

FILED FEB 01 1995

Reprinted

SENATE FILE 85
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 14)

Passed Senate ^(p.468) Date 2/28/95 Passed House, Date 4/10/95 (p1636)
Vote: Ayes 45 Nays 0 Vote: Ayes 90 Nays 4
Approved May 1, 1995

A BILL FOR

1 An Act providing for the regulation of domestic deer and making
2 penalties applicable.

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

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S.F. 85

1 Section 1. Section 189A.2, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5A. "Domestic deer" means an animal
4 belonging to the cervidae family and classified as part of the
5 dama species of the dama genus, part of the elaphus species of
6 the cervus genus, or part of the nippon species of the cervus
7 genus.

8 Sec. 2. Section 189A.2, subsection 14, Code 1995, is
9 amended to read as follows:

10 14. "Livestock" means any a live or dead animal which is
11 limited to cattle, sheep, swine, goats, horses, mules or other
12 equines, whether live or dead domestic deer, or which is
13 classified as an equine including a horse or mule.

14 Sec. 3. Section 267.1, subsection 2, Code 1995, is amended
15 to read as follows:

16 2. "Livestock" means swine, sheep, poultry, and cattle, or
17 domestic deer as defined in section 189A.2.

18 Sec. 4. Section 267.2, subsection 5, Code 1995, is amended
19 to read as follows:

20 5. One milk producer, appointed by the Iowa state dairy
21 association, who shall serve an initial term of two years,
22 and.

23 Sec. 5. Section 267.2, Code 1995, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 5A. One producer of domestic deer, as
26 defined in section 189A.2, appointed by the secretary of
27 agriculture, who shall serve an initial term of two years.

28 Sec. 6. Section 481A.1, subsection 20, paragraph h, Code
29 1995, is amended to read as follows:

30 h. The Cervidae: such as deer and elk or deer, other than
31 domestic deer as defined in section 189A.2.

32 Sec. 7. Section 717.1, subsection 2, Code 1995, is amended
33 to read as follows:

34 2. "Livestock" means an animal belonging to the bovine,
35 caprine, equine, ovine, or porcine species; domestic deer; or

1 poultry.

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EXPLANATION

3 This bill relates to the regulation of domestic deer. The
4 bill defines the domestic deer as an animal belonging to the
5 cervidae family, and subclassified as part of the dama species
6 of the dama genus, part of the elaphus species of the cervus
7 genus, or part of the nippon species of the cervus genus.

8 This includes species commonly referred to as fallow deer, red
9 deer, sika deer, and wapiti. The bill provides that domestic
10 deer are subject to chapter 189A, regulating meat and poultry
11 inspection.

12 The bill also provides for a domestic deer producer's
13 representation on the livestock health advisory council as
14 provided in chapter 267.

15 The bill provides that domestic deer are not subject to
16 regulation by the department of natural resources under
17 chapter 481A which provides for wildlife management. It also
18 provides that domestic deer are subject to the statutory
19 provisions regulating livestock cruelty.

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S-3073

1 Amend Senate File 85 as follows:

2 1. Page 1, line 3, by striking the word
3 "Domestic" and inserting the following: "Farm".

4 2. Page 1, line 5, by inserting after the word
5 "genus," the following: "commonly referred to as
6 fallow deer".

7 3. Page 1, line 6, by inserting after the word
8 "genus," the following: "commonly referred to as red
9 deer or elk".

10 4. Page 1, line 7, by inserting after the word
11 "genus" the following: ", commonly referred to as
12 sika. However, a farm deer does not include any
13 unmarked free ranging elk".

14 5. Page 1, line 12, by striking the word
15 "domestic" and inserting the following: "farm".

