

## CHAPTER 1096

### HUNTING, FUR DEALER, FUR HARVESTER, AND FISHING LICENSES

S.F. 2317

**AN ACT** relating to the issuance of hunting, fur dealer, fur harvester, and fishing licenses, providing for fees, and including effective date provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 461C.8, subsection 3, Code 2011, is amended to read as follows:

3. A hunter who participates in urban deer control pursuant to this section shall be otherwise qualified to hunt deer in this state, ~~have purchase a hunting license and pay that includes~~ the wildlife habitat fee, and obtain a special deer hunting license valid only for the dates, locations, and type of deer specified on the license. Special deer hunting licenses issued pursuant to this section shall be available only to residents and shall cost the same as deer hunting licenses issued during general deer seasons. The commission may establish procedures for issuing more than one license per person as necessary to achieve the purposes of urban deer control, and the cost of each additional license shall be ten dollars.

Sec. 2. Section 481A.72, Code 2011, is amended to read as follows:

#### **481A.72 Hooks and lines.**

1. A person shall not at any time take from the waters of the state any fish, except as otherwise provided in this chapter, except with hook, line, and bait, nor shall a person use more than ~~two~~ three lines nor more than two hooks on each line in still fishing or trolling, and in fly fishing not more than two flies may be used on one line, and in trolling and bait casting not more than two trolling spoons or artificial bait may be used on one line.

2. A person shall not leave fish line or lines and hooks in the water unattended by being out of visual sight of the lines and hooks.

3. One hook means a single, double, or treble pointed hook, and all hooks attached as a part of an artificial bait or lure shall be counted as one hook.

Sec. 3. Section 481A.93, subsection 2, paragraph b, subparagraph (2), Code 2011, is amended to read as follows:

(2) The totally blind person is accompanied and aided by a person who is at least eighteen years of age and whose vision is not seriously impaired. The accompanying person must ~~have purchase a hunting license and pay that includes~~ the wildlife habitat fee as provided in section 483A.1 if applicable. If the accompanying person is not required to have a hunting license the person is not required to pay the wildlife habitat fee. During the hunt, the accompanying adult must be within arm's reach of the totally blind person, and must be able to identify the target and the location of the laser sight beam on the target. A person other than the totally blind person shall not shoot the laser sight-equipped gun or bow.

Sec. 4. Section 481C.2A, subsection 1, paragraph d, Code Supplement 2011, is amended to read as follows:

d. A producer who enters into a depredation agreement with the department of natural resources shall be issued a set of authorization numbers. Each authorization number authorizes a resident hunter to obtain a depredation license that is valid only for taking antlerless deer on the land designated in the producer's depredation plan. A producer may transfer an authorization number issued to that producer to a resident hunter who has permission to hunt on the land for which the authorization number is valid. An authorization number shall be valid to obtain a depredation license in any season. The provisions of this paragraph shall be implemented by August 15, 2008. A transferee who receives an authorization number pursuant to this paragraph "d" shall be otherwise qualified to hunt deer in this state, ~~have purchase a hunting license, pay that includes~~ the wildlife habitat fee, and pay the one dollar fee for the purpose of the deer herd population management program.

Sec. 5. Section 483A.1, Code 2011, is amended to read as follows:

#### **483A.1 Licenses — fees.**

Except as otherwise provided in this chapter, a person shall not fish, trap, hunt, pursue, catch, kill, take in any manner, use, have possession of, sell, or transport all or a part of any wild animal, bird, game, or fish, the protection and regulation of which is desirable for the conservation of resources of the state, without first obtaining a license for that purpose and the payment of a fee as follows:

