

FILED FEB 25 1999

SENATE FILE

227

BY FINK

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

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

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

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SF 227 NAT. RES. & ENVIRONMENT

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

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

11 2. Upon application and payment of the hunting guide
12 license fee, the fishing guide license fee, or the combined
13 hunting and fishing guide license fee as provided in
14 subsection 3, the department shall issue an applicable guide
15 license to an applicant who is a resident of this state and at
16 least eighteen years of age; who agrees to faithfully perform
17 the duties and responsibilities of a licensed hunting guide, a
18 licensed fishing guide, or both; and who agrees to observe and
19 comply with the requirements of chapters 481A and 484A, and
20 this chapter, and the rules of the department relating to
21 hunting or fishing guides and the hunting of game or fishing
22 in this state. A hunting guide or fishing guide is
23 responsible for informing hunting or fishing clients of all
24 applicable hunting or fishing laws and rules.

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

31 4. a. Reciprocal privileges for hunting or fishing guides
32 from another state are contingent upon a grant of similar
33 privileges by the other state to residents of this state.

34 b. The commission may negotiate fishing and hunting guide
35 licensing reciprocity agreements with other states.

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

9 5. Section 483A.26 shall apply to a nonresident who is not
10 covered by a reciprocity agreement and who falsely claims
11 residency in this state to obtain a hunting guide license, a
12 fishing guide license, or a combined hunting and fishing guide
13 license.

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

16 EXPLANATION

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

29 Code section 483A.26 prohibits nonresidents from claiming
30 residency in this state to obtain a resident license and
31 provides that a license is void if used by a person other than
32 the person to whom it was issued.

33 The bill provides reciprocal hunting guide or fishing guide
34 privileges for residents of other states that grant the same
35 privileges to residents of this state.

1 Violators of the new licensing provisions are guilty of a
2 simple misdemeanor and subject to a minimum fine of \$10 for
3 each offense.

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