one hundred ten point one (110.1), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter sixty-six (66), section six (6), is amended by striking the section and inserting in lieu thereof the following:

110.1 LICENSES. Except as otherwise provided in this chapter, no person shall fish, trap, hunt, pursue, catch, kill or take in any manner, or use or have possession of, or sell or transport all or any portion of any wild animal, bird, game or fish, the protection and regulation of which is desirable for the conservation of the resources of the state, without first procuring a license or certificate so to do and the payment of a fee as follows:

1. Fishing licenses:
  - a. Legal residents except as otherwise provided..... \$ 6.00
  - b. Legal residents permanently disabled or sixty-five years of age or older..... \$ 1.25
  - c. Lifetime license for legal residents permanently disabled or sixty-five years of age or older..... \$ 6.00
  - d. Nonresident license..... \$ 12.00
  - e. Three-day license for resident or nonresident..... \$ 3.00
  - f. Special trout license stamp..... \$ 5.00
2. Hunting licenses:
  - a. Legal residents except as

- otherwise provided..... \$ 6.00
- b. Legal residents permanently disabled or sixty-five years of age or older..... \$ 1.25
- c. Lifetime license for legal residents permanently disabled or sixty-five years of age or older..... \$ 6.00
- d. Deer hunting license for residents..... \$ 15.00
- e. Wild turkey hunting license for residents..... \$ 15.00
- f. Nonresidents hunting license..... \$ 35.00
- g. Nonresidents raccoon stamp and tags..... \$100.00
- h. Nonresidents pheasant stamp..... \$ 5.00
3. Hunting and fishing combined licenses:
  - a. Legal residents except as otherwise provided..... \$ 11.00
  - b. Legal residents permanently disabled or sixty-five years of age or older..... \$ 2.50
  - c. Lifetime license for residents permanently disabled or sixty-five years of age or older..... \$ 8.00
4. Trapping and game breeders licenses:
  - a. Trapping license for legal residents sixteen years of age or older..... \$ 10.00
  - b. Trapping license for legal residents under sixteen years of age..... \$ 1.00
  - c. Trapping license for non-residents..... \$100.00

d. Fur dealers license for residents.....	\$150.00
e. Fur dealers license for non-residents.....	\$300.00
f. Game breeder's license.....	\$ 10.00
5. Net, seine, trap, commercial trotline licenses for residents:	
a. Seine:	
For the first 500 lineal feet or fraction thereof \$10.00 and for each additional 500 feet or fraction thereof.....	\$ 15.00
b. Trammel net:	
For each 300 lineal feet or fraction thereof.....	\$ 10.00
c. Gill net:	
For each 100 lineal feet or fraction thereof.....	\$ 2.00
d. All other nets, for each net.....	\$ 1.00
e. Basket traps, for each trap.....	\$ 1.00
f. Commercial trotline:	
For each trotline.....	\$ 1.00
g. Owner's certificate for commercial fishing gear.....	\$ 25.00
h. Operator's certificate for each person operating commercial fishing gear.....	\$ 1.00
6. Net, seine, trap, commercial trotline licenses for nonresidents eligible to purchase such licenses:	
a. Seine:	
For each 500 lineal feet or fraction thereof.....	\$ 20.00
b. Trammel net:	
For each 300 lineal feet or fraction thereof.....	\$ 20.00

c. Gill net:	
For each 300 lineal feet or fraction thereof.....	\$ 20.00
d. All other nets, for each net.....	\$ 3.00
e. Basket traps, for each trap.....	\$ 3.00
f. Commercial trotlines, for each trotline.....	\$ 4.00
7. Other licenses:	
a. Mussel licenses:	
(1) Legal residents.....	\$ 10.00
(2) Nonresidents.....	\$ 25.00
b. Wholesale fish-market or fish-peddler's license for residents.....	\$ 10.00
c. Wholesale fish-market license for nonresidents.....	\$ 25.00
d. Wholesale fish-peddler's license for nonresidents.....	\$ 10.00
e. Peddlers, employed by wholesale fish market, certificate.....	\$ 1.00
f. Scientific collector's license.....	\$ 2.00
g. Private fish hatcheries.....	\$ 10.00
h. Bait dealer's license for residents.....	\$ 25.00
i. Bait dealer's license for nonresidents.....	\$ 50.00
j. Taxidermy license.....	\$ 10.00
k. Falconry license.....	\$ 10.00
l. Nongame support certificate.....	\$ 5.00
m. Special wildlife habitat stamp.....	\$ 3.00
Sec. 9. Section one hundred ten point four (110.4), Code 1977, is amended to read as follows:	

110.4 DEPOSITARIES--BOND. The county recorder may designate various depositaries for the sale of such licenses other than the office of the county recorder. The director may designate depositaries other than those designated by the recorders of the various counties but in so doing the interest of the state shall be fully protected either by a sufficient cash deposit or a satisfactory bond. Depositaries designated by the county recorder or the director may have the privilege of charging an additional ~~five-percent-of-the-cost-of~~ twenty-five cents for each license to be retained for the service rendered in issuing the license.

