

FEB 27 1996

REPRINTED

Place On Calendar

HOUSE FILE

2383

BY COMMITTEE ON NATURAL RESOURCES

(SUCCESSOR TO HSB 643)

Passed House, Date ^(P. 619) 3/11/96 Passed Senate, Date 4/8/96 (P. 1264)
 Vote: Ayes 96 Nays 0 Vote: Ayes 38 Nays 8
 Approved 4/29/96

A BILL FOR

1 An Act relating to issuance of free deer and wild turkey hunting
 2 licenses to certain landowners and tenants.

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

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HOUSE FILE 2383

H-5146

1 Amend House File 2383 as follows:

2 1. Page 1, line 32, by inserting after the word
 3 "operations." the following: "However this paragraph
 4 does not apply to an owner who is a parent of the
 5 tenant and who resides in this state."

By KREMER of Buchanan

H-5146 FILED MARCH 4, 1996

Adopted 3/11/96 P. 619

HF 2383

REPRINTED

1 Section 1. Section 483A.24, subsections 2, 3, 4, 5, 6, and
2 7, Code 1995, are amended by striking the subsections and
3 inserting in lieu thereof the following:

4 2. a. As used in this subsection:

5 (1) "Family member" means a resident of Iowa who is the
6 spouse or child of the owner or tenant and who resides with
7 the owner or tenant.

8 (2) "Farm unit" means all parcels of land, not necessarily
9 contiguous, which are operated as a unit for agricultural
10 purposes and which are under the lawful control of the owner
11 or tenant.

12 (3) "Owner" means an owner of a farm unit who is a
13 resident of Iowa and who is one of the following:

14 (a) Is the sole operator of the farm unit.

15 (b) Makes all of the farm operation decisions but
16 contracts for custom farming or hires labor for all or part of
17 the work on the farm unit.

18 (c) Participates annually in farm operation decisions or
19 cropping practices on specific fields of the farm unit that
20 are rented to a tenant.

21 (d) Raises specialty crops on the farm unit including, but
22 not limited to, orchards, nurseries, or tree farms that do not
23 always produce annual income but require annual operating
24 decisions about maintenance or improvement.

25 (e) Has all or part of the farm unit enrolled in a long-
26 term agricultural land retirement program of the federal
27 government.

28 An "owner" does not mean a person who owns a farm unit and
29 who employs a farm manager or third party to operate the farm
30 unit, or a person who owns a farm unit and who rents the
31 entire farm unit to a tenant who is responsible for all farm
32 operations.

33 (4) "Tenant" means a person who is a resident of Iowa and
34 who rents and actively farms a farm unit owned by another
35 person. A member of the owner's family may be a tenant. A

1 person who works on the farm for a wage and is not a family
2 member does not qualify as a tenant.

3 b. Upon written application on forms furnished by the
4 department, the department shall issue annually without fee
5 one deer or one wild turkey license, or both, to the owner of
6 a farm unit or to a member of the owner's family, but not to
7 both, and to the tenant or to a member of the tenant's family,
8 but not to both. The deer hunting license or wild turkey
9 hunting license issued shall be valid only on the farm unit
10 for which an applicant qualifies pursuant to this subsection
11 and shall be equivalent to the least restrictive license
12 issued under section 481A.38. The owner or the tenant need
13 not reside on the farm unit to qualify for a free license to
14 hunt on that farm unit.

15 c. In addition to the free deer hunting license received,
16 an owner of a farm unit or a member of the owner's family and
17 the tenant or a member of the tenant's family may purchase a
18 deer hunting license for any option offered to paying deer
19 hunting licensees.

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EXPLANATION

21 This bill strikes the current provisions of hunting laws
22 relating to the issuance of free deer hunting and wild turkey
23 hunting licenses to landowners and tenants and rewrites
24 definitions to specify the landowners, tenants, and family
25 members who qualify for the annual free hunting licenses.

26 Family member is defined to include the spouse or child of
27 the owner or tenant who resides with the owner or tenant.

28 Farm unit is defined to mean all parcels of land, not
29 necessarily contiguous, which are operated as a unit for
30 agricultural purposes and which are under lawful control of
31 the owner or tenant.

