

FILED JAN 20 2005

SENATE FILE
BY DEARDEN

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NAT. RES. & ENVIRONMENT

Passed Senate, Date _____ Passed House, 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 certain migratory birds and providing for a mourning dove
4 hunting fee, and penalties.

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

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SF 47 NAT. RES. & ENVIRONMENT

1 Section 1. Section 481A.48, subsection 2, Code 2005, 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.~~ However, rules adopted
11 by the commission on or after July 1, 2005, under this
12 section, that provide for the taking and possession of
13 mourning doves shall prohibit the taking of mourning doves
14 north of interstate 80.

15 Sec. 2. Section 483A.1, subsection 1, Code 2005, is
16 amended by adding the following new paragraph:

17 NEW PARAGRAPH. u. Mourning dove hunting fee \$10.00

18 Sec. 3. Section 483A.1, subsection 2, Code 2005, is
19 amended by adding the following new paragraph:

20 NEW PARAGRAPH. v. Mourning dove hunting fee \$10.00

21 Sec. 4. NEW SECTION. 483A.6A MOURNING DOVE HUNTING FEE.

22 Any person required to have a hunting license shall not
23 hunt for or possess a mourning dove unless that person has
24 paid the mourning dove hunting fee. The proceeds from the fee
25 shall be deposited in the state fish and game protection fund
26 and are appropriated to the commission with one-half of the
27 proceeds to be used for species development and protection of
28 nongame species of animals and one-half of the proceeds to be
29 used for species development and protection of game species of
30 animals.

31 EXPLANATION

32 This bill strikes a provision that prohibits the natural
33 resource commission from adopting a rule relating to the
34 taking and possession of a migratory bird authorized pursuant
35 to federal law if an open season for the migratory bird is not

1 otherwise authorized in the Code of Iowa. The bill allows the
2 natural resource commission to authorize the taking and
3 possession of migratory birds as authorized by either the
4 federal Migratory Bird Treaty Act or the Migratory Bird Stamp
5 Hunting Act except that the commission cannot adopt rules that
6 allow the taking of mourning doves north of interstate 80.

7 The bill also provides that any person, resident or
8 nonresident, who is required to have a hunting license shall
9 not hunt for or possess a mourning dove unless that person has
10 paid a mourning dove hunting fee of \$10. The bill provides
11 that the proceeds from the fee shall be deposited in the state
12 fish and game protection fund and are appropriated to the
13 natural resource commission with one-half of the proceeds to
14 be used for species development and protection of nongame
15 species of animals and one-half of the proceeds to be used for
16 species development and protection of game species of animals.

17 A violation of the fee provision is punishable by a
18 scheduled fine of \$20.

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