

APR 3 2002

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WAYS & MEANS CALENDAR

HOUSE FILE 2616
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 95)

(p. 419)
Passed House, Date 4-8-02 Passed Senate, Date ^(p. 1154) 4/12/02
Vote: Ayes 92 Nays 0 Vote: Ayes 46 Nays 0
Approved 5/2/02

A BILL FOR

1 An Act relating to the time of possession of deer venison,
2 increasing the minimum fine for unlawful taking, possessing,
3 injuring, or transporting protected species and game, and
4 subjecting violators to a penalty.

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

HOUSE FILE 2616

H-8539

1 Amend House File 2616 as follows:
2 1. Page 1, line 16, by striking the word "fifty"
3 and inserting the following: "twenty".
4 2. Page 1, by striking line 33 and inserting the
5 following:
6 "Sec. 3. Section 805.8B, subsection 3, paragraph
7 e, Code Supplement".

By SIEVERS of Scott

H-8539 FILED APRIL 8, 2002

Adopted 4-8-02 (P. 1204)

HF 2616

1 Section 1. Section 481A.32, unnumbered paragraph 1, Code
2 2001, is amended to read as follows:

3 Whoever shall take, catch, kill, injure, destroy, have in
4 possession, buy, sell, ship, or transport any frogs, fish,
5 mussels, birds, their nests, eggs, or plumage, fowls, game, or
6 animals or their fur or raw pelt in violation of the
7 provisions of this chapter or of administrative rules of the
8 commission or whoever shall use any device, equipment, seine,
9 trap, net, tackle, firearm, drug, poison, explosive, or other
10 substance or means, the use of which is prohibited by this
11 chapter, or use the same at a time, place, or in a manner or
12 for a purpose prohibited, or do any other act in violation of
13 the provisions of this chapter or of administrative rules of
14 the commission for which no other punishment is provided, is
15 guilty of a simple misdemeanor and shall be assessed a minimum
16 fine of ~~ten~~ fifty dollars for each offense.

17 Sec. 2. Section 481A.57, Code 2001, is amended to read as
18 follows:

19 481A.57 POSSESSION AND STORAGE.

20 A person having lawful possession of game or fur-bearing
21 animals or their pelts, except deer venison, may hold them for
22 not to exceed thirty days after the close of the open season
23 for such game or furbearers. A person having lawful
24 possession of deer venison which is taken with a valid deer
25 hunting license, may hold the deer venison from the date of
26 taking until the following September 1. From September 1
27 until the first day of the next deer open season for which the
28 person holds a valid deer hunting license, the person shall
29 not possess more than twenty-five pounds of deer venison. Any
30 person may possess up to twenty-five pounds of deer venison if
31 the deer was obtained from a lawful source. A permit to hold
32 for a longer period may be granted by the department.

33 Sec. 3. Section 805.8, subsection 5, paragraph e, Code
34 2001, is amended to read as follows:

35 e. For violations of sections 481A.57, 481A.85, 481A.93,

1 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15, and
2 483A.42, the scheduled fine is one hundred dollars.

3 EXPLANATION

4 This bill extends the 30-day limit during which a person
5 having lawful possession of deer venison may hold the deer
6 venison without a special permit. This bill authorizes the
7 person having lawful possession of deer venison to hold the
8 deer venison from the date of taking until the following
9 September 1. From September 1 until the first day of the next
10 deer open season for which the person holds a valid deer
11 hunting license, the person shall not possess more than 25
12 pounds of deer venison.

13 The bill also provides that any person may possess up to 25
14 pounds of deer venison if the deer was obtained from a lawful
15 source.

16 A person having unlawful possession of deer venison is
17 guilty of a simple misdemeanor which is punishable by a
18 scheduled fine of \$100.

19 The bill also raises the minimum fine for illegally taking,
20 destroying, injuring, possessing, or transporting game or
21 taking game or fish by illegal devices or equipment in
22 violation of Code chapter 481A or rules adopted under Code
23 chapter 481A from \$10 to \$50.

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HOUSE FILE 2616
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 95)

(As Amended and Passed by the House April 8, 2002)

Passed House, Date _____ Passed Senate, ^(P.1154) Date 4-12-02
Vote: Ayes _____ Nays _____ Vote: Ayes 47 Nays 0
Approved 5/2/02

A BILL FOR

1 An Act relating to the time of possession of deer venison,
2 increasing the minimum fine for unlawful taking, possessing,
3 injuring, or transporting protected species and game, and
4 subjecting violators to a penalty.

