

Frink  
Lundby  
McLaren

SSB-1028  
Natural Resources  
Succeeded By  
SENATE/HOUSE FILE SE/HE 407  
BY (PROPOSED DEPARTMENT OF  
NATURAL RESOURCES BILL)

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

**A BILL FOR**

1 An Act relating to the regulatory authority and procedures of the  
2 department of natural resources by providing for the issuance  
3 of limited quota licenses and the issuance of licenses and  
4 permits by electronic means.

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

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1 Section 1. Section 481A.38, subsection 2, Code 2001, is  
2 amended to read as follows:

3 2. If the commission finds that the number of hunters  
4 licensed or the type of license issued to take deer or wild  
5 turkey should be limited or further regulated, the commission  
6 shall ~~conduct a drawing to determine which applicants shall~~  
7 ~~receive a license and the type of license~~ adopt procedures, by  
8 rule, for issuing the licenses. ~~Applications for licenses~~  
9 ~~shall be received during a period established by the~~  
10 ~~commission. At the end of the period a drawing shall be~~  
11 ~~conducted. The commission may establish rules to issue~~  
12 ~~licenses after the established application period. If an~~  
13 ~~applicant receives a deer license which is more restrictive~~  
14 ~~than licenses issued to others for the same period and place,~~  
15 ~~the applicant shall receive a certificate with the license~~  
16 ~~entitling the applicant to priority in the drawing for the~~  
17 ~~less restrictive deer licenses the following year. The~~  
18 ~~certificate must accompany that person's application the~~  
19 ~~following year, or the applicant will not receive this~~  
20 ~~priority. Persons purchasing a deer license for the gun~~  
21 ~~season under this section and under section 483A.1 are not~~  
22 ~~eligible for a gun deer hunting license under section 483A.24,~~  
23 ~~except as authorized by rules of the department. This~~  
24 subsection does not apply to the hunting of wild turkey on a  
25 hunting preserve licensed under chapter 484B.

26 Sec. 2. Section 481A.38, subsection 3, Code 2001, is  
27 amended by striking the subsection.

28 Sec. 3. Section 483A.1A, Code 2001, is amended by adding  
29 the following new subsections:

30 NEW SUBSECTION. 3A. "License" means a privilege granted  
31 by the commission to fish, hunt, fur harvest, pursue, catch,  
32 kill, take in any manner, use, have possession of, sell, or  
33 transport all or part of a wild animal, bird, game, or fish,  
34 including any privilege related to a license granted by  
35 issuance of a stamp or a payment of a fee.

1 NEW SUBSECTION. 3B. "License agent" means an individual,  
2 business, or governmental agency authorized to sell a license.

3 NEW SUBSECTION. 3C. "License document" means an  
4 authorization, certificate, or permit issued by the department  
5 or a license agent that lists and confers one or more license  
6 privileges.

7 Sec. 4. Section 483A.7, subsection 2, Code 2001, is  
8 amended to read as follows:

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

14 Sec. 5. Section 483A.8, subsection 2, Code 2001, is  
15 amended to read as follows:

16 2. The deer hunting license shall be accompanied by a tag  
17 designed to be used only once ~~and-separable-into-two-parts.~~  
18 When a deer is taken, the deer shall be tagged ~~with-one-part~~  
19 ~~of-the-tag~~ and ~~both-parts-of~~ the tag shall be dated.

20 Sec. 6. Section 483A.10, Code 2001, is amended to read as  
21 follows:

22 483A.10 ISSUANCE OF LICENSES.

23 The licenses issued pursuant to this chapter shall be  
24 issued by the department or the license ~~depositaries~~ agents as  
25 specified by rules of the commission. A county recorder may  
26 issue licenses subject to the rules of the ~~department~~  
27 commission. The rules shall include the application  
28 procedures as necessary. The licenses shall show the total  
29 cost of the license and-the including a writing fee to be  
30 retained by the license agent and any administrative fees to  
31 be forwarded to the department, if applicable. A person  
32 authorized to issue a license or collect a fee pursuant to  
33 this chapter or chapter 484A shall charge the fee specified in  
34 this chapter or chapter 484A only plus a writing fee and  
35 administrative fee, if applicable.

1 Sec. 7. Section 483A.11, Code 2001, is amended to read as  
2 follows:

3 483A.11 DEPOSITARIES LICENSE AGENTS.

4 The director may designate depositaries license agents for  
5 the sale of licenses but in so doing the interest of the state  
6 shall be fully protected.

7 Sec. 8. Section 483A.12, Code 2001, is amended to read as  
8 follows:

9 483A.12 FEEES.

