

Finance Co. Res. 2/23 (p. 522)
H.S. 1-1-84 Res. 3/1

Senate File 2205

Natural Resources: Skow, Chair; Fogarty and Welden.

Dr. Pass 3/22 (p. 1236)

FILED FEB 22 1984

SENATE FILE **2205**

BY COMMITTEE ON NATURAL
RESOURCES

(FORMERLY SSB 2077)

Passed Senate, Date 3-7-84 (p. 702) Passed House, Date 3-27-84 (p. 1368)

Vote: Ayes 34 Nays 13 Vote: Ayes 68 Nays 30

Approved April 13, 1984 (p. 1574)

A BILL FOR

1 An Act relating to the fees for the registration of vessels.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2205-

1 Section 1. Section 106.5, subsection 1, unnumbered para-
2 graph 2, Code 1983, is amended to read as follows:

3 The owner of the vessel shall file an application for
4 registration with the appropriate county recorder on forms
5 provided by the commission. The application shall be completed
6 and signed by the owner of the vessel and shall be accompanied
7 by a the appropriate fee of eight dollars per each meter beat
8 ~~or sailboat, four dollars for any other vessel without sail~~
9 ~~or meter~~, and a writing fee of one dollar. Upon applying
10 for registration the owner shall surrender the certificate
11 of origin to the county recorder. Upon receipt of the
12 application in approved form accompanied by the required fees,
13 the county recorder shall enter it upon the records of the
14 recorder's office and shall issue to the applicant a pocket-
15 size registration certificate. The certificate shall be
16 executed in triplicate, one copy to be delivered to the owner,
17 one copy to the commission, and one copy to be retained on
18 file by the county recorder. The registration certificate
19 shall bear the number awarded to the vessel, the passenger
20 capacity of the vessel and the name and address of the owner.
21 In the use of all vessels except nonpowered sailboats,
22 nonpowered canoes and commercial vessels the registration
23 certificate shall be carried either in the vessel or on the
24 person of the operator of the vessel when in use. In the
25 use of nonpowered sailboats, nonpowered canoes or commercial
26 vessels, the registration certificate may be kept on shore
27 in accordance with rules ~~promulgated~~ adopted by the commission.
28 The operator shall exhibit the certificate to any a peace
29 officer upon request, or, when involved in a collision or
30 accident of any nature with another vessel or other personal
31 property, to the owner or operator of the other vessel or
32 personal property.

33 Sec. 2. Section 106.5, subsection 3, unnumbered para-
34 graph 1, Code 1983, is amended by striking the paragraph and
35 inserting in lieu thereof the following:

1 The registration fees for vessels subject to this chapter
2 are as follows:

3 a. For vessels of any length without motor or sail, five
4 dollars.

5 b. For motorboats or sailboats less than twelve feet in
6 length, eight dollars.

7 c. For motorboats or sailboats twelve feet or more, but
8 less than fifteen feet in length, ten dollars.

9 d. For motorboats or sailboats fifteen feet or more, but
10 less than eighteen feet in length, twelve dollars.

11 e. For motorboats or sailboats eighteen feet or more,
12 but less than twenty-five feet in length, eighteen dollars.

13 f. For motorboats or sailboats twenty-five feet in length
14 or more, twenty-eight dollars.

15 Every registration certificate and number issued becomes
16 delinquent at midnight April 30 of odd-numbered years unless
17 terminated or discontinued in accordance with this chapter.

18 After January 1 in odd-numbered years, an unregistered ves-
19 sel and a renewal of registration may be registered for the
20 two-year registration period beginning May 1 of that year.

21 After January 1 in even-numbered years, unregistered vessels
22 may be registered for the remainder of the current registra-
23 tion period at fifty percent of the appropriate registration
24 fee.

25 EXPLANATION

26 This bill provides for the registration fees of vessels.
27 A graduated schedule based upon the length of a motorboat
28 or sailboat is established with the longer vessel paying a
29 higher fee.

30 The bill takes effect July 1 following enactment.

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SENATE FILE 2205
FISCAL NOTE

REQUESTED BY SENATOR VAN GILST

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 2205 pursuant to Joint Rule 17.