32 An owner is defined as a resident of Iowa who is a sole
33 operator of a farm unit, has the farm unit in a long-term
34 federal agricultural land retirement program, raises specialty
35 crops which require annual operating and maintenance

1 decisions, makes all of the farm operation decisions on the
2 farm unit but contracts all or part of the labor, or
3 participates annually in farm operation decisions or cropping
4 practices on specific fields that are rented to a tenant. An
5 owner does not qualify for a free license if the owner employs
6 a farm manager or a third party to operate the farm or if the
7 owner rents the farm unit to a tenant who is responsible for
8 all farm operations.

9 A tenant is a resident of Iowa, other than the owner, who
10 rents and actively farms a farm unit owned by another person.
11 A member of the owner's family may be a tenant. A person who
12 works on a farm unit for a wage and is not a family member
13 does not qualify as a tenant.

14 The bill provides that an owner and a tenant are both
15 eligible for a free deer license and a wild turkey license for
16 the same farm unit. If an owner or a tenant applies for one
17 or neither of the licenses, a member of the owner's or
18 tenant's family may apply for one or both of the licenses
19 which remain. The owner and tenant need not reside on the
20 farm unit for which a free license is issued. The licenses
21 issued are valid only on the farm unit and shall be equivalent
22 to the least restrictive license issued under section 481A.38.

23 This bill also provides that an owner of a farm unit or a
24 member of the owner's family and the tenant or a member of the
25 tenant's family may purchase a deer hunting license for any
26 option offered to paying deer hunting licensees.

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S-3/21/96 Do Pan

HOUSE FILE **2383**
BY COMMITTEE ON NATURAL RESOURCES

(SUCCESSOR TO HSB 643)

(As Amended and Passed by the House, March 11, 1996)

Re- Passed House, Date 4/15/96 (p. 1632) Passed Senate, Date 4/8/96 (p. 1264)
Vote: Ayes 82 Nays 11 Vote: Ayes 38 Nays 8
Approved 4/29/96 Re-passed Senate
39-11 4/16/96
(p. 1404)

A BILL FOR

1 An Act relating to issuance of free deer and wild turkey hunting
2 licenses to certain landowners and tenants.

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House Amendments _____

1 Section 1. Section 483A.24, subsections 2, 3, 4, 5, 6, and
2 7, Code 1995, are amended by striking the subsections and
3 inserting in lieu thereof the following:

4 2. a. As used in this subsection:

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6 spouse or child of the owner or tenant and who resides with
7 the owner or tenant.

8 (2) "Farm unit" means all parcels of land, not necessarily
9 contiguous, which are operated as a unit for agricultural
10 purposes and which are under the lawful control of the owner
11 or tenant.

12 (3) "Owner" means an owner of a farm unit who is a
13 resident of Iowa and who is one of the following:

14 (a) Is the sole operator of the farm unit.

15 (b) Makes all of the farm operation decisions but
16 contracts for custom farming or hires labor for all or part of
17 the work on the farm unit.

18 (c) Participates annually in farm operation decisions or
19 cropping practices on specific fields of the farm unit that
20 are rented to a tenant.

21 (d) Raises specialty crops on the farm unit including, but
22 not limited to, orchards, nurseries, or tree farms that do not
23 always produce annual income but require annual operating
24 decisions about maintenance or improvement.

25 (e) Has all or part of the farm unit enrolled in a long-
26 term agricultural land retirement program of the federal
27 government.

28 An "owner" does not mean a person who owns a farm unit and
29 who employs a farm manager or third party to operate the farm
30 unit, or a person who owns a farm unit and who rents the
31 entire farm unit to a tenant who is responsible for all farm
32 operations. However this paragraph does not apply to an owner
33 who is a parent of the tenant and who resides in this state.

34 (4) "Tenant" means a person who is a resident of Iowa and
35 who rents and actively farms a farm unit owned by another

1 person. A member of the owner's family may be a tenant. A
2 person who works on the farm for a wage and is not a family
3 member does not qualify as a tenant.

