

Reprinted 3/19/86



MAR 7 1986

HOUSE FILE 2414

Place On Calendar

BY COMMITTEE ON NATURAL RESOURCES
AND OUTDOOR RECREATION

(Formerly House Study Bill 731)

Passed House, Date 3-14-86 (p.739) Passed Senate, Date 4-8-86 (p.117)

Vote: Ayes 81 Nays 15 Vote: Ayes 44 Nays 0

Approved May 22, 1986

A BILL FOR

1 An Act relating to hunting and fishing.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2414

1 Section 1. Section 110.1, subsection 1, paragraphs c and
2 d, Code 1985, are amended by striking those paragraphs and
3 inserting in lieu thereof the following:

4 c. Three-day license for residents and nonresidents
5 \$ 5.50

6 Sec. 2. Section 110.1, subsection 2, Code 1985, is amended
7 by adding the following new lettered paragraphs and
8 relettering the remaining paragraphs:

9 NEW LETTERED PARAGRAPH. c. Deer hunting license
10 for nonresidents \$100.00

11 NEW LETTERED PARAGRAPH. e. Wild turkey hunting
12 license for nonresidents \$ 50.00

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13 Sec. 3. NEW SECTION. 110.7 WILD TURKEY LICENSE AND TAG.

14 1. A resident hunting wild turkey who is required to have
15 a license must have a resident hunting license or combined
16 hunting and fishing license or fur, fish and game license and
17 a wildlife habitat stamp in addition to the wild turkey
18 hunting license.

19 2. A nonresident hunting wild turkey must have a
20 nonresident wild turkey hunting license and a wildlife habitat
21 stamp. The commission may limit and regulate the number of
22 nonresidents allowed to have wild turkey hunting licenses and
23 establish application procedures.

24 3. The wild turkey hunting license shall be accompanied by
25 a tag designed to be used only once and separable into two
26 parts. If a wild turkey is taken, the wild turkey shall be
27 tagged with one part of the tag and both parts of the tag
28 should be dated.

29 Sec. 4. Section 110.8, Code 1985, is amended to read as
30 follows:

31 110.8 DEER LICENSE AND TAG.

32 1. A resident hunting deer who is required to have a
33 hunting license must have a resident hunting license or
34 resident combined hunting and fishing license or a fur, fish
35 and game license and a wildlife habitat stamp in addition to

1 the deer hunting license.

2 2. A nonresident hunting deer must have a nonresident deer
3 hunting license and a wildlife stamp. The commission may
4 limit and regulate the number of nonresidents allowed to have
5 deer licenses and establish application procedures.

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

10 Sec. 5. Section 110.24, Code Supplement 1985, is amended
11 by adding the following new unnumbered paragraph:

12 NEW UNNUMBERED PARAGRAPH. As used in this section a "farm
13 unit" is all the parcels of land, not necessarily contiguous,
14 which are operated as a unit for agricultural purposes and
15 which are under the lawful control of the landowner or tenant,
16 and a "tenant" is a person, other than the landowner or
17 landowner's family, who resides on the farm unit and is
18 actively engaged in the operation of the farm unit.

5313 19 Sec. 6. Section 110.24, unnumbered paragraphs 1, 2, and 5,
20 Code Supplement 1985, are amended to read as follows:

21 Owners or tenants of land, and their juvenile children, may
22 hunt, fish or trap upon such lands and may shoot by lawful
23 means ground squirrels, gophers, or woodchucks upon adjacent
24 roads without securing a license so to do; except, special
25 licenses to hunt deer and wild turkey shall be required of
26 owners and tenants but they shall not be required to have a
27 special wild turkey hunting license to hunt wild turkey on a
28 game breeding and shooting preserve licensed under chapter
29 110A.

30 Upon written application to the state conservation
31 commission, one of the following persons who resides upon the
32 farm unit shall be issued a one deer or a one wild turkey
33 hunting license or both during a calendar year:

34 1. The owner of a farm unit; -or.

35 2. One member of the family of the farm owner; -or.

1 3. The tenant ~~residing-on-the-farm-unit,-or.~~

2 4. One member of the family of the tenant,~~-who-resides-on~~
3 ~~the-farm-unit.~~

5313 > 4 Deer ~~or~~ and wild turkey hunting licenses issued under this
5 section ~~shall-be~~ are subject to all other provisions of the
6 laws and regulations pertaining to the taking of deer and wild
7 turkey. The deer license and turkey license shall be the
8 equivalent of the least restrictive license issued under
9 section 109.38.

10 Sec. 7. Section 110.24, unnumbered paragraph 8, Code
11 Supplement 1985, is amended to read as follows:

12 No A resident of the state under sixteen years of age ~~shall~~
13 ~~be~~ is not required to have a hunting license to hunt game if
14 accompanied by the minor's parent or guardian or in company
15 with any other competent adult with the consent of the ~~said~~
16 minor's parent or guardian, if the ~~said~~ person accompanying
17 ~~said~~ the minor ~~shall-possess~~ possesses a valid hunting
18 license~~;~~ providing, however, that there ~~is~~ must be one
19 licensed adult accompanying each person under sixteen years of
20 age. However, the minor must have a deer hunting license to
21 hunt deer and a wild turkey hunting license to hunt wild
22 turkey.

23 Sec. 8. Section 110.27, Code Supplement 1985, is amended
24 by adding the following new subsection:

25 NEW SUBSECTION. 9. The initial hunter safety certificate
26 shall be issued without cost. A duplicate certificate shall
27 be issued at a cost of three dollars.

28 Sec. 9. Section 110.32, Code 1985, is amended to read as
29 follows:

30 110.32 PUBLIC NUISANCE.

31 Any device, contrivance, or material used to violate any
32 regulation a rule adopted by the commission, or any other
33 provision of this chapter, is ~~hereby-declared-to-be~~ a public
34 nuisance, and ~~it-shall-be-the-duty-of~~ the state conservation
35 director and the director's officers, or any peace officer, to

1 shall seize such devices, contrivances, or materials so used,
2 without warrant or process, and to deliver them to some a
3 magistrate having jurisdiction. ~~Provided, however, no gun,~~
4 ~~fishing rod, fishing tackle, or automobile shall be construed~~
5 ~~to be a public nuisance under this section.~~

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6 Sec. 10. Section 110.36, Code 1985, is amended to read as
7 follows:

8 110.36 MANNER OF CONVEYANCE.

9 No person, except as permitted by law, shall have or carry
10 any a gun in or on any a vehicle on any a public highway,
11 unless such the gun be is taken down or totally contained in a
12 securely fastened case, and the its barrels and magazines
13 thereof-be are unloaded.

14 Sec. 11. NEW SECTION. 110.38 FREE FISHING DAYS.

15 The commission may designate one period of the year of not
16 more than three days as free fishing days and during that
17 period the residents may fish and lawfully possess fish
18 without a license.