16 6. Page 1, by inserting after line 13 the
17 following:

18 "Sec. _____. Section 189A.2, subsection 16, Code
19 1995, is amended to read as follows:

20 16. "Meat food product" means any product capable
21 of use as human food which is made wholly or in part
22 from any meat or other portion of the carcass of any
23 cattle, sheep, swine, or goats, excepting products
24 which contain meat or other portions of such carcasses
25 only in a relatively small proportion or historically
26 have not been considered by consumers as products of
27 the meat food industry, and which are exempted from
28 definition as a meat food product by the secretary
29 under such conditions as the secretary may prescribe
30 to assure that the meat or other portions of such
31 carcass contained in such product are not adulterated
32 and that such products are not represented as meat
33 food products. This term as applied to food products
34 of equines or farm deer shall have a meaning
35 comparable to that provided in this paragraph with
36 respect to cattle, sheep, swine, and goats.

37 Sec. _____. Section 189A.18, Code 1995, is amended
38 to read as follows:

39 189A.18 HUMANE SLAUGHTER PRACTICES.

40 Every establishment subject to the provisions of
41 this chapter engaged in the slaughter of bovine,
42 porcine, or ovine animals or farm deer shall slaughter
43 all such animals in an approved humane slaughtering
44 method. For purposes of this section an approved
45 humane slaughtering method shall include and be
46 limited to slaughter by shooting, electrical shock,
47 captive bolt, or use of carbon dioxide gas prior to
48 the animal being shackle hoisted, thrown, cast or cut;
49 however, the slaughtering, handling or other
50 preparation of livestock in accordance with the ritual

S-3073

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Page 2

1 requirements of the Jewish or any other faith that
2 prescribes and requires a method whereby slaughter
3 becomes effected by severance of the carotid arteries
4 with a sharp instrument is hereby designated and
5 approved as a humane method of slaughter under the
6 law."

7 7. Page 1, line 17, by striking the word
8 "domestic" and inserting the following: "farm".

9 8. Page 1, line 25, by striking the word
10 "domestic" and inserting the following: "farm".

11 9. Page 1, line 31, by striking the word
12 "domestic" and inserting the following: "farm".

13 10. Page 1, line 35, by striking the word
14 "domestic" and inserting the following: "farm".

15 11. Title page, line 1, by striking the word
16 "domestic" and inserting the following: "farm".

By DENNIS H. BLACK

S-3073 FILED FEBRUARY 22, 1995

(p. 468) *Adopted*
2/28/95

1 Section 1. Section 189A.2, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5A. "Farm deer" means an animal belonging
4 to the cervidae family and classified as part of the dama
5 species of the dama genus, commonly referred to as fallow deer
6 part of the elaphus species of the cervus genus, commonly
7 referred to as red deer or elk or part of the nippon species
8 of the cervus genus, commonly referred to as sika. However, a
9 farm deer does not include any unmarked free ranging elk.

10 Sec. 2. Section 189A.2, subsection 14, Code 1995, is
11 amended to read as follows:

12 14. "Livestock" means any a live or dead animal which is
13 limited to cattle, sheep, swine, goats, horses, mules or other
14 equines, whether live or dead farm deer, or which is
15 classified as an equine including a horse or mule.

16 Sec. 3. Section 189A.2, subsection 16, Code 1995, is
17 amended to read as follows:

18 16. "Meat food product" means any product capable of use
19 as human food which is made wholly or in part from any meat or
20 other portion of the carcass of any cattle, sheep, swine, or
21 goats, excepting products which contain meat or other portions
22 of such carcasses only in a relatively small proportion or
23 historically have not been considered by consumers as products
24 of the meat food industry, and which are exempted from
25 definition as a meat food product by the secretary under such
26 conditions as the secretary may prescribe to assure that the
27 meat or other portions of such carcass contained in such
28 product are not adulterated and that such products are not
29 represented as meat food products. This term as applied to
30 food products of equines or farm deer shall have a meaning
31 comparable to that provided in this paragraph with respect to
32 cattle, sheep, swine, and goats.

33 Sec. 4. Section 189A.18, Code 1995, is amended to read as
34 follows:

35 189A.18 HUMANE SLAUGHTER PRACTICES.