4 b. Upon written application on forms furnished by the
5 department, the department shall issue annually without fee
6 one deer or one wild turkey license, or both, to the owner of
7 a farm unit or to a member of the owner's family, but not to
8 both, and to the tenant or to a member of the tenant's family,
9 but not to both. The deer hunting license or wild turkey
10 hunting license issued shall be valid only on the farm unit
11 for which an applicant qualifies pursuant to this subsection
12 and shall be equivalent to the least restrictive license
13 issued under section 481A.38. The owner or the tenant need
14 not reside on the farm unit to qualify for a free license to
15 hunt on that farm unit.

16 c. In addition to the free deer hunting license received,
17 an owner of a farm unit or a member of the owner's family and
18 the tenant or a member of the tenant's family may purchase a
19 deer hunting license for any option offered to paying deer
20 hunting licensees.

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HOUSE FILE 2383

S-5321

1 Amend House File 2383, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 481A.55, unnumbered paragraph
6 1, Code 1995, is amended to read as follows:

7 Except as otherwise provided, a person shall not
8 buy or sell, dead or alive, a bird or animal or any
9 part of one which is protected by this chapter, but
10 this section does not apply to fur-bearing animals,
11 and the skins, plumage, and antlers of legally taken
12 game. This section does not prohibit the purchase of
13 jackrabbits from sources outside this state. This
14 section does not prohibit a commercial processor from
15 disposing of unclaimed game for not more than the cost
16 of processing and storage of the game. The processor
17 must notify the owner that the game will be disposed
18 of at least thirty days before the date of disposal.

19 A person shall not purchase, sell, barter, or offer to
20 purchase, sell, or barter for millinery or ornamental
21 use the feathers of migratory game birds; and a person
22 shall not purchase, sell, barter, or offer to
23 purchase, sell, or barter mounted specimens of
24 migratory game birds.

25 Sec. 2. Section 481A.57, Code 1995, is amended to
26 read as follows:

27 481A.57 POSSESSION AND STORAGE.

28 A person having lawful possession of ~~game or fur-~~
29 bearing animals or their pelts may hold them for not
30 to exceed ~~thirty~~ sixty days after the close of the
31 open season for ~~such game or the~~ furbearers. A permit
32 to hold a furbearer for a longer period may be granted
33 by the department. A person having lawful possession
34 of game may hold them for a period of one year."

35 2. By renumbering as necessary.

By BERL E. PRIEBE
ALLEN BORLAUG

S-5321 FILED MARCH 12, 1996

w/d 4/2/96 (p. 1180)

HOUSE FILE 2383

S-5358

1 Amend House File 2383, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 481A.55, unnumbered paragraph
6 1, Code 1995, is amended to read as follows:

7 Except as otherwise provided, a person shall not
8 buy or sell, dead or alive, a bird or animal or any
9 part of one which is protected by this chapter, but
10 this section does not apply to fur-bearing animals,
11 and the skins, plumage, and antlers of legally taken
12 game. This section does not prohibit the purchase of
13 jackrabbits from sources outside this state. This
14 section does not prohibit a commercial processor from
15 disposing of unclaimed game by donating the game to a
16 charitable organization for use in providing free
17 meals. The processor must notify the owner that the
18 game will be disposed of at least thirty days before
19 the date of disposal. A person shall not purchase,
20 sell, barter, or offer to purchase, sell, or barter
21 for millinery or ornamental use the feathers of
22 migratory game birds; and a person shall not purchase,
23 sell, barter, or offer to purchase, sell, or barter
24 mounted specimens of migratory game birds.

25 Sec. 2. Section 481A.57, Code 1995, is amended to
26 read as follows:

27 481A.57 POSSESSION AND STORAGE.

28 A person having lawful possession of ~~game-or fur-~~
29 bearing animals or their pelts may hold them for not
30 to exceed ~~thirty sixty~~ days after the close of the
31 open season for ~~such-game-or the~~ furbearers. A permit
32 to hold a furbearer for a longer period may be granted
33 by the department. A person having lawful possession
34 of game may hold them for a period of one year."

35 2. By renumbering as necessary.

