SENATE FILE 362

BY COMMITTEE ON NATURAL

RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 200)

(9.866)

Passed Senate, Date 3-31-97 Passed House, Date 4/15/97 (9.1222)

Vote: Ayes 45 Nays 0 Vote: Ayes 98 Nays 0

Approved May 26, 1997

A BILL FOR

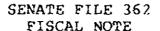
I An Act establishing a wildlife depredation unit within the 2 department of natural resources, allowing the discharge of firearms in state parks for certain purposes, providing for 3 the issuance of additional free deer hunting licenses, subjecting violators to an existing penalty, and providing an effective date. 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

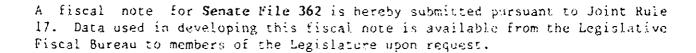
> TLSB 2331SV 77 tj/sc/14

- 1 Section 1. Section 461A.42, subsection 1, Code 1997, is
- 2 amended by striking the subsection and inserting in lieu
- 3 thereof the following:
- 4 1. The use of firearms, explosives, and weapons of ali
- 5 kinds by a person is prohibited in all state parks and
- 6 preserves except under the following conditions:
- 7 a. A firearm or other weapon authorized for hunting may be
- 8 used in preserves or parts of preserves designated by the
- 9 state advisory board on preserves at the request of the
- 10 commission.
- 1) b. A person may use a bow and arrow with an attached bow
- 12 fishing reel and ninety-pound minimum line attached to the
- 13 arrow to take rough fish as provided by rule of the
- 14 commission.
- 15 c. The commission may establish, by rule, the state parks
- 16 or parts of state parks where firearms may be discharged
- 17 during special events, festivals and education programs, or a
- 18 special hunt to control animal populations. The rules
- 19 governing special hunts to control animal populations shall be
- 20 applied separately to each designated state park.
- 21 Sec. 2. NEW SECTION. 481C.1 WILDLIFE DEPREDATION UNIT.
- 22 A wildlife depredation unit is established within the fish
- 23 and wildlife division of the department of natural resources.
- 24 The unit shall be comprised of three wildlife depredation
- 25 biologists. The biologists shall serve under the director of
- 26 the department of natural resources.
- 27 Sec. 3. NEW SECTION. 481C.2 DUTLES.
- 28 The director of the department of natural resources shall
- 29 enter into a memorandum of agreement with the United States
- 30 department of agriculture, animal damage control division.
- 31 The unit shall serve and act as the departmental liaison for
- 32 producers in the state who suffer crop and nursery damage due
- 33 to wildlife.
- 34 Sec. 4. NEW SECTION. 481C.3 FUNDING.
- 35 Notwithstanding section 483A.30, the revenue from

- I nonresident deer and wild turkey hunting licenses shall first
- 2 be used to pay the salaries, support, and maintenance of the
- 3 wildlife depredation unit established pursuant to section
- 4 481C.1. The remaining revenue from nonresident deer and wild
- 5 turkey hunting licenses shall be used to meet the requirements
- 6 of section 483A.30.
- 7 Sec. 5. Section 483A.24, subsection 2, Code 1997, is
- 8 amended by adding the following new paragraph:
- 9 NEW PARAGRAPH. d. If the commission establishes a deer
- 10 hunting season to occur in the first quarter of a calendar
- Il year that is separate from a deer hunting season that
- 12 continues from the last quarter of the preceding calendar
- 13 year, each owner and each tenant of a farm unit located within
- 14 a zone where a deer hunting season is established, upon
- 15 application, shall be issued a free deer hunting license for
- 16 each of the two calendar quarters. Each license is valid only
- 17 for hunting on the farm unit of the owner and tenant.
- 18 Sec. 6. Section 483A.30, Code 1997, is repealed effective
- 19 December 31, 1999.
- 20 Sec. 7. EFFECTIVE DATE. This Act, being deemed of
- 21 immediate importance, takes effect upon enactment.
- 22 EXPLANATION
- 23 This bill amends Code section 461A.42 to allow the
- 24 discharge of firearms in state parks for special events such
- 25 as historic reenactments, educational programs, and special
- 26 hunts for deer population control.
- 27 The bill authorizes an additional free deer hunting license
- 28 for landowners and tenants if the department of natural
- 29 resources creates an additional deer hunting season for the
- 30 first quarter of a calendar year which is separate from a deer
- 31 hunting season which begins in the last quarter of a calendar
- 32 year but extends into the succeeding first quarter.
- 33 Currently, only one free deer license per calendar year is
- 34 allowed for an owner and a tenant.
- 35 The bill also establishes a wildlife depredation unit

