

FILED FEB 12 1997

SENATE FILE 127  
BY LUNDBY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act establishing a wildlife damage management program,  
2 providing for increased fees for hunting and trapping  
3 licenses, making an appropriation, and providing an  
4 applicability date.

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

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. NEW SECTION. 177B.1 WILDLIFE DAMAGE  
2 MANAGEMENT PROGRAM.

3 The department of agriculture and land stewardship shall  
4 establish a wildlife damage management program. The program  
5 shall provide for the control of damage to agricultural crop,  
6 horticultural crop, or livestock production caused by all  
7 wildlife in the state of Iowa. The program shall emphasize  
8 the prevention of wildlife damage through management  
9 techniques that preserve the life and habitat of wildlife, but  
10 may allow for destroying the offending animal or their habitat  
11 if prevention is not feasible.

12 Sec. 2. NEW SECTION. 177B.2 ADVISORY COUNCIL.

13 1. An advisory council shall be established to assist in  
14 setting up the wildlife damage management program and to  
15 monitor and review the effectiveness of the program. The  
16 advisory council shall include, but not be limited to, all of  
17 the following:

18 a. A member of the general assembly.

19 b. The director of the department of natural resources or  
20 a designated representative.

21 c. The director of the Iowa cooperative extension service  
22 in agriculture and home economics at Iowa state university of  
23 science and technology or a designated representative.

24 d. The president of the Iowa farm bureau federation or a  
25 designated representative.

26 e. The president of the state horticultural society or a  
27 designated representative.

28 f. As selected by the secretary of agriculture,  
29 representatives actively engaged in the commercial production  
30 of horticultural crops, agricultural crops, and livestock in  
31 all of the following areas: cattle, hogs, sheep, corn,  
32 soybeans, fruits and vegetables, and nursery and Christmas  
33 trees.

34 2. The advisory council shall make recommendations to the  
35 secretary regarding rules necessary for implementation and

1 operation of the program. The department shall adopt,  
2 pursuant to chapter 17A, rules necessary to administer this  
3 chapter.

4 Sec. 3. NEW SECTION. 177B.3 OPERATION OF THE PROGRAM.

5 1. The wildlife damage management program shall be  
6 operated in accordance with applicable federal, state, county,  
7 and city laws and ordinances. However, notwithstanding  
8 section 481A.87, or any other law relating to open seasons,  
9 animals may be destroyed pursuant to this program.

10 2. The secretary of agriculture shall contract with the  
11 United States department of agriculture for the United States  
12 department of agriculture to operate animal damage control  
13 activities pursuant to 7 U.S.C. § 426c.

14 Sec. 4. Section 481A.87, Code 1997, is amended to read as  
15 follows:

16 481A.87 OPEN SEASONS.

17 Except as otherwise provided, a person shall not take,  
18 capture, kill, or have in possession a fur-bearing animal or  
19 any of its parts at any time except during the open season as  
20 set by the commission except where the killing, trapping, or  
21 ensnaring is for the protection of a person or public or  
22 private property with the prior permission of a duly appointed  
23 representative of the commission. If prior permission is  
24 impractical or impossible to obtain and the fur-bearing animal  
25 represents a threat to a person, domestic animal, or private  
26 property, the fur-bearing animal may be taken without prior  
27 permission. All fur-bearing animals and all parts thereof  
28 taken as provided in this section shall be disposed of on the  
29 site or shall be relinquished to a representative of the  
30 commission. This section shall not apply to the control of  
31 wildlife damage to horticultural crop, agricultural crop, and  
32 livestock production as provided by the wildlife damage  
33 management program pursuant to chapter 177B.

34 Sec. 5. Section 483A.1, Code 1997, is amended to read as  
35 follows:

1 483A.1 LICENSES -- FEES.

2 Except as otherwise provided in this chapter, no person  
3 shall fish, trap, hunt, pursue, catch, kill or take in any  
4 manner, or use or have possession of, or sell or transport all  
5 or any portion of any wild animal, bird, game or fish, the  
6 protection and regulation of which is desirable for the  
7 conservation of the resources of the state, without first  
8 procuring a license or certificate so to do and the payment of  
9 a fee as follows:

- 10 1. Fishing licenses:
- 11 a. Legal residents except as otherwise provided
- 12 ..... \$ 10.50
- 13 b. Nonresident license ..... \$ 22.50
- 14 c. Seven-day license for residents
- 15 and nonresidents ..... \$ 8.50
- 16 d. Trout stamp ..... \$ 10.00
- 17 2. Hunting licenses:
- 18 a. Legal residents except as otherwise provided
- 19 ..... \$ ~~12.50~~
- 20 ..... 13.00
- 21 b. Deer hunting license for residents ..... \$ ~~25.00~~
- 22 ..... 26.00
- 23 c. Wild turkey hunting license for residents
- 24 ..... \$ ~~22.00~~
- 25 ..... 22.50
- 26 d. Nonresidents hunting license ..... \$ ~~60.50~~
- 27 ..... 61.00
- 28 e. Deer hunting license for nonresidents
- 29 ..... \$ ~~110.00~~
- 30 ..... 111.00
- 31 f. Wild turkey hunting license for nonresidents
- 32 ..... \$ ~~55.00~~
- 33 ..... 55.50
- 34 3. Hunting and fishing combined licenses:
- 35 Legal residents except as otherwise provided