By BERL E. PRIEBE

S-5358 FILED MARCH 14, 1996

w/d 4/2/96 (p. 1180)

HOUSE FILE 2383

S-5554

1 Amend House File 2383, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, by inserting after line 20 the
4 following:

5 "3. The director shall reserve fifty nonresident
6 deer hunting licenses for allocation as approved by a
7 majority of a committee consisting of the majority
8 leader of the senate, speaker of the house of
9 representatives, and director of the department of
10 economic development, or their designees. The
11 licenses reserved pursuant to the subsection shall be
12 in addition to the number of nonresident licenses
13 authorized pursuant to section 483A.8. The purpose of
14 the special nonresident licenses is to allow state
15 officials and local development groups to promote the
16 state and its natural resources to nonresident guests
17 and dignitaries. Photographs, video tapes, or any
18 other form of media resulting from the hunting
19 visitation shall not be used for political campaign
20 purposes. The nonresident licenses shall be issued
21 without application upon payment of the nonresident
22 deer hunting license fee and the wildlife habitat
23 stamp fee. The licenses are valid in all zones open
24 to deer hunting. The hunter safety and ethics
25 education certificate requirement pursuant to section
26 483A.27 is waived for a nonresident issued a license
27 pursuant to this subsection.

28 4. The director shall reserve fifty nonresident
29 wild turkey hunting licenses for allocation as
30 approved by a majority of a committee consisting of
31 the majority leader of the senate, speaker of the
32 house of representatives, and director of the
33 department of economic development, or their
34 designees. The licenses reserved pursuant to the
35 subsection shall be in addition to the number of
36 nonresident licenses authorized pursuant to section
37 483A.7. The purpose of the special nonresident
38 licenses is to allow state officials and local
39 development groups to promote the state and its
40 natural resources to nonresident guests and
41 dignitaries. Photographs, video tapes, or any other
42 form of media resulting from the hunting visitation
43 shall not be used for political campaign purposes.
44 The nonresident licenses shall be issued without
45 application upon payment of the nonresident wild
46 turkey hunting license fee and the wildlife habitat
47 stamp fee. The licenses are valid in all zones open
48 to wild turkey hunting. The hunter safety and ethics
49 education certificate requirement pursuant to section
50 483A.27 is waived for a nonresident issued a license

S-5554

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S-5554

Page 2

1 pursuant to this subsection."

By PATTY JUDGE

HOUSE FILE 2383

S-5621

- 1 Amend the amendment, S-5554, to House File 2383, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, line 5, by striking the word "fifty"
 5 and inserting the following: "twenty-five".
 6 2. Page 1, line 28, by striking the word "fifty"
 7 and inserting the following: "twenty-five".

By BILL FINK

S-5621 FILED APRIL 2, 1996

ADOPTED (p. 1180)

*Motion to R/c by Fink
out/order 4/8/96 (p. 1261)**(p. 1236) - Motion Revoked (p. 1237)*

HOUSE FILE 2383

S-5629

- 1 Amend the amendment, S-5554, to House File 2383, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, line 27, by inserting after the word
 5 "subsection." the following: "While hunting in this
 6 state with a license received pursuant to the
 7 subsection, a nonresident hunter shall use a weapon
 8 which is produced in this state."
 9 2. Page 2, line 1, by inserting after the word
 10 "subsection." the following: "While hunting in this
 11 state with a license received pursuant to the
 12 subsection, a nonresident hunter shall use a weapon
 13 which is produced in this state."

By STEVEN D. HANSEN
EUGENE S. FRAISE

S-5629 FILED APRIL 2, 1996

out/order 4/8/96 (p. 1261)

HOUSE FILE 2383

S-5668

- 1 Amend the amendment, S-5554, to House File 2383, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, by striking lines 5 and 6 and
 5 inserting the following:
 6 "3. The director shall provide nonresident deer
 7 hunting licenses for allocation as requested by a".
 8 2. Page 1, line 11, by striking the word
 9 "reserved" and inserting the following: "provided".
 10 3. Page 1, by striking lines 28 through 30 and
 11 inserting the following:
 12 "4. The director shall provide nonresident wild
 13 turkey hunting licenses for allocation as requested by
 14 a majority of a committee consisting of".
 15 4. Page 1, line 34, by striking the word
 16 "reserved" and inserting the following: "provided".