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I within the fish and wildlife division of the department of
 2 natural resources. The unit is comprised of three wildlife
 3 depredation biologists. The director of the department of
 4 matural resources shall enter into an agreement with the
 5 United States department of agriculture, animal damage control
 6 division, to have the wildlife depredation unit serve as the
 7 departmental liaison for producers in this state who suffer
 8 crop and nursery damage due to wildlife. The wildlife
 9 deprodation unit will be funded from the first license revenue
10 received from the sale of nonresident deer and wild turkey
Il hunting license fees. The remaining revenue from the
12 nonresident deer and wild turkey hunting license will be used
13 to meet the requirements of Code section 483A.30 which funds
14 the employment of new conservation officers. Code section
15 483A.30 is repealed effective December 31, 1999.
16
      A violator is guilty of a simple misdemeanor.
1.7
      This bill takes effect upon enactment.
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Senate File 362 provides for the creation of a wildlife depredation unit within the Department of Natural Resources. The wildlife depredation unit is funded from the revenues received from the sale of nonresident deer and wild turkey hunting licenses. The unit is to serve as the Department of Natural Resources's liaison for producers in Iowa who suffer crop and nursery damage due to wildlife. The Bill also provides an additional free deer hunting license for landowners and tenants if there is an additional deer season in the first quarter of the calendar year. The Bill allows the discharge of firearms in State parks for special events and special hunts for deer population control, also.

ASSUMPTIONS

- 1. Three wildlife biologists will be hired for a wildlife depredation unit.
- 2. The biologists positions will be funded from nonresident deer and wild turkey hunting license fees.

FISCAL IMPACT

The estimated fiscal impact of Senate File 362 is \$258,700 annually to the Fish and Came Protection Fund. Of that amount, \$147,000 is for salaries for the three wildlife biologists and \$111,700 is for support costs, including vehicles.

SOURCE

Department of Natural Resources

(LSB 2331SV, AMF)

FILED MARCH 25, 1997

BY DENNIS PROUTY, FISCAL DIRECTOR





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SENATE FILE 362
S-3161
      Amend Senate File 362 as follows:
      1. Page 1, line 21, by striking the word
 3 "WILDLIFE" and inserting the following: "WILD
 4 ANIMAL".
      2. Page 1, line 22, by striking the word
 6 "wildlife" and inserting the following:
      3. Page 1, line 24, by striking the word
 9 "wildlife" and inserting the following: "wild
10 animal".
      4. Page 1, line 26, by inserting after the word
12 "resources." the following: "The department shall
13 issue depredation permits as necessary to reduce crop
14 and nursery damage due to wild animals. The criteria
15 for obtaining depredation permits shall be established
16 in rules adopted pursuant to chapter 17A."
      5. Page 1, line 33, by striking the word
18 "wildlife" and inserting the following: "wild
19 animals".
      6. Page 2, line 3, by striking the word
21 "wildlife" and inserting the following: "wild
22 animal".
      7. Title, line 1, by striking the word "wildlife"
24 and inserting the following: "wild anilmal".
   B. Lost 3/2, (P.860) MARY LUNDBY
B. Lost 3/2, (P.860) Morn to R/C Devision A adopted
161 FILED MARCH 18, 1997 Div. A - adopted 3.31-97 (P.865)
S-3161 FILED MARCH 18, 1997
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S-3123

Amend Senate File 362 as follows:

Page 1, line 31, by striking the word

3 "departmental".

2. Page 1, line 33, by inserting after the word 5 "wildlife" the following: "to the department. The 6 criteria for issuing depredation permits shall be

7 established in administrative rules in consultation

8 with the farmer advisory committee created in section

9 481A.10A".

By MERLIN E. BARTZ

S-3123 FILED MARCH 12, 1997 Adoptic 3.3/-97 (p. 866) SENATE FILE 362

S-3246

Amend the amendment, S-3238, to Senate File 362 as 2 follows:

1. Page 1, by striking lines 8 through 15.

2. Page 1, line 16, by striking the word "b." and

5 inserting the following: "1."

6 3. Page 1, line 31, by striking the words 7 "twenty-five" and inserting the following: "two 8 hundred fifty".