10 The county-recorder license agent shall be responsible for  
11 all fees for the issuance of hunting, fishing, and fur  
12 harvester licenses sold ~~through-the-recorder's-office~~ by the  
13 license agent. All unused license blanks shall be surrendered  
14 to the county-recorder department upon the recorder's  
15 department's demand.

16 ~~The-county-recorder-shall-retain-a-writing-fee-of-fifty~~  
17 ~~cents-from-the-sale-of-each-license-sold-by-the-county~~  
18 ~~recorder's-office--The-writing-fees-retained-by-the-county~~  
19 ~~recorder-shall-be-deposited-in-the-general-fund-of-the-county.~~  
20 A license depositary-designated-by-the-director agent shall  
21 retain a writing fee of fifty cents from the sale of each  
22 license sold-by-the-depositary except that the writing fee for  
23 a free deer or wild turkey license as authorized under section  
24 483A.24, subsection 2, shall be one dollar. A-license  
25 depositary-may-charge-and-retain-a-writing-fee-of-one-dollar  
26 for-the-issuance-of-a-free-deer-hunting-license-or-a-free-wild  
27 turkey-hunting-license-as-authorized-under-section-483A-24,  
28 subsection-2. If a county recorder is a license agent, the  
29 writing fees retained by the county recorder shall be  
30 deposited in the general fund of the county.

31 Sec. 9. Section 483A.13, Code 2001, is amended to read as  
32 follows:

33 483A.13 LOST OR DESTROYED BLANKS.

34 When license blanks in the possession of the-county  
35 recorder-or-depositaries a license agent are accidentally

1 destroyed, the holder of such the blanks shall only be  
 2 relieved from accountability upon the presentation of  
 3 satisfactory explanation and the filing of a bond to the  
 4 director that such the blanks have actually been so destroyed.  
 5 The commission may determine by rule what shall constitute a  
 6 satisfactory explanation of such the occurrence.

7 Sec. 10. Section 483A.14, Code 2001, is amended to read as  
 8 follows:

9 483A.14 DUPLICATE LICENSES AND PERMITS.

10 When any license, ~~certificate, or permit,~~ for which a fee  
 11 has been set, has been lost, destroyed, or stolen, the  
 12 ~~director, the county recorder,~~ or the a license depositary,  
 13 agent may issue a replacement license, if evidence is  
 14 available to demonstrate issuance of the original license and  
 15 a fee of two dollars is paid, to be placed in the fish and  
 16 game protection fund. If, on examination of the evidence, the  
 17 ~~director, the recorder,~~ or the license depositary agent, as  
 18 the case may be, is satisfied that the license has been lost,  
 19 destroyed, or stolen, the ~~director, the recorder,~~ or the  
 20 license depositary agent shall issue a duplicate license which  
 21 shall be plainly marked "duplicate" and the duplicate shall  
 22 serve in lieu of the original license and it shall contain the  
 23 same information and signature as the original. The license  
 24 ~~depositary may agent shall~~ charge and retain a writing fee of  
 25 one dollar and the departmental administrative fee for each  
 26 duplicate license issued pursuant to this section. The  
 27 license agent shall retain the writing fee.

28 Sec. 11. Section 483A.17, Code 2001, is amended to read as  
 29 follow:

30 483A.17 TENURE OF LICENSE.

31 Every license, ~~except lifetime-hunting-and-fishing~~  
 32 ~~licenses, scientific-collecting-licenses, and falconry~~  
 33 ~~licenses, are~~ as otherwise provided in this chapter, is valid  
 34 from the date issued to January 10 of the succeeding calendar  
 35 year for which it is issued. A license shall not be issued

1 prior to December 15 for the subsequent calendar year.

2 Sec. 12. Section 483A.19, Code 2001, is amended to read as  
3 follows:

4 483A.19 SHOWING LICENSE TO OFFICER.

5 Every person shall, while fishing, hunting, or fur  
6 harvesting, show the person's license~~7-certificate7-or-permit~~  
7 document to any peace officer or the owner or person in lawful  
8 control of the land or water upon which licensee may be  
9 hunting, fishing, or fur harvesting when requested by the  
10 persons to do so. Any failure to so carry or refusal to show  
11 or so exhibit the person's license~~7-certificate7-or-permit~~  
12 document shall be a violation of this chapter. However,  
13 except for possession and exhibition of deer licenses and tags  
14 or wild turkey licenses and tags, a person charged with  
15 violating this section shall not be convicted if the person  
16 produces in court, within a reasonable time, a license~~7~~  
17 ~~certificate7-or-permit~~ document for hunting, fishing, or fur  
18 harvesting issued to that person and valid when the person was  
19 charged with a violation of this section.