|   |          |
|---|----------|
| 1. Residents:   |          |
| a. Fishing license, annual  | \$ 17.00 |
| b. Fishing license, three-year  | \$ 51.00 |
| c. Fishing license, seven-day   | \$ 11.50 |
| d. Fishing license, one-day   | \$ 7.50  |
| e. Third line fishing permit, annual  | \$ 10.00 |
| b- f. Fishing license, lifetime, sixty-five years or older  | \$ 50.50 |
| e- g. Hunting license, annual, not including the wildlife habitat fee                                   | \$ 17.00 |
| h. Hunting license, annual, including the wildlife habitat fee  | \$ 28.00 |
| i. Hunting license, three-year, including the wildlife habitat fees                                     | \$ 84.00 |
| d- j. Hunting license, lifetime, sixty-five years or older  | \$ 50.50 |
| k. Combination hunting and fishing license, annual, including the wildlife habitat fee                  | \$ 45.00 |
| e- l. Deer hunting license  | \$ 25.50 |
| f- m. Wild turkey hunting license   | \$ 22.50 |
| g- n. Fur harvester license, annual, not including the wildlife habitat fee, sixteen years or older     | \$ 20.50 |
| o. Fur harvester license, annual, including the wildlife habitat fee, sixteen years or older            | \$ 31.50 |
| h- p. Fur harvester license, annual, not including the wildlife habitat fee, under sixteen years of age | \$ 5.50  |
| i- q. Fur dealer license  | \$225.50 |
| j- r. Aquaculture unit license  | \$ 25.50 |
| k- s. Retail bait dealer license  | \$ 30.50 |
| l. Fishing license, seven-day   | \$ 11.50 |
| m- t. Trout fishing fee   | \$ 10.50 |
| n- u. Game breeder license  | \$ 15.50 |
| o- v. Taxidermy license   | \$ 15.50 |
| p- w. Falconry license  | \$ 20.50 |
| q- x. Wildlife habitat fee  | \$ 11.00 |
| r- y. Migratory game bird fee   | \$ 8.00  |
| s. Fishing license, one-day   | \$ 7.50  |
| t- z. Wholesale bait dealer license   | \$125.00 |
| u- aa. Boundary waters sport trotline license, annual   | \$ 20.50 |
| 2. Nonresidents:  |          |
| a. Fishing license, annual  | \$ 39.00 |
| b. Fishing license, seven-day   | \$ 30.00 |
| c. Fishing license, three-day   | \$ 15.50 |
| d. Fishing license, one-day   | \$ 8.50  |
| e. Third line fishing permit, annual  | \$ 10.00 |
| e- f. Hunting license, annual, including the wildlife habitat fee, eighteen years of age or older       | \$110.00 |
|   | 121.00   |
| d- g. Hunting license, annual, including the wildlife habitat fee, under eighteen years of age          | \$ 30.00 |

|  |               |
|--|---------------|
|  | <u>41.00</u>  |
| <i>e. h.</i> Deer hunting license, antlered or any sex deer .....  | \$295.00      |
| <i>f. i.</i> Preference point issued under section 483A.7, subsection 3, paragraph "b", or section 483A.8, subsection 3, paragraph "e" ..... | \$ 50.00      |
| <i>g. j.</i> Deer hunting license, antlerless deer only, required with the purchase of an antlered or any sex deer hunting license .....     | \$125.00      |
| <i>h. k.</i> Deer hunting license, antlerless deer only .....  | \$225.00      |
| <i>i. l.</i> Holiday deer hunting license issued under section 483A.8, subsection 6, antlerless deer only .....                              | \$ 75.00      |
| <i>j. m.</i> Wild turkey hunting license .....   | \$100.00      |
| <i>k. n.</i> Fur harvester license, including the wildlife habitat fee .....   | \$200.00      |
|  | <u>211.00</u> |
| <i>l. o.</i> Fur dealer license, annual .....  | \$501.00      |
| <i>p.</i> Fur dealer license, one day, one location .....  | \$250.00      |
| <i>m. q.</i> Location permit for fur dealers .....   | \$ 56.00      |
| <i>n. r.</i> Aquaculture unit license .....  | \$ 56.00      |
| <i>o. s.</i> Retail bait dealer license or the amount for the same type of license in the nonresident's state, whichever is greater .....    | \$125.00      |
| <i>t.</i> Wholesale bait dealer license or the amount for the same type of license in the nonresident's state, whichever is greater .....    | \$250.00      |
| <i>p. u.</i> Trout fishing fee .....   | \$ 13.00      |
| <i>q. v.</i> Game breeder license .....  | \$ 26.00      |
| <i>r. w.</i> Taxidermy license .....   | \$ 26.00      |
| <i>s. x.</i> Falconry license .....  | \$ 26.00      |
| <i>t. y.</i> Wildlife habitat fee .....  | \$ 11.00      |
| <i>u. z.</i> Migratory game bird fee .....   | \$ 8.00       |
| <i>v.</i> Fishing license, three day .....   | \$ 15.50      |
| <i>w.</i> Wholesale bait dealer license or the amount for the same type of license in the nonresident's state, whichever is greater .....    | \$250.00      |
| <i>x.</i> Fishing license, one day .....   | \$ 8.50       |
| <i>y. aa.</i> Boundary waters sport trotline license, annual .....   | \$ 40.50      |

Sec. 6. Section 483A.3, Code 2011, is amended to read as follows:

**483A.3 Wildlife habitat fee.**

1. a. A resident or nonresident person required to have a hunting or fur harvester license shall not hunt or trap unless the person has paid purchases a hunting or fur harvester license that includes the wildlife habitat fee. This section shall not apply to residents

b. Residents who have permanent disabilities or who are younger than sixteen or older than sixty-five years of age may purchase a hunting or fur harvester license that does not include the wildlife habitat fee. Wildlife

c. Eleven dollars of the fee paid for each resident or nonresident hunting or fur harvester license that includes the wildlife habitat fee shall be designated as a wildlife habitat fee.

d. All wildlife habitat fees shall be administered in the same manner as hunting and fur harvester licenses except all revenue derived from wildlife habitat fees shall be used within the state of Iowa for habitat development and shall be deposited in the state fish and game protection fund, except as provided in subsection 2. 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 427.1, 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 the revenue may be used for the development and enhancement of wildlife lands and habitat areas.

e. Not less than fifty percent of all revenue from wildlife habitat fees shall 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 state share of funding of those agreements provided by the revenue from wildlife habitat fees shall not exceed seventy-five percent.

2. Up to sixty percent of the revenues from wildlife habitat fees which are not required under subsection 1 to be used by the commission to enter into agreements with county conservation boards or other public agencies may be credited to the wildlife habitat bond fund as provided in section 483A.53.

3. Notwithstanding subsections 1 and 2, any increase in wildlife habitat fee revenues received on or after July 1, 2007, pursuant to this section as a result of wildlife habitat fee increases pursuant to 2007 Iowa Acts, ch. 194, shall be used by the commission only for the purpose of the game bird habitat development program as provided in section 483A.3B. The commission shall not reduce on an annual basis for these purposes the amount of other funds being expended as of July 1, 2007.

4. A three-year hunting license purchased pursuant to section 483A.1, subsection 1, paragraph "i", includes the payment of a wildlife habitat fee for each of the three years for which the license is valid and those fees shall be used as provided in this section.

Sec. 7. Section 483A.3A, Code 2011, is amended to read as follows:

**483A.3A Fish habitat development funding.**

Three dollars from each resident and nonresident annual and seven-day fishing license and nine dollars from each resident three-year fishing license sold shall be deposited in the state fish and game protection fund and shall be used within this state for fish habitat development. Not less than fifty percent of this amount shall be used by the commission to enter into agreements with county conservation boards to carry out the purposes of this section.

Sec. 8. Section 483A.7, subsection 1, Code 2011, is amended to read as follows:

1. A resident hunting wild turkey who is required to have a license must ~~have purchase~~ a resident hunting license that includes the wildlife habitat fee in addition to the wild turkey hunting license ~~and must pay the wildlife habitat fee~~. Upon application and payment of the required fees for archery-only licenses, a resident archer shall be issued two wild turkey licenses for the spring season.

Sec. 9. Section 483A.7, subsection 3, Code 2011, is amended to read as follows:

3. a. A nonresident wild turkey hunter is required to ~~have purchase~~ a nonresident hunting license that includes the wildlife habitat fee and a nonresident wild turkey hunting license ~~and pay the wildlife habitat fee~~. The commission shall annually limit to two thousand three hundred licenses the number of nonresidents allowed to have wild turkey hunting licenses. Of the two thousand three hundred licenses, one hundred fifty licenses shall be valid for hunting with muzzle loading shotguns only. The commission shall allocate the nonresident wild turkey hunting licenses issued among the zones based on the populations of wild turkey. A nonresident applying for a wild turkey hunting license must exhibit proof of having

successfully completed a hunter safety and ethics education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

b. The commission shall assign one preference point to a nonresident whose application for a nonresident wild turkey hunting license is denied due to limitations on the number of nonresident wild turkey hunting licenses available for issuance that year. An additional preference point shall be assigned to that person each subsequent year the person's license application is denied for that reason. A nonresident may purchase additional preference points pursuant to section 483A.1, subsection 2, paragraph "f" "i". The first nonresident wild turkey hunting license drawing each year shall be made from the pool of applicants with the most preference points and continue to pools of applicants with successively fewer preference points until all available nonresident wild turkey hunting licenses have been issued. If a nonresident applicant receives a wild turkey hunting license, all of the applicant's assigned preference points at that time shall be removed.