By PATTY JUDGE

S-3246 FILED MARCH 26, 1997 Oforder 3/31/97 (p. 865)

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S-3237
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Amend Senate File 362 as follows:

l. By striking page 1, line 21, through page 2,

3 line 6.

- 4 2. Page 2, by striking lines 18 and 19.
- 5 3. Title page, by striking lines 1 and 2 and

6 inserting the following: "An Act allowing the

7 discharge of Wh

3-31-97 (9.865)

By PATTY JUDGE

5-2227 FIXED MADOX 26 1

S-3237 FILED MARCH 26, 1997

SENATE FILE 362

S-3238

1 Amend Senate File 362 as follows:

- 2 1. By striking page 1, line 21, through page 2,
- 2. Page 2, by striking lines 18 and 19 and

5 inserting the following:

- 6 "Sec. . NEW SECTION. 483A.28 DEPREDATION 7 PERMITS -- NONRESIDENT DEER HUNTING PASSPORTS.
- 8 l. a. In administering a deer depredation permit 9 program, the department shall accept the
- 10 recommendations of the United States department of
- ll agriculture, animal damage control. In determining
- 12 the value of crop damage caused by deer, the
- 13 department shall include the damage to all types of
- 14 agricultural and horticultural crops caused by the

15 deer population.

- 16 b. A deer damage control fund is created in the 17 state treasury under the control of the department.
- 18 The moneys credited to the deer damage control fund
- 19 shall be used by the department to fund the deer

20 depredation permit program.

- 21 2. In addition to the requirements of section
- 22 483A.8, a nonresident who hunts deer in this state
- 23 shall have a nonresident deer passport. Upon
- 24 application and payment of a fee of ten dollars, the
- 25 department shall issue a nonresident deer passport to
- 26 the applicant. The fees collected by the department
- 27 shall be credited to the deer damage control fund.
- 28 Sec. ___. APPROPRIATION. There is appropriated
- 29 from the general fund of the state to the deer damage
- 30 control fund for the fiscal year beginning July 1,
- 31 1997, and ending June 30, 1998, the sum of twenty-five
- 32 thousand dollars, or so much thereof as is necessary,
- 32 to be used for the purposes authorized for the deer
- 34 damage control fund."
- 35 3. Title page, line 1, by striking the word
- 36 "wildlife" and inserting the following: __"deer".

By PATTY JUDGE

S-3238 FILED MARCH 26, 1997

NWARCHTTY!

3/31/97

S-3297

- Amend Senate File 362 as follows:
- By striking page 1, line 21, through page 2,
- 3 line 6.
- 4 2. Page 2, by striking lines 18 and 19 and 5 inserting the following:
- 6 "Sec. . NEW SECTION. 483A.28 DEPREDATION 7 PERMITS -- NONRESIDENT DEER HUNTING PASSPORTS.
- 8 1. In administering a deer depredation permit 9 program, the department shall accept the
- 10 recommendations of the United States department of
- ll agriculture, animal damage control. In determining
- 12 the value of crop damage caused by deer, the
- 13 department shall include the damage to all types of
- 14 agricultural and horticultural crops caused by the 15 deer population.
- 16 2. A deer damage control fund is created in the 17 state treasury under the control of the department.
- 18 The moneys credited to the deer damage control fund
- 19 shall be used by the department to fund the deer
- 20 depredation permit program.
- 21 Sec. ___. APPROPRIATION. There is appropriated
- 22 from the general fund of the state to the deer damage
- 23 control fund for the fiscal year beginning July 1,
- 24 1997, and ending June 30, 1998, the sum of two hundred
- 25 fifty thousand dollars, or so much thereof as is
- 26 necessary, to be used for the purposes authorized for
- 27 the deer damage control fund."
- 28 3. Title page, line 1, by striking the word
- 29 "wildlife" and inserting the following: "deer"

By PATTY JUDGE

S-3297 FILED MARCH 31, 1997 LOST 3-81-97 (P.865)

SENATE FILE 362

S-3285

- Amend the amendment, S-3123, to Senate File 362 as
- 2 follows:
- 3 1. Page 1, line 9, by inserting after the figure
- 4 "481A.10A" the following: "and conservation
- 5 organizations".