20 Sec. 13. Section 483A.21, unnumbered paragraphs 1 and 2,  
21 Code 2001, are amended to read as follows:

22 Upon the conviction of a licensee of any violation of  
23 chapter 481A, or of this chapter, or of any administrative  
24 order adopted and published by the commission, the magistrate  
25 may, as a part of the judgment, revoke the one or more license  
26 privileges of the licensee, or suspend it the privileges for  
27 any definite period.

28 The magistrate shall revoke the hunting license or suspend  
29 the privilege of procuring a hunting license for a period of  
30 one year of any person who has been convicted twice within a  
31 year of trespassing while hunting. If any of the hunting  
32 license privileges of a hunting-and-fishing-combined licensee  
33 who purchased more than one license are privilege is revoked,  
34 the fishing remaining license privileges of the license  
35 licensee shall still be valid and the magistrate shall enter

1 on the license that document the hunting privileges-are  
2 privilege that is revoked. A person shall not purchase a  
3 license for a privilege that was revoked or suspended during  
4 the period of revocation or suspension.

5 Sec. 14. Section 483A.22, Code 2001, is amended to read as  
6 follows:

7 483A.22 RECORD OF REVOCATION.

8 Whenever When a license is revoked the date, and cause, and  
9 tenure of such revocation shall be noted-on-the-stub-retained  
10 by-the-county-recorder-and-upon-the-duplicate-on-file-in-the  
11 office-of-the-commission kept on file with the license records  
12 of the commission. The commission may refuse the issuance of  
13 a new license to any person whose license has theretofore been  
14 revoked.

15 Sec. 15. Section 483A.24, subsection 5, Code 2001, is  
16 amended to read as follows:

17 5. A resident or nonresident of the state under sixteen  
18 years of age or-a-nonresident-of-the-state-under-fourteen  
19 years-of-age is not required to have a license to fish in the  
20 waters of the state. However, residents and nonresidents  
21 under sixteen years of age and-nonresidents-under-fourteen  
22 years-of-age must pay the trout fishing fee to possess trout  
23 or they must fish for trout with a licensed adult who has paid  
24 the trout fishing fee and limit their combined catch to the  
25 daily limit established by the commission.

26 EXPLANATION

27 This bill amends Code section 481A.38 to eliminate the  
28 mandatory drawings for deer and wild turkey licenses which  
29 have limited quotas. The bill also strikes a subsection which  
30 guarantees the issuance of a wild turkey license to landowners  
31 and tenants upon payment of the required fee.

32 The bill also amends various provisions of Code chapter  
33 483A relating to the electronic licensing of hunters, fishers,  
34 and fur harvesters. The terms "license", "license agent", and  
35 "license document" are defined. A requirement that wild

1 turkey and deer license tags be separable into two parts is  
2 stricken. The department of natural resources is authorized  
3 to charge an administrative fee related to the issuance of  
4 hunting, fishing, and fur-harvesting licenses. The director  
5 of the department of natural resources is authorized to  
6 designate license agents, which could include individuals,  
7 businesses, county recorders, or other governmental agencies.  
8 A number of coordinating amendments are included to apply the  
9 terms "license", "license agent", and "license document". A  
10 license or license document may extend one or more privileges  
11 to the licensee and one or more of these license privileges  
12 may be suspended or revoked by a magistrate for violations.  
13 Code section 483A.24 is amended to provide that nonresident  
14 fishers under 16 years of age are not required to have a  
15 fishing license. This is the same age requirement for  
16 resident fishers. Both residents and nonresidents under 16  
17 years of age must pay the trout fee for trout fishing unless  
18 they are accompanied by an adult licensed for trout.

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DEPARTMENT OF NATURAL RESOURCES

THOMAS J. VILSACK, GOVERNOR  
SALLY J. PEDERSON, LT. GOVERNOR

LYLE W. ASELL, INTERIM DIRECTOR

To: General Assembly

From: Lyle Asell, Interim Director  
Iowa Department of Natural Resources

Date: November 30, 2000

Re: Technical Changes to the Issuance of Limited Quota Licenses and Licenses and Permits  
by Electronic Means

The attached bill requests to amend Chapter 481A to eliminate mandatory drawings for limited quota deer and turkey licenses so those licenses with quotas that do not fill may be issued on a first come first serve basis. The following is a summary of the reasons for these requested changes.

