

Senate File 2328 - Enrolled

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SENATE FILE 2328

AN ACT

RELATING TO THE DEER DEPREDATION MANAGEMENT PROGRAM,
ESTABLISHING A DEER STUDY ADVISORY COMMITTEE, AND PROVIDING
AN EFFECTIVE DATE.

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

Section 1. Section 481A.10A, Code 2007, is amended to read
as follows:

481A.10A FARMER ADVISORY COMMITTEE.

The director shall establish a farmer advisory committee
for the purpose of providing information to the department
regarding crop and tree damage caused by deer, wild turkey,
and other predators. Members of the committee shall include a
representative designated by each of the following

organizations: the Iowa corn growers association, the Iowa
farm bureau federation, the Iowa farmers union, the Iowa state
horticulture society, the Iowa Christmas tree growers
association, the Iowa nursery and landscape association, the
department of agriculture and land stewardship, and the Iowa
state university agricultural extension service. The
committee shall meet with a representative of the department
of natural resources on a semiannual basis. The committee

shall serve without compensation or reimbursement for
expenses.

Sec. 2. Section 481C.2, Code 2007, is amended to read as
follows:

481C.2 DUTIES.

1. The director of the department of natural resources
shall enter into a memorandum of agreement with the United
States department of agriculture, animal damage control
division. The wild animal depredation unit shall serve and
act as the liaison to the department for the producers in the
state who suffer crop and, horticultural product, tree, or
nursery damage due to wild animals.

2. The department shall issue depredation permits to any
landowner who incurs crop and, horticultural product, tree, or
nursery damage of one thousand dollars or more due to wild
animals.

3. The criteria for issuing depredation licenses and
permits shall be established in administrative rules in
consultation with the farmer advisory committee created in
section 481A.10A. The administrative rules adopted pursuant
to this section shall not require a producer to erect or
maintain fencing at a cost exceeding one thousand dollars as a
requisite for receiving a depredation license or permit or for
participation in a depredation plan.

Sec. 3. NEW SECTION. 481C.2A DEER DEPREDATION MANAGEMENT
PROGRAM == LICENSES AND PERMITS.

1. Deer depredation licenses shall be available for
issuance as follows:

a. Deer depredation licenses shall be available for
issuance to resident hunters.

b. Depredation licenses issued pursuant to this subsection
shall be valid to harvest antlerless deer only. Depredation
licenses that are issued to a landowner and family members as
defined in section 483A.24 shall be in addition to the number
of free licenses that are available for issuance to such
persons under section 483A.24. A landowner or a family member
may obtain one free depredation license for each deer hunting
season that is established by the commission. Deer may be
harvested with a rifle pursuant to a depredation license in
any area and in any season where the commission authorizes the
use of rifles.

c. Licenses issued pursuant to this subsection may be
issued at any time to a resident hunter who has permission to
hunt on the land for which the license is valid pursuant to
this subsection.

d. A producer who enters into a depredation agreement with
the department of natural resources shall be issued a set of
authorization numbers. Each authorization number authorizes a

3 4 resident hunter to obtain a depredation license that is valid
3 5 only for taking antlerless deer on the land designated in the
3 6 producer's depredation plan. A producer may transfer an
3 7 authorization number issued to that producer to a resident
3 8 hunter who has permission to hunt on the land for which the
3 9 authorization number is valid. An authorization number shall
3 10 be valid to obtain a depredation license in any season. The
3 11 provisions of this paragraph shall be implemented by August
3 12 15, 2008. A transferee who receives an authorization number
3 13 pursuant to this paragraph "d" shall be otherwise qualified to
3 14 hunt deer in this state, have a hunting license, pay the
3 15 wildlife habitat fee, and pay the one dollar fee for the
3 16 purpose of the deer herd population management program.

3 17 2. Deer shooting permits shall be available for issuance
3 18 as follows:

3 19 a. Deer shooting permits shall be available for issuance
3 20 to landowners who incur crop, horticultural product, tree, or
3 21 nursery damage as provided in section 481C.2 and shall be
3 22 available for issuance for use on areas where public safety
3 23 may be an issue.

3 24 b. Deer shooting permits issued pursuant to this
3 25 subsection shall be valid and may be used outside of
3 26 established deer hunting seasons.

3 27 3. Notwithstanding section 481C.2, subsection 3, a
3 28 producer shall not be required to erect or maintain fencing as
3 29 a requisite for receiving a deer depredation permit or for
3 30 participation in a deer depredation plan pursuant to this
3 31 section.

3 32 4. A person who harvests a deer with a deer depredation
3 33 license or a deer shooting permit issued pursuant to this
3 34 section shall utilize the deer harvest reporting system set
3 35 forth in section 483A.8A and shall not be subject to different
4 1 disposal or reporting requirements than are applicable to the
4 2 harvest of deer pursuant to other deer hunting licenses except
4 3 that any antlers on a deer taken pursuant to a shooting permit
4 4 shall be delivered to the local conservation officer for
4 5 disposal.