19 Sec. 12. Section 110.42, Code 1985, is amended to read as
20 follows:

21 110.42 PENALTIES.

22 ~~Whoever shall violate any of the provisions~~ A person who
23 violates a provision of this chapter shall-be is guilty of a
24 simple misdemeanor and shall be fined not less than ten
25 dollars for each cited offense.

26 Sec. 13. Section 110.25, Code 1985, is repealed.

27 EXPLANATION

28 Section 1 replaces separate three-day fishing licenses for
29 residents and nonresidents with a single license.

30 Section 2 establishes nonresident deer and wild turkey
31 hunting licenses, and sections 3 and 4 provide requirements
32 for the licenses.

33 Sections 5, 6, and 7 define "farm unit" and "tenant" for
34 the landowner-tenant deer or wild turkey license and provide
35 that an accompanied minor must have a deer or wild turkey

1 license to have that game.

2 Section 8 establishes a fee for a duplicate hunter safety
3 certificate.

4 Section 9 allows the seizure of guns, fishing rods and
5 tackle, or automobile if used in violation of the license
6 chapter.

7 Section 10 requires a transported gun to be totally
8 contained in a securely fastened container and unloaded or
9 broken down.

10 Section 11 allows the commission to establish a three-day
11 period when the fishing license is not required.

12 Section 12 establishes a minimum fine of ten dollars for
13 violations of the chapter.

14 Section 13 repeals the provision for courtesy licenses.

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HOUSE FILE 2414

H-5304

- 1 Amend House File 2414 as follows:
- 2 1. Page 1, by inserting after line 12 the
- 3 following:
- 4 "Sec. 3. Section 110.6, Code 1985, is amended to
- 5 read as follows:
- 6 110.6 TROUT LICENSE STAMP.
- 7 Any person required to have a fishing license shall
- 8 not possess trout unless that person has at that time
- 9 on the person an unexpired special trout license stamp
- 10 validated by that person's signature written across
- 11 the face of the stamp in ink, a receipt, or other
- 12 evidence showing that such trout was lawfully
- 13 acquired. The proceeds from the sale of this stamp
- 14 shall be used exclusively to restock trout waters
- 15 designated by the state conservation commission. The
- 16 commission may grant a permit to a community event in
- 17 which trout will be stocked in water which is not
- 18 designated trout water and a person may catch and
- 19 possess trout during the period and from the water
- 20 covered by the permit without having a special trout
- 21 license stamp."
- 22 2. Page 3, line 20, by striking the words
- 23 "However, the" and inserting the word "The".

H-5304 FILED MARCH 10, 1986 BY GRONINGA of Cerro Gordo
Adopted 3/13 (p 718)

HOUSE FILE 2414

H-5313

- 1 Amend House File 2414 as follows:
- 2 1. Page 2, line 19, by inserting after the figure
- 3 "2," the figure "3,".
- 4 2. Page 2, lines 31 and 32, by striking the words
- 5 "who resides upon the farm unit".
- 6 3. Page 3, by inserting after line 3 the
- 7 following:
- 8 "The deer or wild turkey hunting permit shall be
- 9 valid only for hunting on the farm unit upon which the
- 10 licensee to whom it is issued resides or is actively
- 11 engaged in farming as defined by section 172C.1,
- 12 subsection 15."

H-5313 FILED MARCH 11, 1986 BY HAVERLAND of Polk
Adopted 3/13 (p. 720) Motion to recon. (p. 724)
Recess adjourned & closed 3/14 (p. 138)

HOUSE FILE 2414

H-5326

- 1 Amend House File 2414 as follows:
- 2 1. Page 4, by striking lines 4 and 5 and
- 3 inserting the following: "fishing-rod~~7~~-fishing
- 4 ~~tackle~~7~~~~-or An automobile shall not be construed to be
- 5 a public nuisance under this section."

H-5326 FILED MARCH 12, 1986 BY JAY of Appanoose
Adopted as amended by 5327 3/13 (719)

HOUSE FILE 2414

H-5327

1 Amend amendment H-5326 to House File 2414 as
2 follows:

3 1. Page 1, by striking lines 4 and 5 and
4 inserting the following: "~~fishing-rod, fishing~~
5 ~~tackle, or~~ An automobile shall may be construed to be
6 a public nuisance under this section only if multiple
7 violations have occurred."

H-5327 FILED MARCH 13, 1986 BY JAY of Appanoose

Adopted 3/13 (p. 719)

HOUSE FILE 2414

FISCAL NOTE

REQUESTED BY REPRESENTATIVE SULLIVAN

In compliance with a written request received March 5, 1986, a fiscal note for HOUSE FILE 2414 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

HOUSE FILE 2414 makes several hunting and fishing license changes. The bill replaces separate three-day fishing licenses for residents and nonresidents with a single license. Nonresident deer and wild turkey hunting licenses are established. The bill provides for a landowner-tenant deer or wild turkey license. A fee for a duplicate hunter safety certificate is established. The Conservation Commission is allowed to establish a three-day period when a fishing license is not required.

ASSUMPTIONS

1. Resident and nonresident three-day fishing licenses:

Resident three-day fishing license revenues would increase by \$1 per license. Using 1985 actual sales of 1,744, the net increase in revenue would be \$1,744. In addition, printing costs would be reduced by \$780. Nonresident three-day fishing license revenues would not change. Therefore, the total net increase in revenue is \$2,524.

2. Nonresident deer licenses:

Nonresident deer license sales are estimated to be 1,200. The increase in deer license revenue will be \$120,000 (1,200 x \$100 license fee). Wildlife habitat stamp revenue will increase by \$3,600 (1,200 x \$3 stamp fee).

3. Nonresident turkey licenses:

Nonresident turkey license sales are estimated to be 650. The increase in turkey license revenue will be \$32,500 (650 x \$50 license fee). Wildlife habitat stamp revenue will increase by \$1,950 (650 x \$3 stamp fee).

4. Landowner-tenant deer or wild turkey license and free fishing days:

No estimate available.