- Antlerless Deer Licenses – Quotas seldom fill and then only after several weeks after the initial deadlines.
- Early Muzzleloader Deer – Barely fill and could be sold first come or by drawing.
- Deer Special Area Hunts – Fill slowly if at all.
- Nonresident Deer, Nonresident Turkey, Fall Turkey, and Spring Turkey State Forest Zone - quotas fill quickly and should continue to be sold through a drawing procedure.
- Eliminate language that guarantees a paid turkey license to landowners and tenants. This license is left over from the time when land owner/tenants had to go through the drawing procedure just like paid license buyers. Now that land owners/tenants are guaranteed a free license each year, this provision is defunct and should be stricken from the code.

Amend Chapter 483A to define formally what a license, license document, and license agent are to conform to usage in the ELSI contracts. And make several minor wording modifications to conform code to the way ELSI will actually work.

Substitutes for HF 735  
5-1-01 (P. 1655)

H-3/27/01 W & memo

FILED MAR 8 '01

SENATE FILE 407  
BY COMMITTEE ON NATURAL RESOURCES  
AND ENVIRONMENT

(SUCCESSOR TO SSB 1028)

Passed Senate, Date <sup>(P. 812)</sup> 3-26-01 Passed House, Date <sup>(P. 1655)</sup> 5/1/01  
Vote: Ayes 46 Nays 0 Vote: Ayes 98 Nays 0  
Approved May 16, 2001

A BILL FOR

1 An Act relating to the regulatory authority and procedures of the  
2 department of natural resources by providing for the issuance  
3 of limited quota licenses and the issuance of licenses and  
4 permits by electronic means.

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

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SF 407

1 Section 1. Section 481A.38, subsection 2, Code 2001, is  
2 amended to read as follows:

3 2. If the commission finds that the number of hunters  
4 licensed or the type of license issued to take deer or wild  
5 turkey should be limited or further regulated, the commission  
6 shall ~~conduct a drawing to determine which applicants shall~~  
7 ~~receive a license and the type of license~~ adopt procedures, by  
8 rule, for issuing the licenses. ~~Applications for licenses~~  
9 ~~shall be received during a period established by the~~  
10 ~~commission. At the end of the period a drawing shall be~~  
11 ~~conducted. The commission may establish rules to issue~~  
12 ~~licenses after the established application period. If an~~  
13 ~~applicant receives a deer license which is more restrictive~~  
14 ~~than licenses issued to others for the same period and place,~~  
15 ~~the applicant shall receive a certificate with the license~~  
16 ~~entitling the applicant to priority in the drawing for the~~  
17 ~~less restrictive deer licenses the following year. The~~  
18 ~~certificate must accompany that person's application the~~  
19 ~~following year, or the applicant will not receive this~~  
20 ~~priority. Persons purchasing a deer license for the gun~~  
21 ~~season under this section and under section 483A:1 are not~~  
22 ~~eligible for a gun deer hunting license under section 483A:24,~~  
23 ~~except as authorized by rules of the department. This~~  
24 subsection does not apply to the hunting of wild turkey on a  
25 hunting preserve licensed under chapter 484B.

26 Sec. 2. Section 481A.38, subsection 3, Code 2001, is  
27 amended by striking the subsection.

28 Sec. 3. Section 483A.1A, Code 2001, is amended by adding  
29 the following new subsections:

30 NEW SUBSECTION. 3A. "License" means a privilege granted  
31 by the commission to fish, hunt, fur harvest, pursue, catch,  
32 kill, take in any manner, use, have possession of, sell, or  
33 transport all or part of a wild animal, bird, game, or fish,  
34 including any privilege related to a license granted by  
35 issuance of a stamp or a payment of a fee.

1 NEW SUBSECTION. 3B. "License agent" means an individual,  
2 business, or governmental agency authorized to sell a license.

3 NEW SUBSECTION. 3C. "License document" means an  
4 authorization, certificate, or permit issued by the department  
5 or a license agent that lists and confers one or more license  
6 privileges.

7 Sec. 4. Section 483A.7, subsection 2, Code 2001, is  
8 amended to read as follows:

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

14 Sec. 5. Section 483A.8, subsection 2, Code 2001, is  
15 amended to read as follows:

16 2. The deer hunting license shall be accompanied by a tag  
17 designed to be used only once ~~and-separable-into-two-parts.~~  
18 When a deer is taken, the deer shall be tagged ~~with-one-part~~  
19 ~~of-the-tag~~ and ~~both-parts-of~~ the tag shall be dated.

20 Sec. 6. Section 483A.10, Code 2001, is amended to read as  
21 follows:

22 483A.10 ISSUANCE OF LICENSES.