Sec. 10. Section 483A.8, subsection 1, Code Supplement 2011, is amended to read as follows:

1. A resident hunting deer who is required to have a hunting license must have purchase a resident hunting license that includes the wildlife habitat fee, in addition to the deer hunting license and ~~must pay the wildlife habitat fee~~. In addition, a resident who purchases a deer hunting license shall pay a one dollar fee that shall be used and is appropriated for the purpose of deer herd population management, including assisting with the cost of processing deer donated to the help us stop hunger program administered by the commission.

Sec. 11. Section 483A.8, subsection 3, paragraphs a, b, and e, Code Supplement 2011, are amended to read as follows:

a. A nonresident hunting deer is required to have purchase a nonresident hunting license that includes the wildlife habitat fee and a nonresident deer hunting license and ~~must pay the wildlife habitat fee~~. In addition, a nonresident who purchases a deer hunting license shall pay a one dollar fee that shall be used and is appropriated for the purpose of deer herd population management, including assisting with the cost of processing deer donated to the help us stop hunger program administered by the commission.

b. A nonresident who purchases an antlered or any sex deer hunting license pursuant to section 483A.1, subsection 2, paragraph "e" "h", is required to purchase an antlerless deer only deer hunting license at the same time, pursuant to section 483A.1, subsection 2, paragraph "g" "j".

e. The commission shall assign one preference point to a nonresident whose application for a nonresident antlered or any sex deer hunting license is denied due to limitations on the number of nonresident antlered or any sex deer hunting licenses available for issuance that year. An additional preference point shall be assigned to that person each subsequent year the person's license application is denied for that reason. A nonresident may purchase additional preference points pursuant to section 483A.1, subsection 2, paragraph "f" "i". The first nonresident antlered or any sex deer hunting license drawing each year shall be made from the pool of applicants with the most preference points and continue to pools of applicants with successively fewer preference points until all available nonresident antlered or any sex deer hunting licenses have been issued. If a nonresident applicant receives an antlered or any sex deer hunting license, all of the applicant's assigned preference points at that time shall be removed.

Sec. 12. Section 483A.8, subsection 6, Code Supplement 2011, is amended to read as follows:

6. The commission shall provide by rule for the annual issuance to a nonresident of a nonresident antlerless deer hunting license that is valid for use only during the period beginning on December 24 and ending at sunset on January 2 of the following year and costs seventy-five dollars. A nonresident hunting deer with a license issued under this subsection shall be otherwise qualified to hunt deer in this state and shall have purchase a nonresident hunting license, ~~pay that includes the wildlife habitat fee~~, and pay the one dollar fee for the purpose of deer herd population management as provided in subsection 3. Pursuant

to this subsection, the commission shall make available for issuance only the remaining nonresident antlerless deer hunting licenses allocated under subsection 3 that have not yet been issued for the current year's nonresident antlerless deer hunting seasons.

Sec. 13. Section 483A.8B, Code 2011, is amended to read as follows:

**483A.8B Senior crossbow deer hunting licenses.**

1. A person who is a resident and who is seventy years of age or older may be issued one special senior statewide antlerless deer only crossbow deer hunting license to hunt deer during bow season as established by rule by the commission. A person who obtains a license to hunt deer under this section is not required to pay the wildlife habitat fee but shall be otherwise qualified to hunt deer in this state and shall have purchase a resident hunting license that does not include the wildlife habitat fee.

2. A person may obtain a license under this section in addition to a statewide antlered or any sex deer hunting bow season license. Season dates, shooting hours, limits, license quotas, and other regulations for this license shall be the same as set forth by the commission by rule for bow season deer hunts.

Sec. 14. Section 483A.8C, subsection 2, Code 2011, is amended to read as follows:

2. A person who obtains a deer hunting license under this section is not required to pay the wildlife habitat fee but shall purchase a deer hunting license and hunting license that does not include the wildlife habitat fee, be otherwise qualified to hunt, and pay a one dollar fee that shall be used and is appropriated for the purpose of deer herd population management, including assisting with the cost of processing deer donated to the help us stop hunger program administered by the commission.

Sec. 15. Section 483A.9A, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 3. The commission shall offer to residents a combination package of an annual fishing license and an annual hunting license, as provided in section 483A.1, subsection 1, the cost of which includes the wildlife habitat fee.

Sec. 16. Section 483A.17, Code 2011, is amended to read as follows:

**483A.17 Tenure of license.**

Every license, except as otherwise provided in this chapter, is valid from the date issued to January 10 of the succeeding calendar year for which it is issued. A license shall not be issued prior to December 15 for the subsequent calendar year except for a three-year fishing license or a three-year hunting license issued to a resident pursuant to section 483A.1, subsection 1.