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

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7 House Amendments _____
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1 Section 1. Section 481A.32, unnumbered paragraph 1, Code
2 2001, is amended to read as follows:

3 Whoever shall take, catch, kill, injure, destroy, have in
4 possession, buy, sell, ship, or transport any frogs, fish,
5 mussels, birds, their nests, eggs, or plumage, fowls, game, or
6 animals or their fur or raw pelt in violation of the
7 provisions of this chapter or of administrative rules of the
8 commission or whoever shall use any device, equipment, seine,
9 trap, net, tackle, firearm, drug, poison, explosive, or other
10 substance or means, the use of which is prohibited by this
11 chapter, or use the same at a time, place, or in a manner or
12 for a purpose prohibited, or do any other act in violation of
13 the provisions of this chapter or of administrative rules of
14 the commission for which no other punishment is provided, is
15 guilty of a simple misdemeanor and shall be assessed a minimum
16 fine of ten twenty dollars for each offense.

17 Sec. 2. Section 481A.57, Code 2001, is amended to read as
18 follows:

19 481A.57 POSSESSION AND STORAGE.

20 A person having lawful possession of game or fur-bearing
21 animals or their pelts, except deer venison, may hold them for
22 not to exceed thirty days after the close of the open season
23 for such game or furbearers. A person having lawful
24 possession of deer venison which is taken with a valid deer
25 hunting license, may hold the deer venison from the date of
26 taking until the following September 1. From September 1
27 until the first day of the next deer open season for which the
28 person holds a valid deer hunting license, the person shall
29 not possess more than twenty-five pounds of deer venison. Any
30 person may possess up to twenty-five pounds of deer venison if
31 the deer was obtained from a lawful source. A permit to hold
32 for a longer period may be granted by the department.

33 Sec. 3. Section 805.8B, subsection 3, paragraph e, Code
34 Supplement 2001, is amended to read as follows:

35 e. For violations of sections 481A.57, 481A.85, 481A.93,

1 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15, and
2 483A.42, the scheduled fine is one hundred dollars.

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HOUSE FILE 2616

AN ACT

RELATING TO THE TIME OF POSSESSION OF DEER VENISON, INCREASING THE MINIMUM FINE FOR UNLAWFUL TAKING, POSSESSING, INJURING, OR TRANSPORTING PROTECTED SPECIES AND GAME, AND SUBJECTING VIOLATORS TO A PENALTY.

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

Section 1. Section 481A.32, unnumbered paragraph 1, Code 2001, is amended to read as follows:

Whoever shall take, catch, kill, injure, destroy, have in possession, buy, sell, ship, or transport any frogs, fish, mussels, birds, their nests, eggs, or plumage, fowls, game, or animals or their fur or raw pelt in violation of the provisions of this chapter or of administrative rules of the commission or whoever shall use any device, equipment, seine, trap, net, tackle, firearm, drug, poison, explosive, or other substance or means, the use of which is prohibited by this chapter, or use the same at a time, place, or in a manner or for a purpose prohibited, or do any other act in violation of the provisions of this chapter or of administrative rules of the commission for which no other punishment is provided, is guilty of a simple misdemeanor and shall be assessed a minimum fine of ten twenty dollars for each offense.

Sec. 2. Section 481A.57, Code 2001, is amended to read as follows:

481A.57 POSSESSION AND STORAGE.

A person having lawful possession of game or fur-bearing animals or their pelts, except deer venison, may hold them for not to exceed thirty days after the close of the open season for such game or furbearers. A person having lawful possession of deer venison which is taken with a valid deer hunting license, may hold the deer venison from the date of

taking until the following September 1. From September 1 until the first day of the next deer open season for which the person holds a valid deer hunting license, the person shall not possess more than twenty-five pounds of deer venison. Any person may possess up to twenty-five pounds of deer venison if the deer was obtained from a lawful source. A permit to hold for a longer period may be granted by the department.

Sec. 3. Section 805.8B, subsection 3, paragraph e, Code Supplement 2001, is amended to read as follows:

e. For violations of sections 481A.57, 481A.85, 481A.93, 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15, and 483A.42, the scheduled fine is one hundred dollars.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2616, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 5/2, 2002

THOMAS J. VILSACK
Governor

H.F. 2616