

(P. 172) 1/31/94 Natural Res
(P. 202) 2/2/94 Amend/No Pass
w/S 5009
(P. 347) 2/21/94 Senate Referred to
Nat. Resources

SENATE FILE **2071**
BY FINK (P. 393) 2/23/94 Amend/No Pass
w/S-5047
(P. 508) 3-9-94 House - Nat. Res.
(P. 740) 3-17-94 House - Amend/No
Pass w/H-5439

Passed Senate, Date 3/8/94 (P. 577) Passed House, Date 4/13/94
Vote: Ayes 44 Nays 5 Vote: Ayes 93 Nays 2
Approved May 4, 1994

A BILL FOR

1 An Act relating to the taking of fur-bearing animals for the
2 protection of public or private property.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2071

1 Section 1. Section 481A.87, Code 1993, is amended to read
2 as follows:

3 481A.87 OPEN SEASONS.

4 Except as otherwise provided, a person shall not take,
5 capture, kill, or have in possession a fur-bearing animal or
6 any of its parts at any time except during the open season as
7 set by the commission except where the killing, trapping, or
8 ensnaring is for the protection of public or private property
9 with the prior written permission of a duly appointed
10 representative of the commission. All fur-bearing animals so
11 taken shall be relinquished to a representative of the
12 commission.

13 EXPLANATION

14 This bill removes the requirement that a person taking a
15 fur-bearing animal out of season to protect public or private
16 property must obtain written permission of a conservation
17 officer. Permission is required, but it does not have to be
18 in writing.

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SENATE FILE 2071

S-5047

1 Amend Senate File 2071 as follows:

2 1. Page 1, by striking lines 1 through 12 and
3 inserting the following:

4 "Sec. ____ Section 481A.12, Code 1993, is amended
5 to read as follows:

6 481A.12 SEIZURE OF WILDLIFE TAKEN OR HANDLED
7 ILLEGALLY.

8 The director or any peace officer shall seize with
9 or without warrant and take possession of, or direct
10 the disposal of, any fish, furs, birds, or animals, or
11 mussels, clams, or frogs, which have been caught,
12 taken, or killed at a time, in a manner, or for a
13 purpose, or had in possession or under control, or
14 offered for shipment, or illegally transported in the
15 state or to a point beyond its borders, contrary to
16 the Code.

17 Sec. ____ Section 481A.87, Code 1993, is amended
18 to read as follows:

19 481A.87 OPEN SEASONS.

20 Except as otherwise provided, a person shall not
21 take, capture, kill, or have in possession a fur-
22 bearing animal or any of its parts at any time except
23 during the open season as set by the commission except
24 where the killing, trapping, or ensnaring is for the
25 protection of a person or public or private property
26 with the prior written permission of a duly appointed
27 representative of the commission. If prior permission
28 is impractical or impossible to obtain and the fur-
29 bearing animal represents a threat to a person,
30 domestic animal, or private property, the fur-bearing
31 animal may be taken without prior permission. All
32 fur-bearing animals so taken shall be relinquished to
33 a representative of the commission or disposed of at
34 the representative's direction."

35 2. By renumbering as necessary.

By COMMITTEE ON NATURAL RESOURCES
BILL FINK, Chairperson

S-5047 FILED FEBRUARY 23, 1994

Adopted *3/8/94 (p. 577)*

SENATE FILE 2071

S-5009

1 Amend Senate File 2071 as follows:

2 1. Page 1, by striking lines 9 through 12 and
3 inserting the following: "~~with the prior written~~
4 ~~permission of a duly appointed representative of the~~
5 ~~commission. All fur-bearing animals so taken shall be~~
6 ~~relinquished to a representative of the commission."~~

By COMMITTEE ON NATURAL RESOURCES
BILL FINK, Chairperson

S-5009 FILED FEBRUARY 2, 1994

Ad **WITHDRAWN** *3/8/94 (p. 577)*

SENATE FILE 2071
BY FINK

(AS AMENDED AND PASSED BY THE SENATE MARCH 8, 1994)

ALL New Language by the Senate

Passed Senate, ^(P.1236) Date 4/14/94 Passed House, ^(P.1512) Date 4/13/94
Vote: Ayes 47 Nays 2 Vote: Ayes 92 Nays 2
Approved May 4, 1994

*Passed 4-15-94
Date 96-1*

P.1739

A BILL FOR

1 An Act relating to the taking of fur-bearing animals for the
2 protection of public or private property.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2071

1 Section 1. Section 481A.12, Code 1993, is amended to read
2 as follows:

3 481A.12 SEIZURE OF WILDLIFE TAKEN OR HANDLED ILLEGALLY.

