

MAR 9 2005  
Place On Calendar

HOUSE FILE 673  
BY COMMITTEE ON NATURAL RESOURCES

(SUCCESSOR TO HF 244)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act restricting the sale of bait by nonresidents who hold a  
2 license to engage in aquaculture.

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

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

HF 673

1 Section 1. Section 481A.142, subsection 5, paragraph b,  
2 Code 2005, is amended to read as follows:

3 b. A person who holds a nonresident aquaculture unit  
4 ~~licensee shall be limited to selling~~ license may sell bait at  
5 to licensed wholesale ~~unless the home state of the nonresident~~  
6 ~~licensee allows residents of this state to sell~~ bait dealers  
7 in Iowa. Sale of bait to licensed resident at retail bait  
8 dealers in Iowa shall be limited to residents of those states  
9 that offer the same privilege to residents of this state.

10

EXPLANATION

11 This bill amends a provision which regulates persons  
12 engaged in aquaculture, which is the controlled propagation,  
13 growth, and harvest of aquatic organisms (e.g., fish,  
14 amphibians, reptiles, mollusks, crustaceans, gastropods, and  
15 algae). These persons must be licensed by the department of  
16 natural resources. The water where aquaculture occurs is  
17 referred to as a licensed unit. A person who has been issued  
18 a license may sell bait (such as minnows, frogs, and clams)  
19 propagated or raised within the licensed unit without having  
20 to obtain a bait dealer's license under Code section 483A.1.

21 The bill applies to a person who is licensed under the  
22 statute but who is a nonresident. Currently, a nonresident  
23 can only sell bait at wholesale. However, there is one  
24 exception based on reciprocity of state law. If the  
25 nonresident's home state allows Iowa residents to sell bait at  
26 retail to its citizens, then Iowa law also allows the  
27 nonresident to sell bait at retail to Iowa citizens. The bill  
28 provides that the nonresident may sell the bait to a licensed  
29 wholesale dealer regardless of the law of the nonresident's  
30 home state. It also provides that the nonresident may sell  
31 the bait to a licensed retail dealer only if the nonresident's  
32 home state has a reciprocal relationship with Iowa.

33

34

35