

FEB 12 2003
NATURAL RESOURCES

HOUSE FILE 188
BY J. R. VAN FOSSEN

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:

HF 188

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1 Section 1. Section 481A.48, subsection 2, Code 2003, is
2 amended to read as follows:

3 2. 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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