23 The licenses issued pursuant to this chapter shall be  
24 issued by the department or the license ~~depositaries~~ agents as  
25 specified by rules of the commission. A county recorder may  
26 issue licenses subject to the rules of the ~~department~~  
27 commission. The rules shall include the application  
28 procedures as necessary. The licenses shall show the total  
29 cost of the license and-the including a writing fee to be  
30 retained by the license agent and any administrative fees to  
31 be forwarded to the department, if applicable. A person  
32 authorized to issue a license or collect a fee pursuant to  
33 this chapter or chapter 484A shall charge the fee specified in  
34 this chapter or chapter 484A only plus a writing fee and  
35 administrative fee, if applicable.

1 Sec. 7. Section 483A.11, Code 2001, is amended to read as  
2 follows:

3 483A.11 DEPOSITARIES LICENSE AGENTS.

4 The director may designate depositaries license agents for  
5 the sale of licenses but in so doing the interest of the state  
6 shall be fully protected.

7 Sec. 8. Section 483A.12, Code 2001, is amended to read as  
8 follows:

9 483A.12 FEES.

10 The county-recorder license agent shall be responsible for  
11 all fees for the issuance of hunting, fishing, and fur  
12 harvester licenses sold ~~through-the-recorder's-office~~ by the  
13 license agent. All unused license blanks shall be surrendered  
14 to the county-recorder department upon the recorder's  
15 department's demand.

16 ~~The-county-recorder-shall-retain-a-writing-fee-of-fifty~~  
17 ~~cents-from-the-sale-of-each-license-sold-by-the-county~~  
18 ~~recorder's-office.--The-writing-fees-retained-by-the-county~~  
19 ~~recorder-shall-be-deposited-in-the-general-fund-of-the-county.~~

20 A license ~~depository-designated-by-the-director~~ agent shall  
21 retain a writing fee of fifty cents from the sale of each  
22 license ~~sold-by-the-depository~~ except that the writing fee for  
23 a free deer or wild turkey license as authorized under section  
24 483A.24, subsection 2, shall be one dollar. A ~~license~~  
25 ~~depository-may-charge-and-retain-a-writing-fee-of-one-dollar~~  
26 ~~for-the-issuance-of-a-free-deer-hunting-license-or-a-free-wild~~  
27 ~~turkey-hunting-license-as-authorized-under-section-483A-24,~~  
28 ~~subsection-2.~~ If a county recorder is a license agent, the  
29 writing fees retained by the county recorder shall be  
30 deposited in the general fund of the county.

31 Sec. 9. Section 483A.13, Code 2001, is amended to read as  
32 follows:

33 483A.13 LOST OR DESTROYED BLANKS.

34 When license blanks in the possession of ~~the-county~~  
35 ~~recorder-or-depositaries~~ a license agent are accidentally

1 destroyed, the holder of ~~such~~ the blanks shall only be  
2 relieved from accountability upon the presentation of  
3 satisfactory explanation and the filing of a bond to the  
4 director that ~~such~~ the blanks have actually been so destroyed.  
5 The commission may determine by rule what shall constitute a  
6 satisfactory explanation of ~~such~~ the occurrence.

7 Sec. 10. Section 483A.14, Code 2001, is amended to read as  
8 follows:

9 483A.14 DUPLICATE LICENSES AND PERMITS.

10 When any license, ~~certificate, or permit,~~ for which a fee  
11 has been set, has been lost, destroyed, or stolen, the  
12 director, ~~the county recorder,~~ or the a license depositary,  
13 agent may issue a replacement license, if evidence is  
14 available to demonstrate issuance of the original license and  
15 a fee of two dollars is paid, to be placed in the fish and  
16 game protection fund. If, on examination of the evidence, the  
17 director, ~~the recorder,~~ or the license depositary agent, as  
18 the case may be, is satisfied that the license has been lost,  
19 destroyed, or stolen, the director, ~~the recorder,~~ or the  
20 license depositary agent shall issue a duplicate license which  
21 shall be plainly marked "duplicate" and the duplicate shall  
22 serve in lieu of the original license and it shall contain the  
23 same information and signature as the original. The license  
24 ~~depositary may agent shall charge and retain~~ a writing fee of  
25 one dollar and the departmental administrative fee for each  
26 duplicate license issued pursuant to this section. The  
27 license agent shall retain the writing fee.

28 Sec. 11. Section 483A.17, Code 2001, is amended to read as  
29 follow:

30 483A.17 TENURE OF LICENSE.