By TONY BISIGNANO

S-5668 FILED APRIL 3, 1996

DEFERRED

Adopted 4/8/96 (p. 1261)

HOUSE FILE 2383

S-5387

1 Amend House File 2383, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 481A.55, unnumbered paragraph
6 1, Code 1995, is amended to read as follows:

7 Except as otherwise provided, a person shall not
8 buy or sell, dead or alive, a bird or animal or any
9 part of one which is protected by this chapter, but
10 this section does not apply to fur-bearing animals,
11 and the skins, plumage, and antlers of legally taken
12 game. This section does not prohibit the purchase of
13 jackrabbits from sources outside this state. This
14 section does not prohibit a commercial processor from
15 disposing of unclaimed game after sixty days from the
16 date of receipt. The processor shall post a sign at a
17 conspicuous location at the processor's place of
18 business giving notice that unclaimed processed game
19 will be disposed of after sixty days from the date of
20 receipt from the owner. A person shall not purchase,
21 sell, barter, or offer to purchase, sell, or barter
22 for millinery or ornamental use the feathers of
23 migratory game birds; and a person shall not purchase,
24 sell, barter, or offer to purchase, sell, or barter
25 mounted specimens of migratory game birds.

26 Sec. 2. Section 481A.57, Code 1995, is amended to
27 read as follows:

28 481A.57 POSSESSION AND STORAGE.

29 A person having lawful possession of ~~game-or~~ fur-
30 bearing animals or their pelts may hold them for not
31 to exceed ~~thirty~~ sixty days after the close of the
32 open season for ~~such-game-or~~ the furbearers. A permit
33 to hold a furbearer for a longer period may be granted
34 by the department. A person having lawful possession
35 of game may hold them for a period of one year."

36 2. By renumbering as necessary.

By BERL E. PRIEBE

S-5387 FILED MARCH 18, 1996

w/d 4/2/96 (p. 1180)

HOUSE FILE 2383

S-5676

- 1 Amend House File 2383, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 2, by inserting after line 20 the
 4 following:
 5 "3. Upon application the department shall issue a
 6 lifetime deer hunting license and a lifetime wild
 7 turkey hunting license to a resident of this state who
 8 is sixty-five years of age or older."
 9 2. By numbering subsections as required.

By JIM LIND

S-5676 FILED APRIL 3, 1996

Last 4/8/96 (p.1262)

HOUSE FILE 2383

S-5685

- 1 Amend the amendment, S-5554, as amended, passed,
 2 and reprinted by the House, as follows:
-
- Div 3 1. Page 1, line 10, by inserting after the word
 A 4 "designees." the following: "If a deer hunt for
 5 nonresidents is organized by the governor, the
 6 governor shall allocate the nonresident licenses for
 7 the nonresident guests and dignitaries."
 8 2. Page 1, line 34, by inserting after the word
 9 "designees." the following: "If a wild turkey hunt
 10 for nonresidents is organized by the governor, the
 11 governor shall allocate the nonresident licenses for
 12 the nonresident guests and dignitaries."
-
- Div 13 3. Page 2, by inserting after line 1 the
 B 14 following:
 15 "5. Upon request of the chairperson of the board
 16 of supervisors of a county, the department shall
 17 consult with the sheriff and board of supervisors when
 18 finalizing the dates for open season for antlerless
 19 deer in any county where the county sheriff and board
 20 of supervisors determine that deer are hazardous to
 21 persons operating motor vehicles on the public
 22 highways."

By BERL E. PRIEBE

S-5685 FILED APRIL 8, 1996

DIV A - ADOPTED, DIV B - RULED OUT OF ORDER

*(p.1264)**(p.1264)*

H-5877

1 Amend House File 2383, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, by inserting after line 20 the
4 following:

5 3. The director shall provide nonresident deer
6 hunting licenses for allocation as requested by a
7 majority of a committee consisting of the majority
8 leader of the senate, speaker of the house of
9 representatives, and director of the department of
10 economic development, or their designees. If a deer
11 hunt for nonresidents is organized by the governor,
12 the governor shall allocate the nonresident licenses
13 for the nonresident guests and dignitaries. The
14 licenses provided pursuant to the subsection shall be
15 in addition to the number of nonresident licenses
16 authorized pursuant to section 483A.8. The purpose of
17 the special nonresident licenses is to allow state
18 officials and local development groups to promote the
19 state and its natural resources to nonresident guests
20 and dignitaries. Photographs, video tapes, or any
21 other form of media resulting from the hunting
22 visitation shall not be used for political campaign
23 purposes. The nonresident licenses shall be issued
24 without application upon payment of the nonresident
25 deer hunting license fee and the wildlife habitat
26 stamp fee. The licenses are valid in all zones open
27 to deer hunting. The hunter safety and ethics
28 education certificate requirement pursuant to section
29 483A.27 is waived for a nonresident issued a license
30 pursuant to this subsection.