Senate File 2205 establishes a graduated schedule of fees for ^(BOAT) boat registration. It will have the effect of increasing the biennial fee for most boats.

Fees from boat registration go into the Special Boat Fee Fund. A small portion of this fund is expended to produce boating safety and licensing materials. The major portion is transferred to the Fish and Wildlife Trust Fund to pay expenses for Water Safety and Boating Law Enforcement. This increase will replace funds currently being transferred from the Marine Fuel Tax for this purpose. The Marine Fuel Tax Fund is used for capital acquisition and development related to boating.

FISCAL EFFECT: The fiscal effect to the Special Boat Fee Fund would be:

	<u>Total Biennial Revenue</u>	<u>Amount Per Year</u>
Proposed Law	\$ 1,846,730	923,365
Current Law	1,258,280	629,140
Difference	\$ <u>588,450</u>	<u>294,225</u>

(3621S, 84-183C, AHS)

Source: Iowa Conservation Commission

FILED:
FEBRUARY 23, 1984

BY DENNIS C. PROUTY, DIRECTOR
LEGISLATIVE FISCAL BUREAU

SENATE FILE 2205

5851

1 Amend Senate File 2205 as passed by the Senate
2 as follows:

3 1. Page 2, by inserting after line 24 the
4 following:

5 "Sec. 3. Chapter 111, Code 1983, is amended by
6 adding the following new section:

7 NEW SECTION. USER PERMITS FOR CERTAIN STATE LANDS.

8 1. A person shall not park or permit to be parked
9 a motor vehicle required to be registered under chapter
10 321 on state land under the jurisdiction of the
11 conservation commission where a user permit is required
12 by subsection 3, unless the vehicle has a user permit
13 attached in accordance with this section.

14 2. This section does not apply to the following
15 vehicles:

16 a. Official government vehicles, or vehicles
17 operated by state, county, city, and federal employees
18 and agents while in the performance of official
19 government business.

20 b. Vehicles operated by family members and guests
21 of a commission employee residing at an area subject
22 to the user permit requirement.

23 c. A vehicle moving on highways within or that
cross state land to which this section applies.

24 d. A vehicle transporting employees to or
25 furnishing services or supplies to the conservation
26 commission or designated concessionaire.

27 3. The requirement of a user permit applies to
28 developed campgrounds at the Shimek, Yellow River,
29 and Stephens state forests, and all areas managed
30 by the state parks section of the conservation
31 commission except those excluded by rule.

32 4. The user permit issued by the commission is
33 valid for either the calendar year in which issued
34 or for twenty-four hours from the time of purchase.
35 The fee is ten dollars for the calendar year permit
36 and two dollars for the daily permit.

37 5. User permits shall be issued without the permit
38 fee by the county recorder to individuals who present
39 a current medical assistance or food stamp
40 identification card provided by the department of
41 human services.

42 6. User permits shall be issued without payment
43 of the permit fee to a person sixty-five years of
44 age or older who submits proof of age to a county
45 recorder, the commission, or a depository.

46 7. User permits shall be sold by the commission
47 and county recorders and may be sold by depositaries
48 designated by the recorders or the director under
49 section 110.11. A writing fee shall be retained for
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Page Two

1 dispensing the user permits as provided under sections
2 110.11 and 110.12 for licenses. Duplicate user permits
3 shall not be issued except where the person
4 demonstrates that the window to which the permit was
5 affixed was broken or the vehicle has been sold and
6 the person presents a major portion of the user permit.
7 8. A user permit is not transferable between
8 vehicles and shall be displayed as the commission
9 prescribes by rule.

10 9. a. An officer of the commission who observes
11 a motor vehicle parked in violation of this section
12 shall take the vehicle's registration number and may
13 take any other information displayed on the vehicle
14 which may identify its user and deliver to the driver
15 or conspicuously affix to the vehicle a notice of
16 fine in writing on a form provided by the commission
17 for the driver to appear before the district court
18 of the county and respond to the charge against the
19 driver at a time and place specified in the notice.
20 A person who receives the notice or knows that a
21 notice has been affixed to the motor vehicle owned
22 or controlled by the person shall appear before the
23 district court of the county not later than the time
24 and date specified in the notice. If a person desires
25 to enter a plea of guilty to a violation of this
26 section, the person may sign written authority to
27 any employee of the commission to appear for the
28 person and enter a plea of guilty and the person shall
29 pay the penalty provided on the notice to the district
30 court clerk prior to the time designated for
31 appearance. The clerk of the district court shall
32 accept the fine of anyone admitting the violation
33 and paying the penalty on or before the time and date
34 provided on the notice. The penalty for violating
35 subsection 1 of this section is a fine of twenty
36 dollars plus five dollars costs.

