

FILED MAR 26 1971

Conserv. Rec. -  
re. v. - amended pass 1/27

SENATE FILE 431

BY COMMITTEE ON CONSERVATION  
AND RECREATION

Passed Senate 3-10-72  
Ayes, 40 Nays, 1

Passed Senate, Date 4-29-81 Passed House, Date 2-1-72

Vote: Ayes 45 Nays 0 Vote: Ayes 84 Nays 6

Approved March 22 1972  
Filed to Pass Senate w/ Conference Com Report Passed House for Conference Committee Report  
2-29-72 3-14-72

ayes 27, nays 17  
Motion to reconsider filed 3-1-72 ayes 37, nays 17  
Passed 3-10-72 Conference Committee, Page 3

# A BILL FOR

1 An Act relating to hunting restrictions.

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

3 Section 1. Section one hundred nine point forty-eight  
4 (109.48), Code 1971, is amended by striking the section and  
5 inserting in lieu thereof the following:

6 109.48 RESTRICTIONS. No person shall, except as other-  
7 wise provided by law, willfully disturb, pursue, shoot, kill,  
8 take, or attempt to take or have in possession any game bird  
9 or animal except within the open season. The seasons, bag  
10 limits, possession limits, and locality shall be established  
11 by departmental rule by the commission under the authority  
12 of section one hundred nine point thirty-nine (109.39) of  
13 the Code within the dates and limits provided in subsections  
14 one (1) through three (3) of this section.

15 1. The daily bag limit and the possession limit may be  
16 as follows:

17 a. Gray or fox squirrel -- daily bag limit-eight, pos-  
18 session limit-sixteen.

19 b. Bobwhite quail -- daily bag limit-eight, possession  
20 limit-sixteen.

21 c. Cottontail or jack rabbit -- daily bag limit-ten,  
22 possession limit-twenty.

23 d. Duck -- daily bag limit-ten, possession limit-twenty.

24 e. Snipe -- daily bag limit-ten, possession limit-twenty.

25 f. Pheasant, by species -- daily bag limit-four, posses-

- 1 sion limit-twelve.  
2 g. Geese -- daily bag limit-five, possession limit-ten.  
3 h. Woodcock -- daily bag limit-five, possession limit-  
4 ten.  
5 i. Partridge -- daily bag limit-three, possession limit-  
6 six.  
7 j. Coot and rail -- daily bag limit-fifteen, possession  
8 limit-thirty.  
9 k. Ruffed grouse -- daily bag limit-four, possession  
10 limit-eight.  
11 l. Wild turkey -- daily bag limit-one, possession limit-  
12 two.  
13 m. Deer -- bag limit per season-one, possession limit-  
14 one.  
15 2. Each game bird or animal listed in subsection one (1)  
16 of this section may be hunted throughout the state.  
17 3. The open season for any game bird or animal listed  
18 in subsection one (1) of this section may be from September  
19 first to the following March first except for wild turkey  
20 which may be from September first to the following May  
21 fifteenth.  
22 Subject to annual approval of the commission by depart-  
23 mental rule, no person shall take, possess, transport or use  
24 migratory game birds except during the periods of time and  
25 in the manner and numbers established under the provisions  
26 of the federal "Migratory Bird Treaty Act" and the "Migratory  
27 Bird Stamp Hunting Act".

28 EXPLANATION

29 This bill will add some species such as the woodcock,  
30 ruffed grouse, and wild turkey to the list of game birds and  
31 animals subject to open seasons, bag limits, possession limits  
32 and hunting localities.

33 Changes are also made in the maximum daily bag limits and  
34 the maximum possession limits for some species such as gray  
35 or fox squirrel, quail, pheasant, duck, goose, and partridge.

1 Section 109.48 has also been revised to eliminate the  
2 table listing the various bag limits and seasons as being  
3 inappropriate to the Code and difficult to amend. The table  
4 can, of course, be provided administratively for the use of  
5 sportsmen and other interested persons.

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*Conference Committee 2-14-72  
Representatives Linder, Christman, Kruse, and Rodgers  
Senators Eskine, Ballou, Miller, and Shawver*

HOUSE AMENDMENT TO SENATE FILE 431

1 Amend Senate File 431 as amended and passed by the  
2 Senate as follows:  
3 1. Page 2, line 21, by striking all after the word  
4 "fifteenth" and all of line 22.  
5 2. Page 2, by inserting after line 28 the following  
6 new section:  
7 Sec. 2. Section one hundred nine point thirty-two  
8 (109.32), Code 1971, is amended by adding the following  
9 new paragraph:  
10 "Any person convicted of willfully killing, injuring,  
11 catching or possessing any eagle, hawk, whooping crane,  
12 swan, or owl, or the nest, eggs, or plumage of any  
13 eagle, hawk, whooping crane, swan, or owl, in violation  
14 of the provisions of this chapter or any administrative  
15 order of the commission, shall be fined not less than  
16 one hundred dollars nor more than one thousand dollars  
17 or be imprisoned in the county jail not more than  
18 thirty days. The court, in addition to any other  
19 sentence imposed, shall revoke the hunting license of  
20 such person. The commission shall refuse the issuance  
21 of a hunting license to such person for a period of  
22 not less than three years."  
23 3. Amend the title, page 1, line 1, by inserting  
24 after the word "restrictions" the words "and imposing  
25 penalties for the willful killing, injuring, catching

PAGE 2

1 or possessing of certain nongame birds".