31 Every license, except ~~lifetime-hunting-and-fishing~~  
32 ~~licenses, scientific-collecting-licenses, and falconry~~  
33 ~~licenses, are~~ as otherwise provided in this chapter, is valid  
34 from the date issued to January 10 of the succeeding calendar  
35 year for which it is issued. A license shall not be issued

1 prior to December 15 for the subsequent calendar year.

2 Sec. 12. Section 483A.19, Code 2001, is amended to read as  
3 follows:

4 483A.19 SHOWING LICENSE TO OFFICER.

5 Every person shall, while fishing, hunting, or fur  
6 harvesting, show the person's license~~7-certificate7-or-permit7~~  
7 document to any peace officer or the owner or person in lawful  
8 control of the land or water upon which licensee may be  
9 hunting, fishing, or fur harvesting when requested by the  
10 persons to do so. Any failure to so carry or refusal to show  
11 or so exhibit the person's license~~7-certificate7-or-permit~~  
12 document shall be a violation of this chapter. However,  
13 except for possession and exhibition of deer licenses and tags  
14 or wild turkey licenses and tags, a person charged with  
15 violating this section shall not be convicted if the person  
16 produces in court, within a reasonable time, a license~~7~~  
17 certificate7-or-permit document for hunting, fishing, or fur  
18 harvesting issued to that person and valid when the person was  
19 charged with a violation of this section.

20 Sec. 13. Section 483A.21, unnumbered paragraphs 1 and 2,  
21 Code 2001, are amended to read as follows:

22 Upon the conviction of a licensee of any violation of  
23 chapter 481A, or of this chapter, or of any administrative  
24 order adopted and published by the commission, the magistrate  
25 may, as a part of the judgment, revoke the one or more license  
26 privileges of the licensee, or suspend ~~it~~ the privileges for  
27 any definite period.

28 The magistrate shall revoke the hunting license or suspend  
29 the privilege of procuring a hunting license for a period of  
30 one year of any person who has been convicted twice within a  
31 year of trespassing while hunting. If any of the hunting  
32 license privileges of a hunting-and-fishing-combined licensee  
33 who purchased more than one license are privilege is revoked,  
34 the fishing remaining license privileges of the license  
35 licensee shall still be valid and the magistrate shall enter

1 on the license that document the hunting privileges-are  
2 privilege that is revoked. A person shall not purchase a  
3 license for a privilege that was revoked or suspended during  
4 the period of revocation or suspension.

5 Sec. 14. Section 483A.22, Code 2001, is amended to read as  
6 follows:

7 483A.22 RECORD OF REVOCATION.

8 ~~Whenever~~ When a license is revoked the date, and cause, and  
9 tenure of such revocation shall be ~~noted-on-the-stub-retained~~  
10 ~~by-the-county-recorder-and-upon-the-duplicate-on-file-in-the~~  
11 ~~office-of-the-commission~~ kept on file with the license records  
12 of the commission. The commission may refuse the issuance of  
13 a new license to any person whose license has ~~theretofore~~ been  
14 revoked.

15 Sec. 15. Section 483A.24, subsection 5, Code 2001, is  
16 amended to read as follows:

17 5. A resident or nonresident of the state under sixteen  
18 years of age ~~or-a-nonresident-of-the-state-under-fourteen~~  
19 ~~years-of-age~~ is not required to have a license to fish in the  
20 waters of the state. However, residents and nonresidents  
21 under sixteen years of age ~~and-nonresidents-under-fourteen~~  
22 ~~years-of-age~~ must pay the trout fishing fee to possess trout  
23 or they must fish for trout with a licensed adult who has paid  
24 the trout fishing fee and limit their combined catch to the  
25 daily limit established by the commission.

26 EXPLANATION

27 This bill amends Code section 481A.38 to eliminate the  
28 mandatory drawings for deer and wild turkey licenses which  
29 have limited quotas. The bill also strikes a subsection which  
30 guarantees the issuance of a wild turkey license to landowners  
31 and tenants upon payment of the required fee.

32 The bill also amends various provisions of Code chapter  
33 483A relating to the electronic licensing of hunters, fishers,  
34 and fur harvesters. The terms "license", "license agent", and  
35 "license document" are defined. A requirement that wild

1 turkey and deer license tags be separable into two parts is  
2 stricken. The department of natural resources is authorized  
3 to charge an administrative fee related to the issuance of  
4 hunting, fishing, and fur-harvesting licenses. The director  
5 of the department of natural resources is authorized to  
6 designate license agents, which could include individuals,  
7 businesses, county recorders, or other governmental agencies.  
8 A number of coordinating amendments are included to apply the  
9 terms "license", "license agent", and "license document". A  
10 license or license document may extend one or more privileges  
11 to the licensee and one or more of these license privileges  
12 may be suspended or revoked by a magistrate for violations.  
13 Code section 483A.24 is amended to provide that nonresident  
14 fishers under 16 years of age are not required to have a  
15 fishing license. This is the same age requirement for  
16 resident fishers. Both residents and nonresidents under 16  
17 years of age must pay the trout fee for trout fishing unless  
18 they are accompanied by an adult licensed for trout.