37 b. Failure to comply with a notice of fine under
38 this section is a separate violation of this section.

39 c. The commission shall provide to its officers
40 sets of triplicate notices each identified by separate
41 serial numbers on each copy of notice. One copy shall
42 be used as a notice of violation and delivered to
43 the person charged or affixed to the vehicle illegally
44 parked, one copy shall be sworn to by the officer
45 as an information and filed with the clerk of court
46 of the county within forty-eight hours of issuance
47 of the notice and one copy shall be retained by the
48 commission for record purposes.

49 10. The county recorder shall remit to the
50 commission all fees from the sale of user permits

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1 within ten days from the end of the month. The
2 commission shall remit the fees from sales of user
3 permits to the treasurer of state who shall place
4 the money in a state park, forest, and recreation
5 area facilities improvement trust fund. The money
6 in that fund is appropriated to the commission solely
7 for renovation, replacement, and improvement of
8 facilities otherwise acquired in state parks, forests,
9 and recreation areas. Notwithstanding chapters 96
10 and 97B, persons employed by the commission with the
11 money from the trust fund are not eligible for
12 membership in the Iowa public employees' retirement
13 system or eligible to receive unemployment compensation
14 benefits by virtue of this employment.

15 Sec. 4. Section 111.57, Code 1983, is amended
16 to read as follows:

17 111.57 PENALTIES. Any person violating any of
18 the provisions of ~~the foregoing~~ sections numbered
19 111.35 to 111.56 ~~shall be~~ and any person whose vehicle
20 is parked or stopped in violation of section 3 of
21 this Act is guilty of a simple misdemeanor.

22 Sec. 5. During the first year following the
23 effective date of section 3 of this Act, the clerk
24 of the district court shall monthly transmit to the
25 state conservation commission the names and addresses
26 of those persons paying a fine under section 3 of
27 this Act. The commission shall issue an annual user
28 permit to those persons whose names are submitted
29 by the clerk of the district court.

30 Sec. 6. Section 3 of this Act takes effect January
31 1 following enactment."

H-5851 FILED MARCH 26, 1984 BY HARBOR of Mills

7/15 3/27 (p. 1247)

H-5891

1 Amend the amendment H-5851 to Senate File 2205
2 as passed by the Senate as follows:

3 1. By striking page 1, line 3 through page 3,
4 line 31 and inserting in lieu thereof the following:

5 "1. Page 2, by inserting after line 24 the
6 following:

7 "Sec. 100. Chapter 111, Code 1983, is amended
8 by adding the following new section:

9 NEW SECTION. USER PERMITS FOR CERTAIN STATE LANDS.

10 1. A person shall not park or permit to be parked
11 a motor vehicle required to be registered under chapter
12 321 on state land under the jurisdiction of the
13 conservation commission where a user permit is required
14 by subsection 3, unless the vehicle has a user permit
15 attached in accordance with this section.

16 2. This section does not apply to the following
17 vehicles:

18 a. Official government vehicles, or vehicles
19 operated by state, county, city, and federal employees
20 and agents while in the performance of official
21 government business.

22 b. Vehicles operated by family members and guests
23 of a commission employee residing at an area subject
24 to the user permit requirement.

25 c. A vehicle moving on highways within or that
26 cross state land to which this section applies.

27 d. A vehicle transporting employees to or
28 furnishing services or supplies to the conservation
29 commission or designated concessionaire.

30 3. The requirement of a user permit applies to
31 developed campgrounds at the Shimek, Yellow River,
32 and Stephens state forests, and all areas managed
33 by the state parks section of the conservation
34 commission except those excluded by rule.