4 6 5. The department shall administer and enforce the
4 7 administrative rules concerning deer depredation, including
4 8 issuance of deer depredation licenses and deer shooting
4 9 permits, that are established by the commission.

4 10 6. The department shall make educational materials that
4 11 explain the deer depredation management program available to
4 12 the general public, and available specifically to farmers and
4 13 farm and commodity organizations, in both electronic and
4 14 brochure formats by June 30, 2008.

4 15 7. The department shall conduct outreach programs for
4 16 farmers and farm and commodity organizations that explain the
4 17 deer depredation management program. The department shall
4 18 develop, by rule, a master hunter program and maintain a list
4 19 of master hunters who are available to assist producers in the
4 20 deer depredation management program by increasing the harvest
4 21 of antlerless deer on the producer's property.

4 22 Sec. 4. DEER STUDY ADVISORY COMMITTEE. A deer study
4 23 advisory committee is established for the purpose of studying
4 24 the best way to maintain a sustainable, socially acceptable
4 25 deer population in the state while maximizing and balancing
4 26 the economic value of deer hunting to Iowa's economy with the
4 27 needs of the agricultural industry and public safety concerns.

4 28 1. The advisory committee shall be composed of the
4 29 following members:

4 30 a. One representative from each of the following
4 31 organizations or entities, to be appointed by the governor:

- 4 32 (1) Iowa association of county conservation boards.
- 4 33 (2) Iowa farm bureau federation.
- 4 34 (3) Iowa farmers union.
- 4 35 (4) Iowa conservation alliance.
- 5 1 (5) Iowa bow hunters association.
- 5 2 (6) Whitetails unlimited.
- 5 3 (7) Iowa hospitality association.
- 5 4 (8) Iowa restaurant association.
- 5 5 (9) Iowa meat processors association.
- 5 6 (10) Iowa league of cities.
- 5 7 (11) The department of transportation.
- 5 8 (12) Iowa woodland owners association.
- 5 9 (13) Iowa insurance institute.
- 5 10 (14) Iowa realtors association.
- 5 11 (15) Iowa chapter of the sierra club.
- 5 12 (16) Iowa environmental council.
- 5 13 (17) Iowa nursery and landscape association.

5 14 b. The director of the department of natural resources or

5 15 a designee.
5 16 c. The secretary of agriculture or a designee.
5 17 d. The director of the department of economic development
5 18 or a designee.
5 19 e. Two members of the senate, one of whom is appointed by
5 20 the majority leader of the senate and one of whom is appointed
5 21 by the minority leader of the senate.
5 22 f. Two members of the house of representatives, one of
5 23 whom is appointed by the speaker of the house of
5 24 representatives and one of whom is appointed by the minority
5 25 leader of the house of representatives.
5 26 2. The director of the department of natural resources or
5 27 the director's designee shall serve as the chairperson of the
5 28 advisory committee.
5 29 3. Legislative members of the committee are eligible for
5 30 per diem and reimbursement of actual expenses as provided in
5 31 section 2.10.
5 32 4. The committee shall review, analyze, and make
5 33 recommendations on issues relating to the state's deer
5 34 population including but not limited to the following:
5 35 a. The current status of Iowa's deer population, harvest,
6 1 and population management programs.
6 2 b. The economic impact and value of Iowa's deer
6 3 population.
6 4 c. The cost of damage to crops caused by deer.
6 5 d. The number and cost of motor vehicle accidents caused
6 6 by deer.
6 7 e. A review of the deer management challenges and programs
6 8 of other midwestern states.
6 9 f. An assessment of public opinion concerning the number
6 10 of deer, and the impact and value of Iowa's deer population.
6 11 5. The advisory committee shall complete its deliberations
6 12 in December 2008 and submit a final report to the governor and
6 13 the general assembly summarizing the committee's activities,
6 14 analyzing the issues studied, and including any other
6 15 information or recommendations that the committee deems
6 16 relevant and necessary by January 10, 2009.
6 17 Sec. 5. Section 483A.24C, Code 2007, is repealed.
6 18 Sec. 6. EFFECTIVE DATE. This Act, being deemed of
6 19 immediate importance, takes effect upon enactment.
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6 24 JOHN P. KIBBIE
6 25 President of the Senate
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6 28 PATRICK J. MURPHY
6 29 Speaker of the House
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6 31 I hereby certify that this bill originated in the Senate and
6 32 is known as Senate File 2328, Eighty-second General Assembly.
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7 1 _____
7 2 MICHAEL E. MARSHALL
7 3 Secretary of the Senate

7 4 Approved _____, 2008
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7 8 CHESTER J. CULVER
7 9 Governor