31 4. The director shall provide nonresident wild
32 turkey hunting licenses for allocation as requested by
33 a majority of a committee consisting of the majority
34 leader of the senate, speaker of the house of
35 representatives, and director of the department of
36 economic development, or their designees. If a wild
37 turkey hunt for nonresidents is organized by the
38 governor, the governor shall allocate the nonresident
39 licenses for the nonresident guests and dignitaries.
40 The licenses provided pursuant to the subsection shall
41 be in addition to the number of nonresident licenses
42 authorized pursuant to section 483A.7. The purpose of
43 the special nonresident licenses is to allow state
44 officials and local development groups to promote the
45 state and its natural resources to nonresident guests
46 and dignitaries. Photographs, video tapes, or any
47 other form of media resulting from the hunting
48 visitation shall not be used for political campaign
49 purposes. The nonresident licenses shall be issued
50 without application upon payment of the nonresident

H-5877

-1-

H-5877

Page 2

1 wild turkey hunting license fee and the wildlife
2 habitat stamp fee. The licenses are valid in all
3 zones open to wild turkey hunting. The hunter safety
4 and ethics education certificate requirement pursuant
5 to section 483A.27 is waived for a nonresident issued
6 a license pursuant to this subsection."

RECEIVED FROM THE SENATE

H-5877 FILED APRIL 9, 1996

House concurred in as amended
4/15/96 (p. 1632)

HOUSE FILE 2383

H-5912

- 1 Amend the amendment, H-5877, to House File 2383, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, line 5, by inserting after the word
5 "provide" the following: "up to twenty-five".
6 2. Page 1, by striking lines 10 through 13 and
7 inserting the following: "economic development, or
8 their designees. The".
9 3. Page 1, line 31, by inserting after the word
10 "provide" the following: "up to twenty-five".
11 4. Page 1, by striking lines 36 through 39 and
12 inserting the following: "economic development, or
13 their designees."

By ARNOLD of Lucas

H-5912 FILED APRIL 10, 1996

Adopted 4/15/96 (p. 1632)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2383

S-5777

- 1 Amend the amendment, H-5877, to House File 2383, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, line 5, by inserting after the word
5 "provide" the following: "up to twenty-five".
6 2. Page 1, by striking lines 10 through 13 and
7 inserting the following: "economic development, or
8 their designees. The".
9 3. Page 1, line 31, by inserting after the word
10 "provide" the following: "up to twenty-five".
11 4. Page 1, by striking lines 36 through 39 and
12 inserting the following: "economic development, or
13 their designees."

RECEIVED FROM THE HOUSE

S-5777 FILED APRIL 15, 1996

Senate concurred 4/16/96 (p. 1404)

HSB 643

Arnold, Chair
Weidman
Mertz

NATURAL RESOURCES

Succeeded
SF/HF 2383

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES BILL
BY CHAIRPERSON KLEMME)

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

A BILL FOR

1 An Act relating to issuance of free deer and wild turkey hunting
2 licenses to certain landowners and tenants.

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

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S.F. _____ H.F. _____

2/1/72
Succeeded By

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2 7, Code 1995, are amended by striking the subsections and
3 inserting in lieu thereof the following:

4 2. a. As used in this subsection:

5 (1) "Family member" means a resident of Iowa who is the
6 spouse or child of the owner or tenant and who resides with
7 the owner or tenant.

8 (2) "Farm unit" means all parcels of land, not necessarily
9 contiguous, which are operated as a unit for agricultural
10 purposes and which are under the lawful control of the owner
11 or tenant.