35 4. The user permit issued by the commission is
36 valid for either the calendar year in which issued
37 or for twenty-four hours from the time of purchase.
38 The fee is ten dollars for the calendar year permit
39 and two dollars for the daily permit. A person who
40 has more than one motor vehicle registered in that
41 person's name may purchase calendar year permits for
42 the second and subsequent motor vehicles for a fee
43 of five dollars each by producing to the county
44 recorder the registration cards of the first and
45 subsequent motor vehicles and proof of purchase of
46 a calendar year permit for the first motor vehicle.

47 5. User permits shall be sold by the commission
48 and county recorders and may be sold by depositaries
49 designated by the recorders or the director under
50 section 110.11. County recorders and depositaries

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Page Two

1 may charge the same writing fee authorized for licenses
2 under section 110.11 and 110.12 for issuing the user
3 permit. Duplicate user permits shall not be issued
4 except where the person demonstrates that the window
5 to which the permit was affixed was broken or the
6 vehicle has been sold and the person presents a major
7 portion of the user permit.

8 6. User permits shall be issued without the permit
9 fee by the county recorder to individuals who present
10 a current medical assistance or food stamp
11 identification card provided by the department of
12 social services.

13 7. A user permit is not transferable between
14 vehicles and shall be displayed as the commission
15 prescribes by rule. The permit shall contain a space
16 upon which the registration plate numbers and letters
17 shall be entered.

18 8. a. An officer of the commission who observes
19 a motor vehicle parked in violation of this section
20 shall take the vehicle's registration number and may
21 take any other information displayed on the vehicle
22 which may identify its user and deliver to the driver
23 or conspicuously affix to the vehicle a notice of
24 fine in writing on a form provided by the commission
25 for the driver to appear before the district court
26 of the county and respond to the charge against the
27 driver at a time and place specified in the notice.
28 A person who receives the notice or knows that a
29 notice has been affixed to the motor vehicle owned
30 or controlled by the person shall appear before the
31 district court of the county not later than the time
32 and date specified in the notice. If a person desires
33 to enter a plea of guilty to a violation of this
34 section, the person may sign written authority to
35 any employee of the commission to appear for the
36 person and enter a plea of guilty and the person shall
37 pay the penalty provided on the notice to the district
38 court clerk prior to the time designated for
39 appearance. The clerk of the district court shall
40 accept the fine of anyone admitting the violation
41 and paying the penalty on or before the time and date
42 provided on the notice. The penalty for violating
43 subsection 1 of this section is a fine of twenty
44 dollars plus five dollars costs.

45 b. Failure to comply with a notice of fine under
46 this section is a separate violation of this section.

47 c. The commission shall provide to its officers
48 sets of triplicate notices each identified by separate
49 serial numbers on each copy of notice. One copy shall
50 be used as a notice of violation and delivered to

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Page Three

1 the person charged or affixed to the vehicle illegally
2 parked, one copy shall be sworn to by the officer
3 as an information and filed with the clerk of court
4 of the county within forty-eight hours of issuance
5 of the notice and one copy shall be retained by the
6 commission for record purposes.

7 9. The county recorder shall remit to the
8 commission all fees from the sale of user permits
9 within ten days from the end of the month. The
10 commission shall remit the fees from sales of user
11 permits to the treasurer of state who shall place
12 the money in a state park, forest, and recreation
13 area facilities improvement trust fund. The money
14 in that fund is appropriated to the commission solely
15 for renovation, replacement, and improvement of
16 facilities otherwise acquired in state parks, forests,
17 and recreation areas. Notwithstanding chapters 96
18 and 97B, persons employed by the commission with the
19 money from the trust fund are not eligible for
20 membership in the Iowa public employees' retirement
21 system or eligible to receive unemployment compensation
22 benefits by virtue of this employment. Persons
23 employed with money from the trust fund shall be
temporary employees.

24 The commission may employ inmates under section
25 246.18 with the money from the trust fund.

26 However, an inmate shall not be employed in a
27 public service project if the employment of that
28 inmate would replace a person employed by the state
29 agency or political subdivision which employee is
30 performing the work of the public service project
31 at the time the inmate is being considered for
32 employment in the project.

