

HSB 1

Chair - Weidman
Huseman
Detzler

NATURAL RESOURCES

Passed By

HOUSE FILE

SF 043

BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES BILL
BY CHAIRPERSON ARNOLD)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the rulemaking authority of the natural
2 resource commission regarding the taking and possession of
3 migratory birds.

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

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BY _____
SUCCEEDS
7/1/72

1 Section 1. Section 481A.48, unnumbered paragraph 2, Code
2 2001, is amended to read as follows:

3 The commission may adopt rules for the taking and
4 possession of migratory birds which are subject to the federal
5 "Migratory Bird Treaty Act" and or "Migratory Bird Stamp
6 Hunting Act" during the time and in the manner permitted under
7 those federal Acts, whichever Act is applicable. The
8 ~~commission shall not adopt a rule for the taking or possession~~
9 ~~of a migratory bird for which an open season is not authorized~~
10 ~~by another paragraph of this section.~~

11 EXPLANATION

12 This bill strikes a provision which restricts the natural
13 resource commission from adopting a rule relating to the
14 taking and possession of a migratory bird authorized pursuant
15 to federal law if an open season for the migratory bird is not
16 otherwise authorized in the Code of Iowa. The natural
17 resource commission may authorize the taking and possession of
18 migratory birds as authorized by the federal Migratory Bird
19 Treaty Act or the Migratory Bird Stamp Hunting Act.

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REPRINTED

JAN 11 2001

Place On Calendar

HOUSE FILE 43
BY COMMITTEE ON
NATURAL RESOURCES

(SUCCESSOR TO HSB 1)

Passed House, Date ^(p. 109) 1-17-01 Passed Senate, Date ^(p. 160) 1-25-01
Vote: Ayes 57 Nays 41 Vote: Ayes 26 Nays 24
Approved retro 2/2/01

A BILL FOR

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2 resource commission regarding the taking and possession of
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HF 43

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13 resource commission from adopting a rule relating to the
14 taking and possession of a migratory bird authorized pursuant
15 to federal law if an open season for the migratory bird is not
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17 resource commission may authorize the taking and possession of
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19 Treaty Act or the Migratory Bird Stamp Hunting Act.

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HOUSE FILE 43

H-1001

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "~~section.~~" the following: "If an open season is
- 4 established for mourning doves, the commission shall
- 5 prohibit the use of lead shot for the taking of
- 6 mourning doves."

By DOTZLER of Black Hawk
FORD of Polk

H-1001 FILED JANUARY 16, 2001

(P. 106) *W/D*
1-17-01

HOUSE FILE 43

H-1002

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "~~section.~~" the following: "If the commission adopts a
- 4 mourning dove hunting season, the season shall not
- 5 begin prior to September 15 of each year."

By DOTZLER of Black Hawk

H-1002 FILED JANUARY 16, 2001

(P. 106) *Lost* *1-17-01*

HOUSE FILE 43

H-1003

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 10 by inserting after the word
- 3 "~~section.~~" the following: "The commission shall not
- 4 establish a hunting season for the bobwhite, American
- 5 woodcock, and sora rail."

By MASCHER of Johnson

H-1003 FILED JANUARY 16, 2001

(P. 107) *Lost*
1-17-01

HOUSE FILE 43

H-1004

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "~~section.~~" the following: "The commission shall
- 4 annually review the population of migratory birds and
- 5 prohibit hunting seasons for migratory birds with the
- 6 three lowest populations."

By MASCHER of Johnson

H-1004 FILED JANUARY 16, 2001

(P. 108) *Lost*
1-17-01

HOUSE FILE 43

H-1005

1 Amend House File 43 as follows:
2 1. Page 1, line 7, by inserting after the word
3 "applicable." the following: "However, the rules
4 adopted by the commission on or after July 1, 2001,
5 under this section, that provide for the taking and
6 possession of mourning doves shall prohibit the taking
7 of a mourning dove while the dove is perched on a
8 power line."

By MASCHER of Johnson

H-1005 FILED JANUARY 16, 2001

(p. 106) *Adopted*
1-17-01

HOUSE FILE 43

H-1006

1 Amend House File 43 as follows:
2 1. Page 1, line 7, by inserting after the word
3 "applicable." the following: "However, the rules
4 adopted by the commission on or after July 1, 2001,
5 under this section, that provide for the taking and
6 possession of mourning doves shall provide that
7 mourning doves shall be taken with nontoxic shot
8 only."

By DOTZLER of Black Hawk

H-1006 FILED JANUARY 16, 2001

(p. 106) *Lost*
1-17-01

HOUSE FILE 43

H-1007

1 Amend House File 43 as follows:
2 1. Page 1, line 7, by inserting after the word
3 "applicable." the following: "The rules may prohibit
4 the taking of migratory birds under this section
5 within the right-of-way of a public road."

By MASCHER of Johnson

H-1007 FILED JANUARY 16, 2001

(p. 106) *Lost*
1-17-01

HOUSE FILE 43

H-1008

1 Amend the amendment, H-1004, to House File 43 as
2 follows:
3 1. Page 1, by striking lines 4 through 6 and
4 inserting the following: "prohibit hunting seasons
5 for the American woodcock and the sora rail and shall
6 annually review the populations of other migratory
7 birds."

By MASCHER of Johnson

H-1008 FILED JANUARY 17, 2001

(p. 108) adopted
1-17-01

HOUSE FILE 43

H-1009

1 Amend the amendment, H-1003, to House File 43 as
2 follows:
3 1. Page 1, line 4, by striking the words
4 "bobwhite, American" and inserting the following:
5 "mourning dove."
6 2. Page 1, by striking line 5.