12 (3) "Owner" means an owner of a farm unit who is a
13 resident of Iowa and who is one of the following:

14 (a) Is the sole operator of the farm unit.

15 (b) Makes all of the farm operation decisions but
16 contracts for custom farming or hires labor for all or part of
17 the work on the farm unit.

18 (c) Participates annually in farm operation decisions or
19 cropping practices on specific fields of the farm unit that
20 are rented to a tenant.

21 (d) Raises specialty crops on the farm unit including, but
22 not limited to, orchards, nurseries, or tree farms that do not
23 always produce annual income but require annual operating
24 decisions about maintenance or improvement.

25 (e) Has all or part of the farm unit enrolled in a long-
26 term agricultural land retirement program of the federal
27 government.

28 An "owner" does not mean a person who owns a farm unit and
29 who employs a farm manager or third party to operate the farm
30 unit, or a person who owns a farm unit and who rents the
31 entire farm unit to a tenant who is responsible for all farm
32 operations.

33 (4) "Tenant" means a person who is a resident of Iowa and
34 who rents and actively farms a farm unit owned by another
35 person. A member of the owner's family may be a tenant. A

1 person who works on the farm for a wage and is not a family
2 member does not qualify as a tenant.

3 b. Upon written application on forms furnished by the
4 department, the department shall issue annually without fee
5 one deer or one wild turkey license, or both, to the owner of
6 a farm unit or to a member of the owner's family, but not to
7 both, and to the tenant or to a member of the tenant's family,
8 but not to both. The deer hunting license or wild turkey
9 hunting license issued shall be valid only on the farm unit
10 for which an applicant qualifies pursuant to this subsection
11 and shall be equivalent to the least restrictive license
12 issued under section 481A.38. The owner or the tenant need
13 not reside on the farm unit to qualify for a free license to
14 hunt on that farm unit.

15 c. In addition to the free deer hunting license received,
16 an owner of a farm unit or a member of the owner's family and
17 the tenant or a member of the tenant's family may purchase a
18 deer hunting license for any option offered to paying deer
19 hunting licensees.

20 EXPLANATION

21 This bill strikes the current provisions of hunting laws
22 relating to the issuance of free deer hunting and wild turkey
23 hunting licenses to landowners and tenants and rewrites
24 definitions to specify the landowners, tenants, and family
25 members who qualify for the annual free hunting licenses.

26 Family member is defined to include the spouse or child of
27 the owner or tenant who resides with the owner or tenant.

28 Farm unit is defined to mean all parcels of land, not
29 necessarily contiguous, which are operated as a unit for
30 agricultural purposes and which are under lawful control of
31 the owner or tenant.

32 An owner is defined as a resident of Iowa who is a sole
33 operator of a farm unit, has the farm unit in a long-term
34 federal agricultural land retirement program, raises specialty
35 crops which require annual operating and maintenance

1 decisions, makes all of the farm operation decisions on the
2 farm unit but contracts all or part of the labor, or
3 participates annually in farm operation decisions or cropping
4 practices on specific fields that are rented to a tenant. An
5 owner does not qualify for a free license if the owner employs
6 a farm manager or a third party to operate the farm or if the
7 owner rents the farm unit to a tenant who is responsible for
8 all farm operations.

9 A tenant is a resident of Iowa, other than the owner, who
10 rents and actively farms a farm unit owned by another person.
11 A member of the owner's family may be a tenant. A person who
12 works on a farm unit for a wage and is not a family member
13 does not qualify as a tenant.

14 The bill provides that an owner and a tenant are both
15 eligible for a free deer license and a wild turkey license for
16 the same farm unit. If an owner or a tenant applies for one
17 or neither of the licenses, a member of the owner's or
18 tenant's family may apply for one or both of the licenses
19 which remain. The owner and tenant need not reside on the
20 farm unit for which a free license is issued. The licenses
21 issued are valid only on the farm unit and shall be equivalent
22 to the least restrictive license issued under section 481A.38.

23 This bill also provides that an owner of a farm unit or a
24 member of the owner's family and the tenant or a member of the
25 tenant's family may purchase a deer hunting license for any
26 option offered to paying deer hunting licensees.