Sec. 17. Section 483A.24, subsections 3 and 4, Code Supplement 2011, are amended to read as follows:

3. The director shall provide up to seventy-five nonresident deer hunting licenses for allocation as requested by a majority of a committee consisting of the majority leader of the senate, speaker of the house of representatives, and director of the economic development authority, or their designees. The licenses provided pursuant to this subsection shall be in addition to the number of nonresident licenses authorized pursuant to section 483A.8. The purpose of the special nonresident licenses is to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries. Photographs, videotapes, or any other form of media resulting from the hunting visitation shall not be used for political campaign purposes. The nonresident licenses shall be issued without application upon payment of purchase of a nonresident hunting license that includes the wildlife habitat fee and the purchase of a nonresident deer hunting license fee and the wildlife habitat fee. The licenses are valid in all zones open to deer hunting. The hunter safety and ethics education certificate requirement pursuant to section 483A.27 is waived for a nonresident issued a license pursuant to this subsection.

4. The director shall provide up to twenty-five nonresident wild turkey hunting licenses for allocation as requested by a majority of a committee consisting of the majority leader of the senate, speaker of the house of representatives, and director of the economic development authority, or their designees. The licenses provided pursuant to this subsection shall be in

addition to the number of nonresident licenses authorized pursuant to section 483A.7. The purpose of the special nonresident licenses is to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries. Photographs, videotapes, or any other form of media resulting from the hunting visitation shall not be used for political campaign purposes. The nonresident licenses shall be issued without application upon ~~payment of purchase of a nonresident hunting license that includes the wildlife habitat fee and the purchase of a nonresident wild turkey hunting license fee and the wildlife habitat fee.~~ The licenses are valid in all zones open to wild turkey hunting. The hunter safety and ethics education certificate requirement pursuant to section 483A.27 is waived for a nonresident issued a license pursuant to this subsection.

Sec. 18. Section 483A.24, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. A resident of the state under sixteen years of age is not required to have a fur harvester license to accompany the minor's parent or guardian, or any other competent adult with the consent of the minor's parent or guardian, while the parent or guardian or other adult is hunting raccoons so long as the minor is not hunting and does not carry or use a firearm or any other weapon.

Sec. 19. Section 483A.24, subsection 10, paragraph d, Code Supplement 2011, is amended to read as follows:

d. A nonresident who receives a special license pursuant to this subsection shall purchase a hunting license ~~that includes the wildlife habitat fee and the applicable nonresident turkey or deer hunting license, and pay the wildlife habitat fee,~~ but is not required to complete the hunter safety and ethics education course if the person is accompanied and aided by a person who is at least eighteen years of age. The accompanying person must be qualified to hunt and have a hunting license that includes the wildlife habitat fee. During the hunt, the accompanying adult must be within arm's reach of the nonresident licensee.

Sec. 20. Section 483A.24B, subsection 6, Code 2011, is amended to read as follows:

6. A person who receives a license pursuant to this section shall be otherwise qualified to hunt deer in this state and shall ~~have purchase~~ purchase a hunting license ~~and pay~~ that includes the wildlife habitat fee.

Sec. 21. Section 483A.28, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Any person who is issued a valid fishing license pursuant to this chapter may fish with a third line as provided in section 481A.72 only upon the annual purchase of a third line fishing permit as provided in section 483A.1.

Sec. 22. Section 484B.10, subsections 2 and 3, Code 2011, are amended to read as follows:

2. Waterfowl shall not be shot over any area where pen-reared mallards may serve as live decoys for wild waterfowl. All persons hunting game birds or ungulates upon a licensed hunting preserve shall secure a hunting license ~~to do so~~ that includes the wildlife habitat fee in accordance with the game laws of Iowa, with the exception that an unlicensed person may secure an annual hunting preserve license restricted to hunting preserves only for a license fee of five dollars. All persons who hunt on hunting preserves shall pay the wildlife habitat fee.

3. A nonresident youth under sixteen years of age may hunt game birds on a licensed hunting preserve upon securing an annual hunting preserve license restricted to hunting preserves only for a license fee of five dollars and payment of the wildlife habitat fee. A nonresident youth is not required to complete the hunter safety and ethics education course to obtain a hunting preserve license pursuant to this subsection if the youth is accompanied by a person who is at least eighteen years of age, is qualified to hunt, and possesses a valid hunting license that includes the wildlife habitat fee. During the hunt, the accompanying adult must be within arm's reach of the nonresident youth.

Sec. 23. EFFECTIVE DATE. This Act takes effect January 1, 2013.

Approved April 19, 2012