By MASCHER of Johnson

H-1009 FILED JANUARY 17, 2001

(p. 107) adopted
1-17-01

HOUSE FILE 43

H-1010

1 Amend the amendment, H-1003, to House File 43 as
2 follows:
3 1. Page 1, line 4, by striking the word
4 "bobwhite,".
5 2. Page 1, line 5, by striking the word
6 "woodcock," and inserting the following: "woodcock".

By MASCHER of Johnson

H-1010 FILED JANUARY 17, 2001

(p. 107) W/19
1-17-01

HOUSE FILE 43
BY COMMITTEE ON
NATURAL RESOURCES

(SUCCESSOR TO HSB 1)

(As Amended and Passed by the House January 17, 2001)

Passed House, Date _____ Passed Senate, ^(P. 160) Date 1-25-00
Vote: Ayes _____ Nays _____ Vote: Ayes 26 Nays 24
Approved 2/2/01
Vetoed

A BILL FOR

1 An Act relating to the rulemaking authority of the natural
2 resource commission regarding the taking and possession of
3 migratory birds.

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

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House Amendments _____

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2 2001, is amended to read as follows:

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4 possession of migratory birds which are subject to the federal
5 "Migratory Bird Treaty Act" and or "Migratory Bird Stamp
6 Hunting Act" during the time and in the manner permitted under
7 those federal Acts, whichever Act is applicable. However, the
8 rules adopted by the commission on or after July 1, 2001,
9 under this section, that provide for the taking and possession
10 of mourning doves shall prohibit the taking of a mourning dove
11 while the dove is perched on a power line. The commission
12 ~~shall not adopt a rule for the taking or possession of a~~
13 ~~migratory bird for which an open season is not authorized by~~
14 ~~another paragraph of this section.~~

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17 **HOUSE FILE 43**

18 **S-3006**

19 1 Amend House File 43, as amended, passed, and
20 2 reprinted by the House, as follows:

21 3 1. Page 1, line 11, by inserting after the "line"
22 4 the following: "and shall prohibit the use of lead
23 5 shot for the taking of a mourning dove".

24 **By JACK HOLVECK**

25 **S-3006 FILED JANUARY 25, 2001**

26 **LOST 1/25/00**



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

February 2, 2001

RECEIVED

FEB 06 2001

LEGISLATIVE SERVICE
BUREAU

Brent Siegrist
Speaker of the House
State Capitol
LOCAL

Dear Speaker Siegrist:

I hereby transmit House File 43, an Act relating to the rulemaking authority of the Natural Resource Commission regarding the taking and possession of migratory birds.

I am unable to approve House File 43. The majority of Iowans do not support changing the current law to legalize dove hunting. My office has received contact from thousands of concerned Iowans regarding this issue, and my conclusion is that this policy is not right for our state at this time.

Hunting provides significant recreational and economic development opportunities throughout our state. We worked last year with the Legislature, allocating approximately \$11.2 million toward the creation of the Clean Water Initiative. This investment is aimed at improving Iowa's water resources through the establishment of buffer strips, efforts to restore and construct wetlands, and expansion of water quality monitoring and watershed programs. A significant benefit of last year's initiative is the expansion and creation of wildlife habitat for enhanced recreational opportunities.

Taking our efforts one step further this year, I have proposed a program offering to reimburse landowners in exchange for allowing public access to acres enrolled in the federal Conservation Reserve Program (CRP) through access agreements. Implementing this \$1,250,000 program will further expand the availability of game and non-game species for recreational purposes such as hunting, birdwatching, fishing, and hiking. Under this program, we expand wildlife populations and opportunities for sports men and women without expanding the number of species open to hunting.

Unfortunately, since the beginning of the 2001 legislative session, the Iowa Legislature has expended a great deal of time and effort on this issue. This issue has now been decided. Iowans expect the Legislature to now focus on the issues important to



Iowa's families. I urge all members of the Legislature to now turn their attention to the important issues of teacher compensation/student achievement, reducing abuse, and supporting efforts to raise the incomes of all Iowans.

For the above reasons, I hereby respectfully disapprove House File 43.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Vilsack', written in a cursive style.

Thomas J. Vilsack
Governor

CC: Secretary of the Senate
Chief Clerk of the House

~~migratory-bird-for-which-an-open-season-is-not-authorized-by
another-paragraph-of-this-section:~~

HOUSE FILE 43

AN ACT

RELATING TO THE RULEMAKING AUTHORITY OF THE NATURAL RESOURCE
COMMISSION REGARDING THE TAKING AND POSSESSION OF MIGRATORY
BIRDS.

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

Section 1. Section 481A.48, unnumbered paragraph 2, Code
2001, is amended to read as follows:

The commission may adopt rules for the taking and
possession of migratory birds which are subject to the federal
"Migratory Bird Treaty Act" and or "Migratory Bird Stamp
Hunting Act" during the time and in the manner permitted under
those federal Acts, whichever Act is applicable. However, the
rules adopted by the commission on or after July 1, 2001,
under this section, that provide for the taking and possession
of mourning doves shall prohibit the taking of a mourning dove
while the dove is perched on a power line. The commission
shall not adopt a rule for the taking or possession of a

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 43, Seventy-ninth General Assembly.

Vetoed
Approved 2/21, 2001

MARGARET THOMSON
Chief Clerk of the House

THOMAS J. VILSACK
Governor