1	.....	\$ 23.00
2		<u>23.50</u>
3	4. Hunting, fishing, and fur harvesting combined licenses:	
4	Annual fur, fish and game license for residents	
5	.....	\$ 37.50
6		<u>38.00</u>
7	5. Fur harvesters, dealers and game breeders licenses:	
8	a. Fur harvester license for legal residents sixteen	
9	years of age or older .....	\$ 20.50
10		<u>21.00</u>
11	b. Fur harvester license for legal residents under	
12	sixteen years of age .....	\$ 5.50
13		<u>6.00</u>
14	c. Fur harvester license for nonresidents	
15	.....	\$ 175.50
16		<u>176.00</u>
17	d. Fur dealers license for residents .....	\$ 225.00
18		<u>225.50</u>
19	e. Fur dealers license for nonresidents .....	\$ 500.00
20		<u>500.50</u>
21	f. Game breeders license .....	\$ 15.00
22		<u>15.50</u>
23	g. Location permit for nonresident fur dealers	
24	.....	\$ 55.00
25		<u>55.50</u>
26	6. Other licenses:	
27	a. Aquaculture unit license, resident.....	\$ 25.00
28	b. Nonresident aquaculture unit license	
29	.....	\$ 50.00
30	c. Bait dealer's license for residents .....	\$ 30.00
31	d. Bait dealer's license for nonresidents	
32	.....	\$ 60.00
33	e. Taxidermy license .....	\$ 15.00
34	f. Falconry license .....	\$ 20.00
35	g. Nongame support certificate .....	\$ 5.00

1 h. Special wildlife habitat stamp ..... \$ 5.00

2 Sec. 6. APPROPRIATION. There is appropriated from the  
3 general fund of the state to the department of agriculture and  
4 land stewardship for the fiscal year beginning July 1, 1997,  
5 and ending June 30, 1998, the following amount, or so much  
6 thereof as is necessary, to be used for the purpose  
7 designated:

8 For the purpose of the wildlife damage management program,  
9 including salaries, support, maintenance, and miscellaneous  
10 purposes:

11 ..... \$ 100,000

12 The intent of the general assembly is that a fee increase  
13 of one dollar on all deer hunting licenses and a fee increase  
14 of fifty cents on all other hunting and trapping licenses  
15 shall be the future source of funding for the wildlife damage  
16 management program in years subsequent to the fiscal year  
17 ending June 30, 1998.

18 Sec. 7. APPLICABILITY DATE. The amendments to section  
19 483A.1 relating to fee increases charged for hunting and  
20 trapping licenses shall apply to licenses issued beginning on  
21 December 15, 1997.

22 EXPLANATION

23 This bill creates the wildlife damage management program in  
24 the department of agriculture and land stewardship. The  
25 program shall provide for the control of damage to  
26 agricultural crop, horticultural crop, and livestock  
27 production caused by wildlife.

28 The bill provides for the establishment of an advisory  
29 council to assist in the implementation of the program and the  
30 monitoring and review of the program. The advisory council  
31 shall make recommendations for rules necessary for the  
32 implementation of the program and upon recommendation by the  
33 secretary the department shall adopt rules necessary for the  
34 implementation of the program.

35 The bill provides that the program shall be operated in

1 accordance with applicable federal, state, and local laws and  
2 ordinances, notwithstanding laws and ordinances relating to  
3 open seasons. The secretary of agriculture shall contract  
4 with the United States department of agriculture to operate  
5 animal damage control activities pursuant to 7 U.S.C. § 426c.

6 The bill provides that Code section 481A.87, relating to  
7 open seasons, shall not apply to the control of wildlife  
8 damage to horticultural crop, agricultural crop, and livestock  
9 production as provided for in the program.

10 The bill increases the fee for all deer hunting licenses by  
11 \$1, and increases the fee for all other hunting and trapping  
12 licenses by 50 cents.

13 The bill appropriates \$100,000 to the department of  
14 agriculture and land stewardship for the purposes of the  
15 program for the fiscal year beginning July 1, 1997, and ending  
16 June 30, 1998. For years following the fiscal year ending  
17 June 30, 1998, it is the intent of the general assembly that  
18 fee increases implemented in this bill shall be the future  
19 source of funding for the program.

20 The bill provides that the fee increases for hunting and  
21 trapping licenses in section 481A.1 shall apply to licenses  
22 issued beginning on December 15, 1997.

23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35