1 Every establishment subject to the provisions of this
2 chapter engaged in the slaughter of bovine, porcine, or ovine
3 animals or farm deer shall slaughter all such animals in an
4 approved humane slaughtering method. For purposes of this
5 section an approved humane slaughtering method shall include
6 and be limited to slaughter by shooting, electrical shock,
7 captive bolt, or use of carbon dioxide gas prior to the animal
8 being shackle hoisted, thrown, cast or cut; however, the
9 slaughtering, handling or other preparation of livestock in
10 accordance with the ritual requirements of the Jewish or any
11 other faith that prescribes and requires a method whereby
12 slaughter becomes effected by severance of the carotid
13 arteries with a sharp instrument is hereby designated and
14 approved as a humane method of slaughter under the law.

15 Sec. 5. Section 267.1, subsection 2, Code 1995, is amended
16 to read as follows:

17 2. "Livestock" means swine, sheep, poultry, and cattle, or
18 farm deer as defined in section 189A.2.

19 Sec. 6. Section 267.2, subsection 5, Code 1995, is amended
20 to read as follows:

21 5. One milk producer, appointed by the Iowa state dairy
22 association, who shall serve an initial term of two years;
23 and.

24 Sec. 7. Section 267.2, Code 1995, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 5A. One producer of farm deer, as defined
27 in section 189A.2, appointed by the secretary of agriculture,
28 who shall serve an initial term of two years.

29 Sec. 8. Section 481A.1, subsection 20, paragraph h, Code
30 1995, is amended to read as follows:

31 h. The Cervidae: such as deer-and elk or deer, other than
32 farm deer as defined in section 189A.2.

33 Sec. 9. Section 717.1, subsection 2, Code 1995, is amended
34 to read as follows:

35 2. "Livestock" means an animal belonging to the bovine,

1 caprine, equine, ovine, or porcine species; farm deer; or
2 poultry.

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H-3920

1 Amend Senate File 85, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. By striking page 1, line 1 through page 2,
 4 line 14.

A - withdrawn

5 2. Page 2, by striking line 32 and inserting the
 6 following: "farm deer. As used in this paragraph,
 7 "farm deer" means an animal belonging to the cervidae
 8 family and classified as part of the dama species of
 9 the dama genus, commonly referred to as fallow deer;
 10 part of the elaphus species of the cervus genus,
 11 commonly referred to as red deer or elk; or part of
 12 the nippon species of the cervus genus, commonly
 13 referred to as sika. However, a farm deer does not
 14 include any unmarked free ranging elk."

15 3. Page 3, line 1, by inserting after the word
 16 "deer" the following: ", as defined in section
 17 481A.1".

B

18 4. Page 3, by inserting after line 2 the
 19 following:

20 "Sec. _____. The department of agriculture and land
 21 stewardship shall conduct a study relating to the
 22 needs and desirability of adopting or enhancing animal
 23 health requirements including health certificates for
 24 farm deer. In conducting the study, the department
 25 shall solicit comments and participation from
 26 organizations representing farm deer producers, cattle
 27 producers, pork producers, sheep producers, and the
 28 department of natural resources. As used in this
 29 section, "farm deer" means an animal belonging to the
 30 cervidae family and classified as part of the dama
 31 species of the dama genus, commonly referred to as
 32 fallow deer; part of the elaphus species of the cervus
 33 genus, commonly referred to as red deer or elk; or
 34 part of the nippon species of the cervus genus,
 35 commonly referred to as sika. However, a farm deer
 36 does not include any unmarked free ranging elk."

37 5. By renumbering as necessary.

By SALTON of Palo Alto

H-3920 FILED APRIL 12, 1995

A - withdrawn
B - Adopted 4/18/95 (p. 1635)

H-3555

1 Amend Senate File 85, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, line 5, by striking the word "deer"
 4 and inserting the following: "deer;"

5 2. Page 1, line 7, by striking the word "elk" and
 6 inserting the following: "elk;"

7 3. Page 2, by striking lines 15 through 28.