5. Duplicate safety certificates:

The increase in revenue, based on 1985 duplicate certificate issuances of 1,200, is \$3,600. (1,200 x \$3 duplicate certificate fee)

FISCAL EFFECT

The change in license revenues due to House File 2414 are as follows:

\$1 increase in resident three-day licenses	\$ 2,524
Nonresident deer licenses	120,000
Nonresident turkey licenses	32,500
Habitat stamps from deer & turkey licenses	5,550
Duplicate safety certificates	<u>3,600</u>
ANNUAL INCREASE IN REVENUES	
FOR FISH AND WILDLIFE	\$164,174

SOURCE: Conservation Commission
FILED MARCH 12, 1986

(LSB 8208H, RLB)
BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 2414

BY COMMITTEE ON NATURAL RESOURCES
AND OUTDOOR RECREATION

(As Amended and Passed by the House March 14, 1986)

Passed House, Date See below Passed Senate, Date 4-8-86 (p. 1117)
Vote: Ayes _____ Nays _____ Vote: Ayes 44 Nays 0
Approved May 22, 1986

A BILL FOR

1 An Act relating to hunting and fishing.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

Conference Committee Appointed

Senators Hall (Chair), Peterson, Hannon, Hester, Jindal 4/21 (p. 1306)
Representatives Black (Chair), Johnson, Sullivan, Diemer, Bensink (p. 1625)

Passed per Conference Committee Report

House 4-25-86 (p. 1783)
86-13

Senate 4-28-86 (p. 1418)
43-2

5599, 5580,
5457, 53957

1 Section 1. Section 110.1, subsection 1, paragraphs c and
2 d, Code 1985, are amended by striking those paragraphs and
3 inserting in lieu thereof the following:

4 c. Three-day license for residents and nonresidents
5 \$ 5.50

5599, 5525

6 Sec. 2. Section 110.1, subsection 2, Code 1985, is amended
7 by adding the following new lettered paragraphs and
8 relettering the remaining paragraphs:

9 NEW LETTERED PARAGRAPH. c. Deer hunting license
10 for nonresidents \$100.00

11 NEW LETTERED PARAGRAPH. e. Wild turkey hunting
12 license for nonresidents \$ 50.00

13 Sec. 3. Section 110.6, Code 1985, is amended to
14 read as follows:

15 110.6 TROUT LICENSE STAMP.

16 Any person required to have a fishing license shall not
17 possess trout unless that person has at that time on the
18 person an unexpired special trout license stamp validated by
19 that person's signature written across the face of the stamp
20 in ink, a receipt, or other evidence showing that such trout
21 was lawfully acquired. The proceeds from the sale of this
22 stamp shall be used exclusively to restock trout waters
23 designated by the state conservation commission. The
24 commission may grant a permit to a community event in which
25 trout will be stocked in water which is not designated trout
26 water and a person may catch and possess trout during the
27 period and from the water covered by the permit without having
28 a special trout license stamp.

29 Sec. 4. NEW SECTION. 110.7 WILD TURKEY LICENSE AND TAG.

30 1. A resident hunting wild turkey who is required to have
31 a license must have a resident hunting license or combined
32 hunting and fishing license or fur, fish and game license and
33 a wildlife habitat stamp in addition to the wild turkey
34 hunting license.

5599, 5525

2. A nonresident hunting wild turkey must have a

1 nonresident wild turkey hunting license and a wildlife habitat
2 stamp. The commission may limit and regulate the number of
3 nonresidents allowed to have wild turkey hunting licenses and
4 establish application procedures.

5 3. The wild turkey hunting license shall be accompanied by
6 a tag designed to be used only once and separable into two
7 parts. If a wild turkey is taken, the wild turkey shall be
8 tagged with one part of the tag and both parts of the tag
9 should be dated.

10 Sec. 5. Section 110.8, Code 1985, is amended to read as
11 follows:

12 110.8 DEER LICENSE AND TAG.

13 1. A resident hunting deer who is required to have a
14 hunting license must have a resident hunting license or
15 resident combined hunting and fishing license or a fur, fish
16 and game license and a wildlife habitat stamp in addition to
17 the deer hunting license.

18 2. A nonresident hunting deer must have a nonresident deer
19 hunting license and a wildlife stamp. The commission may
20 limit and regulate the number of nonresidents allowed to have
21 deer licenses and establish application procedures.

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

5395 26 Sec. 6. Section 110.24, Code Supplement 1985, is amended
27 by adding the following new unnumbered paragraph:

28 NEW UNNUMBERED PARAGRAPH. As used in this section a "farm
5599,5457 29 unit" is all the parcels of land, not necessarily contiguous,
30 which are operated as a unit for agricultural purposes and
31 which are under the lawful control of the landowner or tenant,
32 and a "tenant" is a person, other than the landowner or
33 landowner's family, who resides on the farm unit and is
34 actively engaged in the operation of the farm unit.

35 Sec. 7. Section 110.24, unnumbered paragraphs 1, 2, and 5,

1 Code Supplement 1985, are amended to read as follows:

2 Owners or tenants of land, and their juvenile children, may
3 hunt, fish or trap upon such lands and may shoot by lawful
4 means ground squirrels, gophers, or woodchucks upon adjacent
5 roads without securing a license so to do; except, special
6 licenses to hunt deer and wild turkey shall be required of
7 owners and tenants but they shall not be required to have a
8 special wild turkey hunting license to hunt wild turkey on a
9 game breeding and shooting preserve licensed under chapter
10 110A.

5457, 5345
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11 Upon written application to the state conservation
12 commission, one of the following persons who resides upon the
13 farm unit shall be issued a one deer or a one wild turkey
14 hunting license or both during a calendar year:

- 15 1. The owner of a farm unit~~;-or.~~
- 16 2. One member of the family of the farm owner~~;-or.~~
- 17 3. The tenant ~~residing-on-the-farm-unit;-or.~~
- 18 4. One member of the family of the tenant~~;-who-resides-on~~
19 ~~the-farm-unit.~~

20 Deer ~~or~~ and wild turkey hunting licenses issued under this
21 section ~~shall-be~~ are subject to all other provisions of the
22 laws and regulations pertaining to the taking of deer and wild
23 turkey. The deer license and turkey license shall be the
24 equivalent of the least restrictive license issued under
25 section 109.38.

26 Sec. 8. Section 110.24, unnumbered paragraph 8, Code
27 Supplement 1985, is amended to read as follows:

28 No A resident of the state under sixteen years of age ~~shall~~
29 ~~be~~ is not required to have a hunting license to hunt game if
30 accompanied by the minor's parent or guardian or in company
31 with any other competent adult with the consent of the said
32 minor's parent or guardian, if the said person accompanying
33 said ~~the~~ minor shall-possess possesses a valid hunting
34 license~~;~~ providing, however, that there ~~is~~ must be one
35 licensed adult accompanying each person under sixteen years of

1 age. The minor must have a deer hunting license to hunt deer
2 and a wild turkey hunting license to hunt wild turkey.

3 Sec. 9. Section 110.27, Code Supplement 1985, is amended
4 by adding the following new subsection:

5 NEW SUBSECTION. 9. The initial hunter safety certificate
6 shall be issued without cost. A duplicate certificate shall
7 be issued at a cost of three dollars.

5599,54,58 8 Sec. 10. Section 110.32, Code 1985, is amended to read as
9 follows:

10 110.32 PUBLIC NUISANCE.