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HOUSE FILE 2383

AN ACT

RELATING TO ISSUANCE OF FREE DEER AND WILD TURKEY HUNTING
LICENSES TO CERTAIN LANDOWNERS AND TENANTS.

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

Section 1. Section 483A.24, subsections 2, 3, 4, 5, 6, and 7, Code 1995, are amended by striking the subsections and inserting in lieu thereof the following:

2. a. As used in this subsection:

(1) "Family member" means a resident of Iowa who is the spouse or child of the owner or tenant and who resides with the owner or tenant.

(2) "Farm unit" means all parcels of land, not necessarily contiguous, which are operated as a unit for agricultural purposes and which are under the lawful control of the owner or tenant.

(3) "Owner" means an owner of a farm unit who is a resident of Iowa and who is one of the following:

(a) Is the sole operator of the farm unit.

(b) Makes all of the farm operation decisions but contracts for custom farming or hires labor for all or part of the work on the farm unit.

(c) Participates annually in farm operation decisions or cropping practices on specific fields of the farm unit that are rented to a tenant.

(d) Raises specialty crops on the farm unit including, but not limited to, orchards, nurseries, or tree farms that do not

always produce annual income but require annual operating decisions about maintenance or improvement.

(e) Has all or part of the farm unit enrolled in a long-term agricultural land retirement program of the federal government.

An "owner" does not mean a person who owns a farm unit and who employs a farm manager or third party to operate the farm unit, or a person who owns a farm unit and who rents the entire farm unit to a tenant who is responsible for all farm operations. However this paragraph does not apply to an owner who is a parent of the tenant and who resides in this state.

(4) "Tenant" means a person who is a resident of Iowa and who rents and actively farms a farm unit owned by another person. A member of the owner's family may be a tenant. A person who works on the farm for a wage and is not a family member does not qualify as a tenant.

b. Upon written application on forms furnished by the department, the department shall issue annually without fee one deer or one wild turkey license, or both, to the owner of a farm unit or to a member of the owner's family, but not to both, and to the tenant or to a member of the tenant's family, but not to both. The deer hunting license or wild turkey hunting license issued shall be valid only on the farm unit for which an applicant qualifies pursuant to this subsection and shall be equivalent to the least restrictive license issued under section 481A.38. The owner or the tenant need not reside on the farm unit to qualify for a free license to hunt on that farm unit.

c. In addition to the free deer hunting license received, an owner of a farm unit or a member of the owner's family and the tenant or a member of the tenant's family may purchase a deer hunting license for any option offered to paying deer hunting licensees.

3. The director shall provide up to twenty-five nonresident deer hunting licenses for allocation as requested

by a majority of a committee consisting of the majority leader of the senate, speaker of the house of representatives, and director of the department of economic development, or their designees. The licenses provided pursuant to the subsection shall be in addition to the number of nonresident licenses authorized pursuant to section 483A.8. The purpose of the special nonresident licenses is to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries. Photographs, video tapes, or any other form of media resulting from the hunting visitation shall not be used for political campaign purposes. The nonresident licenses shall be issued without application upon payment of the nonresident deer hunting license fee and the wildlife habitat stamp fee. The licenses are valid in all zones open to deer hunting. The hunter safety and ethics education certificate requirement pursuant to section 483A.27 is waived for a nonresident issued a license pursuant to this subsection.

4. The director shall provide up to twenty-five nonresident wild turkey hunting licenses for allocation as requested by a majority of a committee consisting of the majority leader of the senate, speaker of the house of representatives, and director of the department of economic development, or their designees. The licenses provided pursuant to the subsection shall be in addition to the number of nonresident licenses authorized pursuant to section 483A.7. The purpose of the special nonresident licenses is to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries. Photographs, video tapes, or any other form of media resulting from the hunting visitation shall not be used for political campaign purposes. The nonresident licenses shall be issued without application upon payment of the nonresident wild turkey hunting license fee and the wildlife habitat stamp fee. The licenses are valid in all zones open

to wild turkey hunting. The hunter safety and ethics education certificate requirement pursuant to section 483A.27 is waived for a nonresident issued a license pursuant to this subsection.

RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2383, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 4/29, 1996

TERRY E. BRANSTAD
Governor