33 The commission shall adopt affirmative action
34 measures and develop affirmative action plans for
35 the employment of persons with the money from the
36 trust fund based on uniform affirmative action planning
37 standards adopted by the Iowa civil rights commission.

38 Sec. ____ . Section 111.57, Code 1983, is amended
39 to read as follows:

40 111.57 PENALTIES. Any person violating any of
41 the provisions of the ~~foregoing~~ sections numbered
42 111.35 to 111.56 shall be and any person whose vehicle
43 is parked or stopped in violation of section 100 of
44 this Act is guilty of a simple misdemeanor.

45 Sec. ____ . During the first year following the
46 effective date of this Act, the clerk of the district
47 court shall monthly transmit to the state conservation
48 commission the names and addresses of those persons
49 paying a fine under section 1 of this Act. The
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1 commission shall issue an annual user permit to those
2 persons whose names are submitted by the clerk of
3 the district court.

4 Sec. _____. This Act takes effect January 1 following
5 enactment."

6 2. Amend the title, line 1, by inserting after
7 the word "vessels" the words "and the use of certain
8 state lands, and providing a penalty".

9 3. By renumbering sections."

BY SKOW of Guthrie
BLACK of Jasper
SULLIVAN of Van Buren
HARBOR of Mills

H-5891 FILED MARCH 27, 1984

LOST (p. 1305)

SENATE FILE 2205

AN ACT

RELATING TO THE FEES FOR THE REGISTRATION OF VESSELS.

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

Section 1. Section 106.5, subsection 1, unnumbered paragraph 2, Code 1983, is amended to read as follows:

The owner of the vessel shall file an application for registration with the appropriate county recorder on forms provided by the commission. The application shall be completed and signed by the owner of the vessel and shall be accompanied by a ~~the appropriate fee of eight dollars for each motorboat or sailboat, four dollars for any other vessel without sail or motor,~~ and a writing fee of one dollar. Upon applying for registration the owner shall surrender the certificate of origin to the county recorder. Upon receipt of the application in approved form accompanied by the required fees, the county recorder shall enter it upon the records of the recorder's office and shall issue to the applicant a pocket-size registration certificate. The certificate shall be executed in triplicate, one copy to be delivered to the owner, one copy to the commission, and one copy to be retained on file by the county recorder. The registration certificate shall bear the number awarded to the vessel, the passenger capacity of the vessel and the name and address of the owner.

In the use of all vessels except nonpowered sailboats, nonpowered canoes and commercial vessels the registration certificate shall be carried either in the vessel or on the person of the operator of the vessel when in use. In the use of nonpowered sailboats, nonpowered canoes or commercial vessels, the registration certificate may be kept on shore in accordance with rules ~~promulgated~~ adopted by the commission. The operator shall exhibit the certificate to any a peace officer upon request, or, when involved in a collision or accident of any nature with another vessel or other personal property, to the owner or operator of the other vessel or personal property.

Sec. 2. Section 106.5, subsection 3, unnumbered paragraph 1, Code 1983, is amended by striking the paragraph and inserting in lieu thereof the following:

The registration fees for vessels subject to this chapter are as follows:

- a. For vessels of any length without motor or sail, five dollars.
- b. For motorboats or sailboats less than twelve feet in length, eight dollars.
- c. For motorboats or sailboats twelve feet or more, but less than fifteen feet in length, ten dollars.
- d. For motorboats or sailboats fifteen feet or more, but less than eighteen feet in length, twelve dollars.
- e. For motorboats or sailboats eighteen feet or more, but less than twenty-five feet in length, eighteen dollars.
- f. For motorboats or sailboats twenty-five feet in length or more, twenty-eight dollars.

Every registration certificate and number issued becomes delinquent at midnight April 30 of odd-numbered years unless terminated or discontinued in accordance with this chapter. After January 1 in odd-numbered years, an unregistered vessel and a renewal of registration may be registered for the two-year registration period beginning May 1 of that year.

After January 1 in even-numbered years, unregistered vessels may be registered for the remainder of the current registration period at fifty percent of the appropriate registration fee.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2205, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 13, 1984

TERRY E. BRANSTAD
Governor