11 Any device, contrivance, or material used to violate any
12 regulation a rule adopted by the commission, or any other
13 provision of this chapter, is ~~hereby-declared-to-be~~ a public
14 nuisance, and ~~it-shall-be-the-duty-of~~ the state conservation
15 director and the director's officers, or any peace officer, to
16 shall seize such devices, contrivances, or materials so used,
17 without warrant or process, and to deliver them to some a
18 magistrate having jurisdiction. ~~Provided, however, no gun,~~
19 ~~fishing-rod, fishing-fishing-rod, fishing-tackle, or An~~
20 automobile shall may be construed to be a public nuisance
21 under this section only if multiple violations have occurred.

22 Sec. 11. Section 110.36, Code 1985, is amended to read as
23 follows:

24 110.36 MANNER OF CONVEYANCE.

25 No person, except as permitted by law, shall have or carry
26 any a gun in or on any a vehicle on any a public highway,
27 unless such the gun be is taken down or totally contained in a
28 securely fastened case, and the its barrels and magazines
29 ~~thereof-be~~ are unloaded.

30 Sec. 12. NEW SECTION. 110.38 FREE FISHING DAYS.

31 The commission may designate one period of the year of not
32 more than three days as free fishing days and during that
33 period the residents may fish and lawfully possess fish
34 without a license.

45735 549 8 Sec. 13. Section 110.42, Code 1985, is amended to read as

1 follows:

2 110.42 PENALTIES.

3 ~~Whoever shall violate any of the provisions~~ A person who
4 violates a provision of this chapter ~~shall be~~ is guilty of a
5 simple misdemeanor and shall be fined not less than ten
6 dollars for each cited offense.

7 Sec. 14. Section 110.25, Code 1985, is repealed.

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S-5395

1 Amend House File 2414 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 109.38, subsection 2, Code
6 1985, is amended to read as follows:

7 2. If following an investigation the commission
8 finds that the number of hunters licensed to take deer
9 or wild turkey should be limited, further regulated,
10 or expanded, the commission shall conduct a drawing to
11 determine which applicants receive a license. If
12 further deer depopulation is warranted in localized
13 areas, the commission shall consider additional
14 hunting days and additional any-sex, antlered or
15 antlerless deer licenses shall be issued for those
16 areas. Applications for licenses shall be received
17 and accepted during a forty-five day period
18 established by the commission. At the end of the
19 period the drawing shall be conducted. If the quota
20 has not been filled, licenses shall be issued in the
21 order in which applications are received and shall
22 continue to be issued until the quota has been met or
23 until a date fifteen days prior to the opening day of
24 the season, whichever first occurs. If an applicant
25 receives a deer license which is more restrictive than
26 licenses issued to others for the same period and
27 place, the applicant shall receive a certificate with
28 the license entitling the applicant to priority in the
29 drawing for the less restrictive deer licenses the
30 following year. The certificate must accompany that
31 person's application the following year, or the
32 applicant will not receive this priority. Persons
33 purchasing a deer license for the gun season under
34 this section and under section 110.1 are not eligible
35 for a gun deer-hunting license under section 110.24.
36 This subsection does not apply to the hunting of wild
37 turkey on game breeding and shooting preserves
38 licensed under chapter 110A."

39 2. Page 2, by inserting after line 25 the
40 following:

41 "Sec. ____ . Section 110.10, Code 1985, is amended
42 to read as follows:

43 110.10 ISSUANCE OF LICENSES.

44 All licenses other than hunting, fishing, and fur
45 harvester licenses and deer and turkey hunting
46 licenses issued under section 110.24, shall be issued
47 by the director upon application to the departmental
48 office at Des Moines. Hunting, fishing, and fur
49 harvester licenses and deer and turkey hunting
50 licenses issued under section 110.24 shall be issued

Page 2

1 by the recorder of each county. The licenses shall
2 show the cost of the license and issuing fee."

3 3. Page 3, lines 11 and 12, by striking the words
4 "state conservation commission" and inserting the
5 words "state-conservation-commission county recorder".

S-5395 Filed March 19, 1986

BY TAYLOR

Placed o/o 4/8 (p. 116)

HOUSE FILE 2414

S-5478

1 Amend the Committee on Natural Resources amendment,
2 S-5457, to House File 2414 as amended, passed and
3 reprinted by the House as follows:

4 1. Page 1, by striking lines 7 through 20 and
5 inserting the following:

6 "NEW SUBSECTION. 4. If the commission determines
7 that there is a surplus of deer or wild turkey, the
8 commission shall allow residents to purchase a second
9 deer or wild turkey license issued under this section
10 at the regular fee in addition to the first license
11 issued under this section or section 110.24. The
12 second license authorizes the taking of a second deer
13 or wild turkey. If the first license is issued under
14 section 110.24 or subsection 3 of this section, the
15 second license shall be issued for the hunting zone
16 containing the farm unit if the applicant so
17 requests."

18 2. Page 2, by inserting after line 24 the
19 following:

20 "____. Page 1, by striking lines 6 through 12.

21 ____: Page 1, by striking line 35 through page 2,
22 line 4.

23 _____. Page 2, by striking lines 18 through 21."

S-5478 Filed March 27, 1986 BY HESTER, HUSAK

Placed o/s 4/8 (p. 1116)

HOUSE FILE 2414

S-5525

1 Amend House File 2414 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 6 through 12.

4 2. By striking page 1, line 35 through page 2,
5 line 4.

6 3. Page 2, by ~~striking~~ lines 18 through 21.

S-5525 Filed April 2, 1986

BY PRIEBE

Placed o/s 4/8 (p. 1116)

HOUSE FILE 2414

S-5545

1 Amend amendment S-5457 to House File 2414 as
2 amended, passed and reprinted by the House as follows:

3 1. Page 1, line 30, by inserting after the words
4 "any-sex" the words "antlered, or antlerless".

S-5545 Filed April 2, 1986

BY HALL, PRIEBE

Placed o/s 4/8 (p. 1116)

HOUSE FILE 2414

S-5457

1 Amend House File 2414 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 109.38, Code 1985, is amended
6 by adding the following new subsection:

5504547 7 NEW SUBSECTION. 4. If the commission determines
8 that there is a surplus of deer or wild turkey, the
9 commission shall decide to provide the opportunity for
10 residents to purchase a second deer or wild turkey
11 license at a fee not to exceed fifty dollars
12 authorizing the taking of a second deer or wild turkey
13 before offering nonresident licenses for deer or wild
14 turkey for sale. If the commission determines that a
15 surplus of deer exist in a hunting zone, the
16 commission shall allow a person issued a deer hunting
17 license under section 110.24 in that zone to purchase
18 an additional deer hunting license issued under this
19 section for that zone which will allow the taking of a
20 second deer.

