

MAR 3 2006
Place On Calendar

HOUSE FILE 2626
BY COMMITTEE ON NATURAL RESOURCES

(SUCCESSOR TO HSB 554)

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

A BILL FOR

1 An Act relating to civil damages payable for unlawful taking of
2 certain animals and fish.

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

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HF 2626

1 Section 1. Section 481A.130, subsection 1, paragraphs d
2 and e, Code 2005, are amended to read as follows:

3 d. For each fish, reptile, mussel, or amphibian, fifteen
4 dollars.

5 e. For each beaver, bobcat, mink, otter, red fox, gray
6 fox, or raccoon, two hundred dollars.

7 Sec. 2. Section 481A.130, subsection 1, Code 2005, is
8 amended by adding the following new paragraph:

9 NEW PARAGRAPH. i. For each fish, reimbursement shall be
10 as follows:

11 (1) For each fish of a species with an established daily
12 limit greater than twenty-five, fifteen dollars.

13 (2) For each fish of a species other than paddlefish,
14 muskellunge, largemouth bass, smallmouth bass, walleye,
15 northern pike, channel catfish, flathead catfish, rainbow
16 trout, brown trout, or brook trout, with an established daily
17 limit of twenty-five or less, fifty dollars.

18 (3) For each paddlefish, five hundred dollars.

19 (4) For each muskellunge, five hundred dollars plus one
20 hundred dollars for each inch over fifty inches.

21 (5) For each largemouth bass, fifty dollars plus fifty
22 dollars for each inch over twenty-two inches.

23 (6) For each smallmouth bass, fifty dollars plus fifty
24 dollars for each inch over twenty inches.

25 (7) For each walleye, fifty dollars plus fifty dollars for
26 each inch over twenty-eight inches.

27 (8) For each northern pike, fifty dollars plus fifty
28 dollars for each inch over thirty-four inches.

29 (9) For each channel catfish, fifty dollars plus fifty
30 dollars for each inch over thirty inches.

31 (10) For each flathead catfish, fifty dollars plus fifty
32 dollars for each inch over twenty-eight inches.

33 (11) For each rainbow trout, fifty dollars plus fifty
34 dollars for each inch over eighteen inches.

35 (12) For each brown trout, fifty dollars plus fifty

1 dollars for each inch over eighteen inches.

2 (13) For each brook trout, fifty dollars plus fifty
3 dollars for each inch over fifteen inches.

4 Sec. 3. Section 481A.130, Code 2005, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 4. This section does not apply to a
7 person who unintentionally takes, catches, kills, injures,
8 destroys, or possesses an animal specified in subsection 1,
9 paragraph "e", if the person so notifies the department as
10 provided by the commission by rules adopted pursuant to
11 chapter 17A.

12 EXPLANATION

13 This bill relates to the civil damages payable for the
14 unlawful taking of certain animals and fish.

15 The bill raises the fine for illegally taking a bobcat from
16 \$50 to \$200.

17 The bill changes the method for calculating damages for
18 illegally taking fish. Presently the damages for taking any
19 fish are \$15 per fish.

20 The bill provides that the damages for taking a fish of a
21 species with an established daily limit of greater than 25
22 remains \$15 per fish and provides that the damages for taking
23 a fish of a species with an established daily limit of 25 or
24 less is \$50, with some exceptions.

25 The exceptions include a paddlefish which is \$500, a
26 muskellunge which is \$500 plus \$100 for each inch over 50
27 inches, and a largemouth bass, smallmouth bass, walleye,
28 northern pike, channel catfish, flathead catfish, rainbow
29 trout, brown trout, and brook trout, which is \$50 plus \$50 per
30 inch over a specified size, depending on the species of the
31 fish.

32 The civil damage provisions of the bill are not applicable
33 to a person who unintentionally takes certain fur-bearing
34 animals if the person so notifies the department of natural
35 resources as provided by rules adopted pursuant to Code

S.F. _____ H.F. 2626

- 1 chapter 17A.
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Tjepkes, Ch.
Lykam
Van Engelenhoven

Suc ded E
SF 102626

HSB 554
NATURAL RESOURCES

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

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

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15 northern pike, channel catfish, flathead catfish, rainbow
16 trout, brown trout, or brook trout, with an established daily
17 limit of twenty-five or less, fifty dollars.

18 (3) For each paddlefish, five hundred dollars.

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20 hundred dollars for each inch over fifty inches.

21 (5) For each largemouth bass, fifty dollars plus fifty
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7 The bill raises the fine for illegally taking a bobcat from
8 \$50 to \$200.

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STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

To: General Assembly
From: Jeffrey R. Vonk, Director
Iowa Department of Natural Resources
Date: December 21, 2005
Re: Civil Damages for Unlawful Taking of Fish and Animals

The proposed bill relates to the civil damages for illegally taking certain sports fish and the bobcat.

The bill moves the bobcat from the common furbearer category where the fine for illegally taking an animal is \$50, to the furbearer category where the fine for illegally taking an animal is \$200. This reflects a higher fine than the value of the pelt (around \$80-\$100 in this area) and will better act as a deterrent to illegal behavior. As always, if a trapper catches a bobcat accidentally, s/he can contact the local Conservation Officer and report the taking.

This bill also raises the fine on certain sport fish. Damages of taking fish with an established daily limit of 25 or less is \$50 with these exceptions; paddlefish set at \$500; muskellunge \$500 for 50" or less plus \$100 for each inch over 50". The bill establishes a fine of \$50 for illegally taking largemouth and smallmouth bass; walleye; northern pike; channel and flathead catfish; rainbow, brown and brook trout; plus \$50 for each inch over designated size. Values for illegally taken fish are well below those of most of the neighboring states and do not adequately deter violators.