4 The director or any peace officer shall seize with or
5 without warrant and take possession of, or direct the disposal
6 of, any fish, furs, birds, or animals, or mussels, clams, or
7 frogs, which have been caught, taken, or killed at a time, in
8 a manner, or for a purpose, or had in possession or under
9 control, or offered for shipment, or illegally transported in
10 the state or to a point beyond its borders, contrary to the
11 Code.

12 Sec. 2. Section 481A.87, Code 1993, is amended to read as
13 follows:

14 481A.87 OPEN SEASONS.

15 Except as otherwise provided, a person shall not take,
16 capture, kill, or have in possession a fur-bearing animal or
17 any of its parts at any time except during the open season as
18 set by the commission except where the killing, trapping, or
19 ensnaring is for the protection of a person or public or
20 private property with the prior written permission of a duly
21 appointed representative of the commission. If prior
22 permission is impractical or impossible to obtain and the fur-
23 bearing animal represents a threat to a person, domestic
24 animal, or private property, the fur-bearing animal may be
25 taken without prior permission. All fur-bearing animals so
26 taken shall be relinquished to a representative of the
27 commission or disposed of at the representative's direction.

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SENATE FILE 2071

H-5553

1 Amend the Committee amendment, H-5439, to Senate
2 File 2071, as amended, passed, and reprinted by the
3 Senate, as follows:

4 1. Page 1, by striking lines 5 and 6 and
5 inserting the following: "permission. All furbearing
6 animals so or parts of animals taken as provided in
7 the section shall be disposed of on the site or shall
8 be relinquished to a representative of the
9 commission."

By BRUNKHORST of Bremer
BLACK of Jasper

KISTLER of Jefferson
GARMAN of Story

H-5553 FILED MARCH 21, 1994

WITHDRAWN
4/13/94

SENATE FILE 2071

H-5617

1 Amend Senate File 2071, as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, line 11, by inserting after the word
4 "Code." the following: "All fish, furs, birds, or
5 animals, or mussels, clams, or frogs seized under this
6 section shall be relinquished to a representative of
7 the commission."

By GREIG of Emmet

H-5617 FILED MARCH 23, 1994

a drafted
4/13/94 (P. 1512)

SENATE FILE 2071

H-5439

1 Amend Senate File 2071, as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 1, by striking lines 25 through 27 and
4 inserting the following: "taken without prior
5 permission. All fur-bearing animals so taken shall be
6 relinquished to a representative of the commission."

By COMMITTEE ON NATURAL RESOURCES
AND OUTDOOR RECREATION
KISTLER of Jefferson, Chairperson

H-5439 FILED MARCH 17, 1994

Adopted 4/13/94
(P. 1512)

SENATE FILE 2071

H-5572

1 Amend the Committee amendment, H-5439, to Senate
2 File 2071, as amended, passed, and reprinted by the
3 Senate, as follows:
4 1. Page 1, by striking lines 5 and 6 and
5 inserting the following: "permission. All furbearing
6 animals so and all parts thereof taken as provided in
7 the section shall be disposed of on the site or shall
8 be relinquished to a representative of the
9 commission."

By BRUNKHORST of Bremer
BLACK of Jasper

KISTLER of Jefferson
GARMAN of Story

H-5572 FILED MARCH 22, 1994

Adopted 4/13/94
(P. 1512)

HOUSE AMENDMENT TO
SENATE FILE 2071

S-5635

1 Amend Senate File 2071, as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, line 11, by inserting after the word
4 "Code." the following: "All fish, furs, birds, or
5 animals, or mussels, clams, or frogs seized under this
6 section shall be relinquished to a representative of
7 the commission."

8 2. Page 1, by striking lines 25 through 27 and
9 inserting the following: "taken without prior
10 permission. All furbearing animals so and all parts
11 thereof taken as provided in the section shall be
12 disposed of on the site or shall be relinquished to a
13 representative of the commission."

14 3. By renumbering, relettering, or redesignating
15 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5635 FILED APRIL 13, 1994

Senate Concurred 4-14-94
(P1236)

SENATE FILE 2071

S-5645

1 Amend the House amendment, S-5635, to Senate File
2 2071, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 6, by striking the word "shall"
5 and inserting the following: "may".

6 2. Page 1, line 7, by inserting after the word
7 "commission" the following: "or disposed of".

By BILL FINK
MERLIN E. BARTZ
RAY TAYLOR

S-5645 FILED APRIL 14, 1994
ADOPTED

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2071
H-6192

1 Amend the House amendment, S-5635, to Senate File
2 2071, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 6, by striking the word "shall"
5 and inserting the following: "may".

6 2. Page 1, line 7, by inserting after the word
7 "commission" the following: "or disposed of".

RECEIVED FROM THE SENATE

H-6192 FILED APRIL 14, 1994

House Concurred
4-15-94
(P.1739)