21 Sec. 2. Section 109.38, subsections 2 and 3, Code
22 1985, are amended to read as follows:

23 2. If following an investigation the commission
24 finds that the number of hunters licensed to take deer
25 or wild turkey should be limited, further regulated,
26 or expanded, the commission shall conduct a drawing to
27 determine which applicants receive a license. If
28 further deer depopulation is warranted in localized
29 areas, the commission shall consider additional

5545 30 hunting days and additional any-sex deer licenses
31 shall be issued for those areas. Applications for
32 licenses shall be received and accepted during a
33 forty-five day period established by the commission.
34 At the end of the period the drawing shall be
35 conducted. If the quota has not been filled, licenses
36 shall be issued in the order in which applications are
37 received and shall continue to be issued until the
38 quota has been met or until a date fifteen days prior
39 to the opening day of the season, whichever first
40 occurs. If an applicant receives a deer license which
41 is more restrictive than licenses issued to others for
42 the same period and place, the applicant shall receive
43 a certificate with the license entitling the applicant
44 to priority in the drawing for the less restrictive
45 deer licenses the following year. The certificate
46 must accompany that person's application the following
47 year, or the applicant will not receive this priority.

48 Persons Except as provided in subsection 4, persons
49 purchasing a deer license for the gun season under
this section and under section 110.1 are not eligible

S-5457 Page 2

1 for a gun deer-hunting license under section 110.24.
2 This subsection does not apply to the hunting of wild
3 turkey on game breeding and shooting preserves
4 licensed under chapter 110A.

5 3. The commission shall issue a special turkey
6 hunting license to either the owner or the tenant of a
7 farm unit or a member of the owner's or tenant's
8 immediate family if the person makes a written
9 application to the commission and pays the fee
10 provided for the regular turkey hunting license. The
11 special license is valid only for hunting on the farm
12 unit of the owner or tenant. Only one special license
13 may be issued for a farm unit. The application must
14 contain the consent of the owner if the tenant or
15 tenant's family member applies for the license. A
16 Except as provided in subsection 4, a person
17 purchasing a regular turkey hunting license is not
18 eligible to purchase a special license under this
19 subsection. Applications for the special turkey
20 licenses must be received by the commission at least
21 thirty days prior to the opening of the turkey hunting
22 season. The special turkey hunting licensees are
23 subject to all other laws regarding the hunting of
24 turkeys."

5475 25 2. Page 2, line 29, by inserting after the word
26 "contiguous" the words "but located in the county of
27 residence or an adjoining county".

28 3. Page 3, by striking line 12 and inserting the
29 following: "commission, one of the following persons
30 in each of the following categories who resides upon
31 the".

32 4. Page 3, by striking lines 15 through 19 and
33 inserting the following:

34 "1. The owner of a farm unit; or member of the
35 owner's family.

36 ~~2. One member of the family of the farm owner; or~~

37 ~~3. 2. The tenant residing on the farm unit; or~~
38 member of the tenant's family.

39 ~~4. One member of the family of the tenant, who~~
40 ~~resides on the farm unit."~~

41 5. Page 4, by striking lines 8 through 21.

42 6. By striking page 4, line 35 through page 5,
43 line 6.

S-5457 Filed March 26, 1986 BY COMM. ON NATURAL RESOURCES,
HALL, CHAIR

Placed o/s 4/8 (p. 1116)

HOUSE FILE 2414

S-5599

1 Amend House File 2414 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 109.38, Code 1985, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 4. The commission may allow
8 residents to purchase a second deer or wild turkey
9 license issued under this section at the regular fee
10 in addition to the first license issued under this
11 section or section 110.24. Owners and tenants
12 eligible for a license under section 110.24 shall be
13 provided a preference over residents generally in the
14 eligibility for or issuance of the second licenses.
15 The second license authorizes the taking of a second
16 deer or wild turkey. If the first license is issued
17 under section 110.24 or subsection 3 of this section,
18 the second license shall be issued for the hunting
19 zone requested.

20 Sec. 2. Section 109.38, subsections 2 and 3, Code
21 1985, are amended to read as follows:

22 2. If following an investigation the commission
23 finds that the number of hunters licensed to take deer
24 or wild turkey should be limited, further regulated,
25 or expanded, the commission shall conduct a drawing to
26 determine which applicants receive a license. If
27 further deer depopulation is warranted in localized
28 areas, the commission shall consider additional
29 hunting days and additional any-sex, antlered or
30 antlerless deer licenses shall be issued for those
31 areas. Applications for licenses shall be received
32 and accepted during a forty-five day period
33 established by the commission. At the end of the
34 period the drawing shall be conducted. If the quota
35 has not been filled, licenses shall be issued in the
36 order in which applications are received and shall
37 continue to be issued until the quota has been met or
38 until a date fifteen days prior to the opening day of
39 the season, whichever first occurs. If an applicant
40 receives a deer license which is more restrictive than
41 licenses issued to others for the same period and
42 place, the applicant shall receive a certificate with
43 the license entitling the applicant to priority in the
44 drawing for the less restrictive deer licenses the
45 following year. The certificate must accompany that
46 person's application the following year, or the
47 applicant will not receive this priority. Persons
48 Except as provided in subsection 4, persons purchasing
49 a deer license for the gun season under this section
50 and under section 110.1 are not eligible for a gun

S-5599 Page 2

A 1 deer-hunting license under section 110.24. This
2 subsection does not apply to the hunting of wild
3 turkey on game breeding and shooting preserves
4 licensed under chapter 110A.

5 3. The commission shall issue a special turkey
6 hunting license to either the owner or the tenant of a
7 farm unit or a member of the owner's or tenant's
8 immediate family if the person makes a written
9 application to the commission and pays the fee
10 provided for the regular turkey hunting license. The
11 special license is valid only for hunting on the farm
12 unit of the owner or tenant. Only one special license
13 may be issued for a farm unit. The application must
14 contain the consent of the owner if the tenant or
15 tenant's family member applies for the license. A
16 Except as provided in subsection 4, a person
17 purchasing a regular turkey hunting license is not
18 eligible to purchase a special license under this
19 subsection. Applications for the special turkey
20 licenses must be received by the commission at least
21 thirty days prior to the opening of the turkey hunting
22 season. The special turkey hunting licensees are
23 subject to all other laws regarding the hunting of
24 turkeys."

B 25 2. Page 1, by striking lines 6 through 12.

26 3. By striking page 1, line 35 through page 2,
27 line 4.

28 4. Page 2, by striking lines 18 through 21.

29 5. Page 2, line 29, by inserting after the word
30 "contiguous" the words "but located in the county of
31 residence or an adjoining county".

32 6. Page 3, by striking line 12 and inserting the
33 following: "commission, one of the following persons
34 in each of the following categories who resides upon the".