By COMMITTEE ON AGRICULTURE

EDDIE of Buena Vista, Chairperson

H-3555 FILED MARCH 29, 1995

Adopted 4/18/95 (p. 1635)

HOUSE AMENDMENT TO
SENATE FILE 85

S-3467

- 1 Amend Senate File 85, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 5, by striking the word "deer"
4 and inserting the following: "deer;".
- 5 2. Page 1, line 7, by striking the word "elk" and
6 inserting the following: "elk;".
- 7 3. Page 2, by striking lines 15 through 28.
- 8 4. Page 2, by striking line 32 and inserting the
9 following: "farm deer. As used in this paragraph,
10 "farm deer" means an animal belonging to the cervidae
11 family and classified as part of the dama species of
12 the dama genus, commonly referred to as fallow deer;
13 part of the elaphus species of the cervus genus,
14 commonly referred to as red deer or elk; or part of
15 the nippon species of the cervus genus, commonly
16 referred to as sika. However, a farm deer does not
17 include any unmarked free ranging elk."
- 18 5. Page 3, line 1, by inserting after the word
19 "deer" the following: ", as defined in section
20 481A.1"."
- 21 6. Page 3, by inserting after line 2 the
22 following:
23 "Sec. _____. The department of agriculture and land
24 stewardship shall conduct a study relating to the
25 needs and desirability of adopting or enhancing animal
26 health requirements including health certificates for
27 farm deer. In conducting the study, the department
28 shall solicit comments and participation from
29 organizations representing farm deer producers, cattle
30 producers, pork producers, sheep producers, and the
31 department of natural resources. As used in this
32 section, "farm deer" means an animal belonging to the
33 cervidae family and classified as part of the dama
34 species of the dama genus, commonly referred to as
35 fallow deer; part of the elaphus species of the cervus
36 genus, commonly referred to as red deer or elk; or
37 part of the nippon species of the cervus genus,
38 commonly referred to as sika. However, a farm deer
39 does not include any unmarked free ranging elk."
- 40 7. By renumbering, relettering, or redesignating
41 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3467 FILED APRIL 18, 1995

Senate concurred 4/19/95 (p. 1302)

Priebe Chair
Zieman
Hedge

SSB -14
Agriculture

SENATE FILE 85
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON PRIEBE)

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

A BILL FOR

1 An Act providing for the regulation of domestic deer and making
2 penalties applicable.

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

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1 Section 1. Section 189A.2, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5A. "Domestic deer" means an animal
4 belonging to the cervidae family and classified as part of the
5 dama species of the dama genus, or part of the elaphus species
6 of the cervus genus.

7 Sec. 2. Section 189A.2, subsection 14, Code 1995, is
8 amended to read as follows:

9 14. "Livestock" means ~~any~~ a live or dead animal which is
10 limited to cattle, sheep, swine, goats, horses, ~~mules or other~~
11 ~~equines, whether live or dead~~ domestic deer, or which is
12 classified as an equine including a horse or mule.

13 Sec. 3. Section 267.1, subsection 2, Code 1995, is amended
14 to read as follows:

15 2. "Livestock" means swine, sheep, poultry, and cattle, or
16 domestic deer as defined in section 189A.2.

17 Sec. 4. Section 267.2, subsection 5, Code 1995, is amended
18 to read as follows:

19 5. One milk producer, appointed by the Iowa state dairy
20 association, who shall serve an initial term of two years;
21 and.

22 Sec. 5. Section 267.2, Code 1995, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 5A. One producer of domestic deer, as
25 defined in section 189A.2, appointed by the secretary of
26 agriculture, who shall serve an initial term of two years.

27 Sec. 6. Section 481A.1, subsection 20, paragraph h, Code
28 1995, is amended to read as follows:

29 h. The Cervidae: such as ~~deer and elk~~ or deer, other than
30 domestic deer as defined in section 189A.2.

31 Sec. 7. Section 717.1, subsection 2, Code 1995, is amended
32 to read as follows:

33 2. "Livestock" means an animal belonging to the bovine,
34 caprine, equine, ovine, or porcine species; domestic deer; or
35 poultry.