Received from the House  
February 2, 1972

*Sen. Refused to concur 2/4/72  
have insisted 2/11/72*

1 Amend the House Amendment to Senate File 431 as follows:  
2 1. Page 1, by striking lines 5 through 25.  
3 2. Page 2, by striking line 1.

Filed - *Adopted 2/4/72 (286)* By ERSKINE  
February 3, 1972

1 Amend the House amendment to Senate File 431 by  
2 striking lines 3 and 4, on page 1.

Filed - *Adopted*  
February 4, 1972

By BALLOUN

1 Amend Senate File 431, page 2, line 21, by striking the  
2 period and adding the words "and pheasant which may be from  
3 September first to the following December first."

Filed - *Adopted 4/29*  
April 5, 1971

By BALLOUN

- 1 Amend Senate File 431 as follows:
- 2 Amend page two (2), line twenty-one (21), by striking all
- 3 after the word "fifteenth" and all of line twenty-two (22).

Filed - *Adopted 2/1/72 (24)* By COMMITTEE ON CONSERVATION AND  
January 27, 1972 RECREATION

*House*

- 1 Amend Senate File 431, as passed by the Senate,
- 2 page 2, by inserting after line 27 the following:
- 3 "Section 2. Chapter three hundred fifty (350),
- 4 Code 1971, is hereby repealed."

Filed - *Last 2/1/72* By BRAY of Scott  
January 28, 1972

*House*

- 1 Amend Senate File 431, as amended and passed by
- 2 the Senate, as follows:
- 3 1. Page 2, by inserting after line 27 the follow-
- 4 ing new section:
- 5 "Sec. 2. Section one hundred nine point thirty-two
- 6 (109.32), Code 1971, is amended by adding the follow-
- 7 ing new paragraph:
- 8 'Any person convicted of willfully killing, injur-
- 9 ing, catching or possessing any eagle, hawk, whooping
- 10 crane, swan, or owl, or the next, eggs, or plumage of
- 11 any eagle, hawk, whooping crane, swan, or owl, in
- 12 violation of the provisions of this chapter or any
- 13 administrative order of the commission, shall be fined
- 14 not less than one hundred dollars nor more than one
- 15 thousand dollars or be imprisoned in the county jail
- 16 not more than thirty days. The court, in addition to
- 17 any other sentence imposed, shall revoke the hunting
- 18 license of such person. The commission shall refuse
- 19 the issuance of a hunting license to such person for
- 20 a period of not less than three years.'
- 21 2. Amend the title, page 1, line 1, by inserting
- 22 after the word "restrictions" the words "and imposing
- 23 penalties for the willful killing, injuring, catching
- 24 or possessing of certain nongame birds".

Offered from the floor and adopted By GLUBA of Scott  
February 1, 1972 CAMPBELL of Washington

*House*

- 1 Amend Senate File 431, page 2, by striking from
- 2 lines 21 and 22 the following words: "and pheasant
- 3 which may be from September first to the following
- 4 December first".

Filed - *Withdrawn 2/1/72* By TIEDEN of Clayton  
May 18, 1971 District 14

*House*

Senate 5  
February 22, 1972

CONFERENCE COMMITTEE REPORT ON  
SENATE FILE 431

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 431, a bill for an act relating to hunting restrictions, respectfully submit the following recommendations:

1. The House recedes from its amendments.
2. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section one hundred nine point forty-eight (109.48), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

109.48. RESTRICTIONS. No person, except as otherwise provided by law, shall willfully disturb, pursue, shoot, kill, take or attempt to take or have in possession any of the following game birds or animals except within the open season established by the commission: gray or fox squirrel, bobwhite quail, cottontail or jack rabbit, duck, snipe, pheasant, goose, woodcock, partridge, coot, rail, ruffed grouse, wild turkey, or deer. The seasons, bag limits, possession limits and locality shall be established by the commission under the authority of sections one hundred seven point twenty-four (107.24), one hundred nine point thirty-eight (109.38), and one hundred nine point thirty-nine point thirty-nine (109.39) of the Code.

Subject to annual approval of the commission by departmental rule, no person shall take, possess, transport or use migratory game birds except during the periods of time and in the manner and numbers established under the provisions of the federal "Migratory Bird Treaty Act" and the "Migratory Bird Stamp Hunting Act".

On the part of the Senate:

ERSKINE, Chairman  
SHAWVER  
MILLER

On the part of the House

TIEDEN, Chairman  
CHRISTENSEN  
KRUSE  
RODGERS

*Senate adopted 2.29.72 (584)*  
*House 3.14.72 (1103)*