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SENATE FILE 407

AN ACT

RELATING TO THE REGULATORY AUTHORITY AND PROCEDURES OF THE DEPARTMENT OF NATURAL RESOURCES BY PROVIDING FOR THE ISSUANCE OF LIMITED QUOTA LICENSES AND THE ISSUANCE OF LICENSES AND PERMITS BY ELECTRONIC MEANS.

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

Section 1. Section 481A.38, subsection 2, Code 2001, is amended to read as follows:

2. If the commission finds that the number of hunters licensed or the type of license issued to take deer or wild turkey should be limited or further regulated, the commission shall ~~conduct a drawing to determine which applicants shall receive a license and the type of license~~ adopt procedures, by rule, for issuing the licenses. ~~Applications for licenses shall be received during a period established by the commission. At the end of the period a drawing shall be conducted. The commission may establish rules to issue licenses after the established application period. If an applicant receives a deer license which is more restrictive than licenses issued to others for the same period and place, the applicant shall receive a certificate with the license entitling the applicant to priority in the drawing for the less restrictive deer licenses the following year. The certificate must accompany that person's application the following year, or the applicant will not receive this priority. Persons purchasing a deer license for the gun season under this section and under section 483A.1 are not eligible for a gun deer hunting license under section 483A.24, except as authorized by rules of the department. This~~

subsection does not apply to the hunting of wild turkey on a hunting preserve licensed under chapter 484B.

Sec. 2. Section 481A.38, subsection 3, Code 2001, is amended by striking the subsection.

Sec. 3. Section 483A.1A, Code 2001, is amended by adding the following new subsections:

NEW SUBSECTION. 3A. "License" means a privilege granted by the commission to fish, hunt, fur harvest, pursue, catch, kill, take in any manner, use, have possession of, sell, or transport all or part of a wild animal, bird, game, or fish, including any privilege related to a license granted by issuance of a stamp or a payment of a fee.

NEW SUBSECTION. 3B. "License agent" means an individual, business, or governmental agency authorized to sell a license.

NEW SUBSECTION. 3C. "License document" means an authorization, certificate, or permit issued by the department or a license agent that lists and confers one or more license privileges.

Sec. 4. Section 483A.7, subsection 2, Code 2001, is amended to read as follows:

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 shall be dated.

Sec. 5. Section 483A.8, subsection 2, Code 2001, is amended to read as follows:

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. 6. Section 483A.10, Code 2001, is amended to read as follows:

483A.10 ISSUANCE OF LICENSES.

The licenses issued pursuant to this chapter shall be issued by the department or the license depositaries agents as specified by rules of the commission. A county recorder may issue licenses subject to the rules of the department commission. The rules shall include the application procedures as necessary. The licenses shall show the total cost of the license and the including a writing fee to be retained by the license agent and any administrative fees to be forwarded to the department, if applicable. A person authorized to issue a license or collect a fee pursuant to this chapter or chapter 484A shall charge the fee specified in this chapter or chapter 484A only plus a writing fee and administrative fee, if applicable.

Sec. 7. Section 483A.11, Code 2001, is amended to read as follows:

483A.11 DEPOSITARIES LICENSE AGENTS.

The director may designate depositaries license agents for the sale of licenses but in so doing the interest of the state shall be fully protected.

Sec. 8. Section 483A.12, Code 2001, is amended to read as follows:

483A.12 FEES.

The county-recorder license agent shall be responsible for all fees for the issuance of hunting, fishing, and fur harvester licenses sold through-the-recorder's-office by the license agent. All unused license blanks shall be surrendered to the county-recorder department upon the recorder's department's demand.

The county-recorder shall retain a writing fee of fifty cents from the sale of each license sold by the county recorder's office. The writing fees retained by the county recorder shall be deposited in the general fund of the county. A license depositary designated by the director agent shall retain a writing fee of fifty cents from the sale of each license sold by the depositary except that the writing fee for

a free deer or wild turkey license as authorized under section 483A.24, subsection 2, shall be one dollar. A license depositary may charge and retain a writing fee of one dollar for the issuance of a free deer hunting license or a free wild turkey hunting license as authorized under section 483A.24, subsection 2. If a county recorder is a license agent, the writing fees retained by the county recorder shall be deposited in the general fund of the county.