35 7. Page 3, by striking lines 15 through 19 and
36 inserting the following:

37 "1. The owner of a farm unit; or member of the
38 owner's family.

39 ~~2. One member of the family of the farm owner; or~~

40 ~~3. 2. The tenant residing on the farm unit; or~~
41 member of the tenant's family.

42 ~~4. One member of the family of the tenant, who~~
43 resides on the farm unit."

44 8. Page 4, by striking lines 8 through 21.

45 9. By striking page 4, line 35 through page 5,
46 line 6.

S-5599 Filed April 4, 1986

BY HALL, HUSAK, HESTER, PETERSON, TIEDEN, PRIEBE

Adopted 4/8 (p. 1115-1116)

HOUSE FILE 2414

S-5504

1 Amend the Committee on Natural Resources amendment,
2 S-5457, to House File 2414 as amended, passed and
3 reprinted by the House as follows:
4 1. Page 1, line 10, by inserting before the word
5 "residents" the following: "firstly, owners and
6 tenants eligible for a license under section 110.24
7 and secondly,".
8 2. Page 1, line 14, by inserting after the word
9 "sale." the following: "Owners and tenants eligible
10 for a license under section 110.24 shall be provided
11 the opportunity to purchase a second license before
12 the opportunity is provided to residents generally."

S-5504 Filed April 1, 1986
BY PRIEBE

Placed o/l 4/8 (1116)

HOUSE FILE 2414

S-5580

1 Amend House File 2414 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. NEW SECTION. 109.48A DEER FEE TO
6 LANDOWNER.
7 If a deer is taken on private property, the person
8 taking the deer shall pay to the landowner or the
9 landowner's agent the amount of ten dollars. The
10 portion of the deer tag designed to be attached to the
11 deer shall contain a space for acknowledgement of
12 payment. This section does not limit the ability of a
13 landowner to charge a fee for access to or activity
14 upon the property. The landowner reserves the right to
15 waive the fee."

S-5580 Filed April 3, 1986
BY BOSWELL, JENSEN, WELSH, LIND, HANNON, FRAISE,
PRIEBE, RIORDAN

Loe 4/8 (p. 1117)

SENATE AMENDMENT TO HOUSE FILE 2414

H-5798

1 Amend House File 2414 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 109.38, Code 1985, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 4. The commission may allow
8 residents to purchase a second deer or wild turkey
9 license issued under this section at the regular fee
10 in addition to the first license issued under this
11 section or section 110.24. Owners and tenants
12 eligible for a license under section 110.24 shall be
13 provided a preference over residents generally in the
14 eligibility for or issuance of the second licenses.
15 The second license authorizes the taking of a second
16 deer or wild turkey. If the first license is issued
17 under section 110.24 or subsection 3 of this section,
18 the second license shall be issued for the hunting
19 zone requested.
20 Sec. 2. Section 109.38, subsections 2 and 3, Code
21 1985, are amended to read as follows:
22 2. If following an investigation the commission
23 finds that the number of hunters licensed to take deer
24 or wild turkey should be limited, further regulated,
25 or expanded, the commission shall conduct a drawing to
26 determine which applicants receive a license. If
27 further deer depopulation is warranted in localized
28 areas, the commission shall consider additional
29 hunting days and additional any-sex, antlered or
30 antlerless deer licenses shall be issued for those
31 areas. Applications for licenses shall be received
32 and accepted during a forty-five day period
33 established by the commission. At the end of the
34 period the drawing shall be conducted. If the quota
35 has not been filled, licenses shall be issued in the
36 order in which applications are received and shall
37 continue to be issued until the quota has been met or
38 until a date fifteen days prior to the opening day of
39 the season, whichever first occurs. If an applicant
40 receives a deer license which is more restrictive than
41 licenses issued to others for the same period and
42 place, the applicant shall receive a certificate with
43 the license entitling the applicant to priority in the
44 drawing for the less restrictive deer licenses the
45 following year. The certificate must accompany that
46 person's application the following year, or the
47 applicant will not receive this priority. Persons
48 Except as provided in subsection 4, persons purchasing
49 a deer license for the gun season under this section
50 and under section 110.1 are not eligible for a gun

H-5798

Page Two

1 deer-hunting license under section 110.24. This
 2 subsection does not apply to the hunting of wild
 3 turkey on game breeding and shooting preserves
 4 licensed under chapter 110A.

5 3. The commission shall issue a special turkey
 6 hunting license to either the owner or the tenant of a
 7 farm unit or a member of the owner's or tenant's
 8 immediate family if the person makes a written
 9 application to the commission and pays the fee
 10 provided for the regular turkey hunting license. The
 11 special license is valid only for hunting on the farm
 12 unit of the owner or tenant. Only one special license
 13 may be issued for a farm unit. The application must
 14 contain the consent of the owner if the tenant or
 15 tenant's family member applies for the license. A
 16 Except as provided in subsection 4, a person
 17 purchasing a regular turkey hunting license is not
 18 eligible to purchase a special license under this
 19 subsection. Applications for the special turkey
 20 licenses must be received by the commission at least
 21 thirty days prior to the opening of the turkey hunting
 22 season. The special turkey hunting licensees are
 23 subject to all other laws regarding the hunting of
 24 turkeys."

25 2. Page 1, by striking lines 6 through 12.

26 3. By striking page 1, line 35 through page 2,
 27 line 4.

28 4. Page 2, by striking lines 18 through 21.

29 5. Page 2, line 29, by inserting after the word
 30 "contiguous" the words "but located in the county of
 31 residence or an adjoining county".

32 6. Page 3, by striking line 12 and inserting the
 33 following: "commission, one of the following persons
 34 in each of the following categories who resides upon
 35 the".

36 7. Page 3, by striking lines 15 through 19 and
 37 inserting the following:

38 "1. The owner of a farm unit; or member of the
 39 owner's family.

40 ~~2. One member of the family of the farm owner; or~~

41 ~~3. 2. The tenant residing on the farm unit; or~~
 42 ~~member of the tenant's family.~~

43 ~~4. One member of the family of the tenant, who~~
 44 ~~resides on the farm unit."~~

45 8. Page 4, by striking lines 8 through 21.

46 9. By striking page 4, line 35 through page 5,
 47 line 6.

H-5798 FILED APRIL 10, 1986 RECEIVED FROM THE SENATE

House refused to concur 4/16 (p. 1500)
Senate insisted 4/21 (p. 1302)

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2414

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

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2414, a bill for an Act relating to hunting and fishing respectfully make the following report:

1. That the Senate recede from its amendment, H-5798.
2. That House File 2414, as amended, passed, and reprinted by the House be amended as follows:
 1. Page 1, by striking lines 6 through 12.
 2. By striking page 1, line 35 through page 2, line 4.
 3. Page 2, by striking lines 18 through 21.
 4. Page 4, by striking lines 18 through 21 and inserting the following: "~~magistrate having jurisdiction. Provided, however, no gun, fishing rod, fishing tackle or~~ An automobile shall not be construed to be a public nuisance under this section."