EXPLANATION

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This bill relates to the regulation of domestic deer. The bill defines the domestic deer as an animal belonging to the cervidae family, and subclassified as part of the dama species of the dama genus, or part of the elaphus species of the cervus genus. This includes species commonly referred to as fallow deer, red deer, and wapiti. The bill provides that domestic deer are subject to chapter 189A, regulating meat and poultry inspection.

The bill also provides for a domestic deer producer's representation on the livestock health advisory council as provided in chapter 267.

The bill provides that domestic deer are not subject to regulation by the department of natural resources under chapter 481A which provides for wildlife management. It also provides that domestic deer are subject to the statutory provisions regulating livestock cruelty.

SENATE FILE 85

AN ACT

PROVIDING FOR THE REGULATION OF FARM DEER AND MAKING PENALTIES APPLICABLE.

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

Section 1. Section 189A.2, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. "Farm deer" means an animal belonging to the cervidae family and classified as part of the dama species of the dama genus, commonly referred to as fallow deer; part of the elaphus species of the cervus genus, commonly referred to as red deer or elk; or part of the nippon species of the cervus genus, commonly referred to as sika.

However, a farm deer does not include any unmarked free ranging elk.

Sec. 2. Section 189A.2, subsection 14, Code 1995, is amended to read as follows:

14. "Livestock" means any a live or dead animal which is limited to cattle, sheep, swine, goats, horses, mules or other equines, whether live or dead farm deer, or which is classified as an equine including a horse or mule.

Sec. 3. Section 189A.2, subsection 16, Code 1995, is amended to read as follows:

16. "Meat food product" means any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, excepting products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the secretary under such conditions as the secretary may prescribe to assure that the meat or other portions of such carcass contained in such product are not adulterated and that such products are not represented as meat food products. This term as applied to food products of equines or farm deer shall have a meaning comparable to that provided in this paragraph with respect to cattle, sheep, swine, and goats.

Sec. 4. Section 189A.18, Code 1995, is amended to read as follows:

189A.18 HUMANE SLAUGHTER PRACTICES.

Every establishment subject to the provisions of this chapter engaged in the slaughter of bovine, porcine, or ovine animals or farm deer shall slaughter all such animals in an approved humane slaughtering method. For purposes of this section an approved humane slaughtering method shall include and be limited to slaughter by shooting, electrical shock, captive bolt, or use of carbon dioxide gas prior to the animal

being shackle hoisted, thrown, cast or cut; however, the slaughtering, handling or other preparation of livestock in accordance with the ritual requirements of the Jewish or any other faith that prescribes and requires a method whereby slaughter becomes effected by severance of the carotid arteries with a sharp instrument is hereby designated and approved as a humane method of slaughter under the law.

Sec. 5. Section 481A.1, subsection 20, paragraph h, Code 1995, is amended to read as follows:

h. The Cervidae: such as deer and elk or deer, other than farm deer. As used in this paragraph, "farm deer" means an animal belonging to the cervidae family and classified as part of the dama species of the dama genus, commonly referred to as fallow deer; part of the elaphus species of the cervus genus, commonly referred to as red deer or elk; or part of the nippon species of the cervus genus, commonly referred to as sika. However, a farm deer does not include any unmarked free ranging elk.

Sec. 6. Section 717.1, subsection 2, Code 1995, is amended to read as follows:

2. "Livestock" means an animal belonging to the bovine, caprine, equine, ovine, or porcine species; farm deer, as defined in section 481A.1; or poultry.

Sec. 7. The department of agriculture and land stewardship shall conduct a study relating to the needs and desirability of adopting or enhancing animal health requirements including health certificates for farm deer. In conducting the study, the department shall solicit comments and participation from organizations representing farm deer producers, cattle producers, pork producers, sheep producers, and the department of natural resources. As used in this section, "farm deer" means an animal belonging to the cervidae family and classified as part of the dama species of the dama genus, commonly referred to as fallow deer; part of the elaphus species of the cervus genus, commonly referred to as red deer


or elk; or part of the nippon species of the cervus genus, commonly referred to as sika. However, a farm deer does not include any unmarked free ranging elk.

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 85, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved  , 1995

TERRY E. BRANSTAD
Governor