Sec. 10. Section one hundred ten point five (110.5), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The county recorder may require that a writing fee of twenty-five cents be charged for each license sold by the county recorder's office. The writing fees from the sale of licenses by the county recorder shall be deposited in the county general fund.

Sec. 11. Section one hundred ten point fourteen (110.14), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The magistrate shall revoke the hunting license or suspend the privilege of procuring a hunting license for a period of one year of any person who has been convicted twice within a year of trespassing while hunting. If the hunting privileges of a hunting and fishing combined license are revoked, the fishing privileges of the license shall still be valid and the magistrate shall enter on the license that the hunting privileges are revoked. A person shall not purchase a license for a privilege that was revoked or suspended during the period of revocation or suspension.

Sec. 12. Section one hundred ten point seventeen (110.17), unnumbered paragraph ten (10), Code 1977, is amended to read as follows:

The commission shall upon request issue without charge a special fishing license to residents of Iowa sixteen years or more of age who the commission finds are mentally or physically severely handicapped. ~~Such special license shall be valid only when the holder is fishing under supervision.~~ The commission is hereby authorized to prepare an application to be used by the person requesting handicapped status, which would require that his attending physician sign the form declaring the person handicapped and eligible for exempt status.

Sec. 13. Section one hundred ten point eighteen (110.18), Code 1977, is amended to read as follows:

110.18 COURTESY NONRESIDENT LICENSES. The commission is hereby authorized to issue a courtesy nonresident license for the taking of any fish or game, except deer. Such licenses may be issued by the ~~director-of-the~~ commission, without charge, to ~~dignitaries-and~~ officials of other states, countries, or the United States who are in the state as guests of the governor or the commission. Such licenses shall be issued for a specific number of days. The commission shall establish policies for the issuance of each license and such policies shall be subject to review by the administrative rules review committee pursuant to section seventeen A (17A) of the Code. The commission shall enter each issuance in its minutes. The number of licenses to be issued for any one season or species of fish or game shall not exceed ~~one hundred~~ fifty.

Sec. 14. Section one hundred ten B point two (110B.2), Code 1977, is amended to read as follows:

110B.2 STAMP REQUIRED. No person sixteen years of age or older shall hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl stamp and having such stamp in his or her possession while hunting or taking any migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across the face of such stamp. The commission shall determine the

form of the stamp and shall furnish the stamps to the county recorders and their designated depositaries for issuance or sale in the same manner as hunting licenses are issued or sold under chapter 110.

Sec. 15. Section one hundred ten B point three (110B.3), Code 1977, is amended to read as follows:

110B.3 FEE. The fee for each stamp issued under this chapter shall be ~~one-dollar~~ five dollars. Each stamp shall expire on the last day of February following its issuance.

Sec. 16. Section three hundred twenty-one G point seven (321G.7), Code 1977, is amended to read as follows:

321G.7 FEES TO CONSERVATION FUND. ~~All~~ Seventy-five percent of the fees collected from the registration of snowmobiles shall be forwarded by the county recorder to the commission for remission to the treasurer of state, who shall place such money in the state conservation fund. The fees ~~collected~~ forwarded shall be appropriated by the general assembly to the commission solely for their use. Twenty-five percent of the fees collected from the registration of snowmobiles shall be deposited by the county recorder in the county conservation fund or the county general fund if there is no county conservation fund. These fees may be used for snowmobile programs and other programs deemed appropriate by the county conservation board or the board of supervisors if there is no county conservation board.

Sec. 17. Notwithstanding the provisions of section thirteen (13) of this Act, the state conservation commission shall not issue any courtesy nonresident licenses under section one hundred ten point eighteen (110.18) of the Code during the calendar year beginning January 1, 1979 and ending December 31, 1979.

Sec. 18. INTENT.

1. It is the intent of the general assembly that the succeeding general assembly appropriate funds for additional field officers for the state conservation commission with the funds made available by the license fee increases provided

in this Act.

2. It is the intent of the general assembly that the state conservation commission temporarily assign its personnel who are qualified as peace officers, regardless of their permanent assignments, to enforce the game laws during the days of greatest hunting activity.

Sec. 19. This Act is effective January 1, 1979. However, effective July 1, 1978 and notwithstanding section one hundred ten point one (110.1) of the Code, the fee for a deer hunting license for residents shall be fifteen dollars and the fee for a nonresident hunting license shall be thirty-five dollars.

\_\_\_\_\_  
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 356, Sixty-seventh General Assembly.

\_\_\_\_\_  
DAVID L. WRAY  
Chief Clerk of the House

Approved June 23, 1978

\_\_\_\_\_  
ROBERT D. RAY  
Governor