ON THE PART OF THE HOUSE:

DENNIS BLACK, CHAIR
PAUL JOHNSON
WILLIAM SULLIVAN
MARVIN DIEMER
WILMER RENSINK

ON THE PART OF THE SENATE:

HURLEY HALL, CHAIR
BEVERLY HANNON
JACK W. HESTER
JOHN PETERSON
DALE TIEDEN

FILED APRIL 24, 1986

House adopted 4/25/86 (p. 1783) Senate adopted 4/28 (p. 1417)

NSR 731

Study Bill 731

NATURAL RESOURCES AND
OUTDOOR RECREATION

Natural Resources and Outdoor Recreation: Black, Chair; Grandia and Sullivan.

nm
HF 2414

(HOUSE) FILE 2414

BY (PROPOSED COMMITTEE ON NATURAL
RESOURCES AND OUTDOOR
RECREATION BILL)

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

A BILL FOR

1 An Act relating to hunting and fishing.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 110.1, subsection 2, Code 1985, is
2 amended by adding the following new lettered paragraphs and
3 relettering the remaining paragraphs:

4 NEW LETTERED PARAGRAPH. c. Deer hunting license
5 for nonresidents \$ 75.00

6 NEW LETTERED PARAGRAPH. e. Wild turkey hunting
7 license for nonresidents \$ 50.00

8 Sec. 2. NEW SECTION. 110.7 WILD TURKEY LICENSE AND TAG.

9 1. A resident hunting wild turkey who is required to have
10 a license must have a resident hunting license or combined
11 hunting and fishing license and a wildlife habitat stamp in
12 addition to the wild turkey hunting license.

13 2. A nonresident hunting wild turkey must have a
14 nonresident wild turkey hunting license and a wildlife habitat
15 stamp. The commission may limit and regulate the number of
16 nonresidents allowed to have wild turkey hunting licenses and
17 establish application procedures.

18 3. The wild turkey hunting license shall be accompanied by
19 a tag designed to be used only once and separable into two
20 parts. If a wild turkey is taken, the wild turkey shall be
21 tagged with one part of the tag and both parts of the tag
22 should be dated.

23 Sec. 3. Section 110.8, Code 1985, is amended to read as
24 follows:

25 110.8 DEER LICENSE AND TAG.

26 1. A resident hunting deer who is required to have a
27 hunting license must have a resident hunting license or
28 resident combined hunting and fishing license and a wildlife
29 habitat stamp in addition to the deer hunting license.

30 2. A nonresident hunting deer must have a nonresident deer
31 hunting license and a wildlife stamp. The commission may
32 limit and regulate the number of nonresidents allowed to have
33 deer licenses and establish application procedures.

34 3. The deer hunting license shall be accompanied by a tag
35 designed to be used only once and separable into two parts.

1 When a deer is taken, the deer shall be tagged with one part
2 of the tag and both parts of the tag shall be dated.

3 Sec. 4. Section 110.24, Code Supplement 1985, is amended
4 by adding the following new unnumbered paragraph:

5 NEW UNNUMBERED PARAGRAPH. As used in this section a "farm
6 unit" is all the parcels of land, not necessarily contiguous,
7 which are operated as a unit for agricultural purposes and
8 which are under the lawful control of the landowner or tenant,
9 and a "tenant" is a person, other than the landowner or
10 landowner's family, who resides on the farm unit and is
11 actively engaged in the operation of the farm unit.

12 Sec. 5. Section 110.24, unnumbered paragraphs 1 and 2,
13 Code Supplement 1985, are amended to read as follows:

14 Owners or tenants of land, and their juvenile children, may
15 hunt, fish or trap upon such lands and may shoot by lawful
16 means ground squirrels, gophers, or woodchucks upon adjacent
17 roads without securing a license so to do; except, special
18 licenses to hunt deer and wild turkey shall be required of
19 owners and tenants but they shall not be required to have a
20 special wild turkey hunting license to hunt wild turkey on a
21 game breeding and shooting preserve licensed under chapter
22 110A.

23 Upon written application to the state conservation
24 commission, one of the following persons who resides upon the
25 farm unit shall be issued a deer or a wild turkey hunting
26 license:

- 27 1. The owner of a farm unit, ~~or.~~
- 28 2. One member of the family of the farm owner, ~~or.~~
- 29 3. The tenant residing on the farm unit, ~~or.~~
- 30 4. One member of the family of the tenant, ~~who resides on~~
31 ~~the farm unit.~~

32 Sec. 6. Section 110.24, unnumbered paragraph 8, Code
33 Supplement 1985, is amended to read as follows:

34 No A resident of the state under sixteen years of age shall
35 be is not required to have a hunting license to hunt game if.

1 accompanied by the minor's parent or guardian or in company
2 with any other competent adult with the consent of the said
3 minor's parent or guardian, if the said person accompanying
4 ~~said~~ the minor ~~shall possess~~ possesses a valid hunting
5 license; ~~providing~~, however, that there ~~is~~ must be one
6 licensed adult accompanying each person under sixteen years of
7 age. However, the minor must have a deer hunting license to
8 hunt deer and a wild turkey hunting license to hunt wild
9 turkey.

10 Sec. 7. Section 110.32, Code 1985, is amended to read as
11 follows:

12 110.32 PUBLIC NUISANCE.

13 Any device, contrivance, or material used to violate any
14 regulation a rule adopted by the commission, or any other
15 provision of this chapter, is ~~hereby-declared-to-be~~ a public
16 nuisance, and ~~it-shall-be-the-duty-of~~ the state conservation
17 director and the director's officers, or any peace officer, to
18 shall seize such devices, contrivances, or materials so used,
19 without warrant or process, and to deliver them to some a
20 magistrate having jurisdiction. ~~Provided, however, no gun,~~
21 ~~fishing-rod, fishing-tackle, or automobile shall be construed~~
22 ~~to be a public nuisance under this section.~~

23 Sec. 8. Section 110.36, Code 1985, is amended to read as
24 follows:

25 110.36 MANNER OF CONVEYANCE.

26 No person, except as permitted by law, shall have or carry
27 any a gun in or on any a vehicle on any a public highway,
28 unless such the gun be is taken down or totally contained in a
29 securely fastened case, and the its barrels and magazines
30 ~~thereof-be~~ are unloaded.

31 Sec. 9. NEW SECTION. 110.38 FREE FISHING DAYS.

32 The commission may designate one period of a year of not
33 more than three days as free fishing days and during that
34 period the residents may fish and lawfully possess fish
35 without a license.