Sec. 9. Section 483A.13, Code 2001, is amended to read as follows:

483A.13 LOST OR DESTROYED BLANKS.

When license blanks in the possession of the-county recorder-or-depositaries a license agent are accidentally destroyed, the holder of such the blanks shall only be relieved from accountability upon the presentation of satisfactory explanation and the filing of a bond to the director that such the blanks have actually been so destroyed. The commission may determine by rule what shall constitute a satisfactory explanation of such the occurrence.

Sec. 10. Section 483A.14, Code 2001, is amended to read as follows:

483A.14 DUPLICATE LICENSES AND PERMITS.

When any license, certificate, or permit, for which a fee has been set, has been lost, destroyed, or stolen, the directory-the-county-recorder, or the a license depositary agent may issue a replacement license, if evidence is available to demonstrate issuance of the original license and a fee of two dollars is paid, to be placed in the fish and game protection fund. If, on examination of the evidence, the directory-the-recorder, or the license depositary agent, as the case may be, is satisfied that the license has been lost, destroyed, or stolen, the directory-the-recorder, or the license depositary agent shall issue a duplicate license which shall be plainly marked "duplicate" and the duplicate shall serve in lieu of the original license and it shall contain the

same information and signature as the original. The license depository may agent shall charge and retain a writing fee of one dollar and the departmental administrative fee for each duplicate license issued pursuant to this section. The license agent shall retain the writing fee.

Sec. 11. Section 483A.17, Code 2001, is amended to read as follows:

483A.17 TENURE OF LICENSE.

Every license, except ~~lifetime-hunting-and-fishing licenses, scientific-collecting-licenses, and falconry licenses,~~ are 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.

Sec. 12. Section 483A.19, Code 2001, is amended to read as follows:

483A.19 SHOWING LICENSE TO OFFICER.

Every person shall, while fishing, hunting, or fur harvesting, show the person's ~~license, certificate, or permit,~~ document to any peace officer or the owner or person in lawful control of the land or water upon which licensee may be hunting, fishing, or fur harvesting when requested by the persons to do so. Any failure to so carry or refusal to show or so exhibit the person's ~~license, certificate, or permit,~~ document shall be a violation of this chapter. However, except for possession and exhibition of deer licenses and tags or wild turkey licenses and tags, a person charged with violating this section shall not be convicted if the person produces in court, within a reasonable time, a ~~license, certificate, or permit,~~ document for hunting, fishing, or fur harvesting issued to that person and valid when the person was charged with a violation of this section.

Sec. 13. Section 483A.21, unnumbered paragraphs 1 and 2, Code 2001, are amended to read as follows:

Upon the conviction of a licensee of any violation of chapter 481A, or of this chapter, or of any administrative order adopted and published by the commission, the magistrate may, as a part of the judgment, revoke the one or more license privileges of the licensee, or suspend it the privileges for any definite period.

The magistrate shall revoke the hunting license or suspend the privilege of procuring a hunting license for a period of one year of any person who has been convicted twice within a year of trespassing while hunting. If any of the hunting license privileges of a hunting-and-fishing-combined licensee who purchased more than one license are privilege is revoked, the fishing remaining license privileges of the licensee shall still be valid and the magistrate shall enter on the license that document the hunting privileges are privilege that is revoked. A person shall not purchase a license for a privilege that was revoked or suspended during the period of revocation or suspension.

Sec. 14. Section 483A.22, Code 2001, is amended to read as follows:

483A.22 RECORD OF REVOCATION.

Whenever When a license is revoked the date, and cause, and tenure of such revocation shall be noted-on-the-stub-retained by-the-county-recorder-and-upon-the-duplicate-on-file-in-the office-of-the-commission kept on file with the license records of the commission. The commission may refuse the issuance of a new license to any person whose license has theretofore been revoked.

Sec. 15. Section 483A.24, subsection 5, Code 2001, is amended to read as follows:

5. A resident or nonresident of the state under sixteen years of age or-a-nonresident-of-the-state-under-fourteen years-of-age is not required to have a license to fish in the waters of the state. However, residents and nonresidents under sixteen years of age and-nonresidents-under-fourteen

years-of-age must pay the trout fishing fee to possess trout or they must fish for trout with a licensed adult who has paid the trout fishing fee and limit their combined catch to the daily limit established by the commission.

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MARY E. KRAMER  
President of the Senate

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BRENT SIEGRIST  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 407, Seventy-ninth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved May 16, 2001

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THOMAS J. VILSACK  
Governor