1 Sec. 10. Section 110.42, Code 1985, is amended to read as
2 follows:

3 110.42 PENALTIES.

4 ~~Whoever shall violate any of the provisions~~ A person who
5 violates a provision of this chapter ~~shall be~~ is guilty of a
6 simple misdemeanor and shall be fined not less than ten
7 dollars for each cited offense.

8 Sec. 11. Section 110.25, Code 1985, is repealed.

9 EXPLANATION

10 Section 1 establishes nonresident deer and wild turkey
11 hunting licenses, and sections 2 and 3 provide requirements
12 for the licenses.

13 Sections 4, 5, and 6 define "farm unit" and "tenant" for
14 the landowner-tenant deer or wild turkey license and provide
15 that an accompanied minor must have a deer or wild turkey
16 license to have that game.

17 Section 7 allows the seizure of guns, fishing rods and
18 tackle, or automobile if used in violation of the license
19 chapter.

20 Section 8 requires a transported gun to be totally
21 contained in a securely fastened container and unloaded or
22 broken down.

23 Section 9 allows the commission to establish a three-day
24 period when the fishing license is not required.

25 Section 10 establishes a minimum fine of ten dollars for
26 violations of the chapter.

27 Section 11 repeals the provision for courtesy licenses.

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HOUSE FILE 2414

AN ACT
RELATING TO HUNTING AND FISHING.

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

Section 1. Section 110.1, subsection 1, paragraphs c and d, Code 1985, are amended by striking those paragraphs and inserting in lieu thereof the following:

c. Three-day license for residents and nonresidents \$ 5.50

Sec. 2. Section 110.6, Code 1985, is amended to read as follows:

110.6 TROUT LICENSE STAMP.

Any person required to have a fishing license shall not possess trout unless that person has at that time on the 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. The commission may grant a permit to a community event in which trout will be stocked in water which is not designated trout water and a person may catch and possess trout during the period and from the water covered by the permit without having a special trout license stamp.

Sec. 3. NEW SECTION. 110.7 WILD TURKEY LICENSE AND TAG.

1. A resident hunting wild turkey who is required to have a license must have a resident hunting license or combined hunting and fishing license or fur, fish and game license and a wildlife habitat stamp in addition to the wild turkey hunting license.

2. The wild turkey hunting license shall be accompanied by a tag designed to be used only once and separable into two parts. If a wild turkey is taken, the wild turkey shall be tagged with one part of the tag and both parts of the tag should be dated.

Sec. 4. Section 110.8, Code 1985, is amended to read as follows:

110.8 DEER LICENSE AND TAG.

1. A resident hunting deer who is required to have a hunting license must have a resident hunting license or resident combined hunting and fishing license or a fur, fish and game license and a wildlife habitat stamp in addition to the deer hunting license.

2. 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. 5. Section 110.24, Code Supplement 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. As used in this section a "farm unit" is all the parcels of land, not necessarily contiguous, which are operated as a unit for agricultural purposes and which are under the lawful control of the landowner or tenant, and a "tenant" is a person, other than the landowner or landowner's family, who resides on the farm unit and is actively engaged in the operation of the farm unit.

Sec. 6. Section 110.24, unnumbered paragraphs 1, 2, and 5, Code Supplement 1985, are amended to read as follows:

Owners or tenants of land, and their juvenile children, may hunt, fish or trap upon such lands and may shoot by lawful

means ground squirrels, gophers, or woodchucks upon adjacent roads without securing a license so to do; except, special licenses to hunt deer and wild turkey shall be required of owners and tenants but they shall not be required to have a special wild turkey hunting license to hunt wild turkey on a game breeding and shooting preserve licensed under chapter 110A.

Upon written application to the state conservation commission, one of the following persons who resides upon the farm unit shall be issued a one deer or a one wild turkey hunting license or both during a calendar year:

1. The owner of a farm unit; ~~or.~~
2. One member of the family of the farm owner; ~~or.~~
3. The tenant ~~residing on the farm unit; or.~~
4. One member of the family of the tenant; ~~who resides on the farm unit.~~

Deer or and wild turkey hunting licenses issued under this section ~~shall be~~ are subject to all other provisions of the laws and regulations pertaining to the taking of deer and wild turkey. The deer license and turkey license shall be the equivalent of the least restrictive license issued under section 109.38.

Sec. 7. Section 110.24, unnumbered paragraph 8, Code Supplement 1985, is amended to read as follows:

No A resident of the state under sixteen years of age ~~shall be is not~~ required to have a hunting license to hunt game if accompanied by the minor's parent or guardian or in company with any other competent adult with the consent of the ~~said~~ minor's parent or guardian, if the ~~said~~ person accompanying ~~said~~ the minor ~~shall possess~~ possesses a valid hunting license; ~~providing,~~ providing, however, that there ~~is~~ must be one licensed adult accompanying each person under sixteen years of age. The minor must have a deer hunting license to hunt deer and a wild turkey hunting license to hunt wild turkey.

Sec. 8. Section 110.27, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 9. The initial hunter safety certificate shall be issued without cost. A duplicate certificate shall be issued at a cost of three dollars.

Sec. 9. Section 110.32, Code 1985, is amended to read as follows:

110.32 PUBLIC NUISANCE.

Any device, contrivance, or material used to violate any regulation ~~a rule~~ adopted by the commission, or any other provision of this chapter, is hereby ~~declared to be~~ a public nuisance, and ~~it shall be the duty of~~ the state conservation director and the director's officers, or any peace officer, ~~to~~ shall seize such devices, contrivances, or materials so used, without warrant or process, and to deliver them to ~~some~~ a magistrate having jurisdiction. ~~Provided, however, no gun, fishing rod, fishing tackle or~~ An automobile shall not be construed to be a public nuisance under this section.

Sec. 10. Section 110.36, Code 1985, is amended to read as follows:

110.36 MANNER OF CONVEYANCE.

No person, except as permitted by law, shall have or carry any a gun in or on any a vehicle on any a public highway, unless ~~such~~ the gun ~~be is~~ taken down or totally contained in a securely fastened case, and ~~the~~ its barrels and magazines ~~thereof be are~~ unloaded.

Sec. 11. NEW SECTION. 110.38 FREE FISHING DAYS.

The commission may designate one period of the year of not more than three days as free fishing days and during that period the residents may fish and lawfully possess fish without a license.

Sec. 12. Section 110.42, Code 1985, is amended to read as follows:

110.42 PENALTIES.

~~Whoever shall violate any of the provisions~~ A person who violates a provision of this chapter shall be is guilty of a simple misdemeanor and shall be fined not less than ten dollars for each cited offense.

Sec. 13. Section 110.25, Code 1985, is repealed.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2414, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 22, 1986

TERRY E. BRANSTAD
Governor