By DENNIS H. BLACK

S-3285 FILED MARCH 31, 1997 LOST 3.3/-97

(p.866)

H. 4-1-97 Not. Res. H. 4/10/97 Unferiales Buseria Colomba

SENATE FILE 362

BY COMMITTEE ON NATURAL

RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 200)

(AS AMENDED AND PASSED BY THE SENATE MARCH 31, 1997)					
- New Language by the Senate					
* - Language Stricken by the Senate (P)22					
Darbassed Senate, Date 4/23/97(D/400) Passed House, Date 4-/5-97					
Re-Passed Senate, Date 4/23/97(p.1400) Passed House, Date 4-15-97 Vote: Ayes 46 Nays / Vote: Ayes 98 Nays 0					
Approved					
SENATE FILE 362					
H-1589					
1 Amend Senate File 362, as amended, passed, and					
<pre>2 reprinted by the Senate, as follows: 3</pre>					
4 and inserting the following: "two".					
5 2. Page 1, by striking lines 32 through 34 and					
6 inserting the following: "The unit shall serve and					
7 act as the liaison to the department for the producers					
8 in the state who suffer crop and nursery damage due to					
9 wild animals. The department shall issue depredation					
10 permits as necessary to reduce crop and nursery damage					
ll due to wild animals. The criteria for issuing".					
12 3. Page 2, by inserting after line 10 the					
13 following: 14 "Sec. REPORT TO GENERAL ASSEMBLY, 1998. The					
15 department of natural resources shall report, during					
16 January 1998, to the chairpersons and ranking members					
17 of the house committee on natural resources and the					
18 senate committee on natural resources and environment					
19 the number of applications received for depredation					
20 permits and the number of depredation permits issued					
<pre>21 during the preceding calendar year pursuant to section 22 481C.2."</pre>					
22 4610.2. 23 4. By renumbering as necessary.					
By COMMITTEE ON NATURAL RESOURCES					
KLEMME of Plymouth, Chairperson					
H-1589 FILED APRIL 8, 1997					
adapted R 1222					
4.15-47					

- 1 Section 1. Section 461A.42, subsection 1, Code 1997, is
- 2 amended by striking the subsection and inserting in lieu
- 3 thereof the following:
- 4 1. The use of firearms, explosives, and weapons of all
- 5 kinds by a person is prohibited in all state parks and
- 6 preserves except under the following conditions:
- 7 a. A firearm or other weapon authorized for hunting may be
- 8 used in preserves or parts of preserves designated by the
- 9 state advisory board on preserves at the request of the
- 10 commission.
- 11 b. A person may use a bow and arrow with an attached bow
- 12 fishing reel and ninety-pound minimum line attached to the
- 13 arrow to take rough fish as provided by rule of the
- 14 commission.
- 15 c. The commission may establish, by rule, the state parks
- 16 or parts of state parks where firearms may be discharged
- 17 during special events, festivals and education programs, or a
- 18 special hunt to control animal populations. The rules
- 19 governing special hunts to control animal populations shall be
- 20 applied separately to each designated state park.
- 21 Sec. 2. NEW SECTION. 481C.1 WILD ANIMAL DEPREDATION
- 22 UNIT.
- 23 A wild animal depredation unit is established within the
- 24 fish and wildlife division of the department of natural
- 25 resources. The unit shall be comprised of three wild animal
- 26 depredation biologists. The biologists shall serve under the
- 27 director of the department of natural resources.
- 28 Sec. 3. NEW SECTION. 481C.2 DUTIES.
- 29 The director of the department of natural resources shall
- 30 enter into a memorandum of agreement with the United States
- 31 department of agriculture, animal damage control division.
- 32 The unit shall serve and act as the liaison for producers in
 - 33 the state who suffer crop and nursery damage due to wild
 - 34 animals to the department. The criteria for issuing
 - 35 depredation permits shall be established in administrative



l rules in consultation with the farmer advisory.committee

- 2 created in section 481A.10A.
- 3 Sec. 4. NEW SECTION. 481C.3 FUNDING.
- 4 Notwithstanding section 483A.30, the revenue from
- 5 nonresident deer and wild turkey hunting licenses shall first
- 6 be used to pay the salaries, support, and maintenance of the
- 7 wild animal depredation unit established pursuant to section
- 8 481C.1. The remaining revenue from nonresident deer and wild
- 9 turkey hunting licenses shall be used to meet the requirements
- 10 of section 483A.30.
- 11 Sec. 5. Section 483A.24, subsection 2, Code 1997, is
- 12 amended by adding the following new paragraph:
- 13 NEW PARAGRAPH. d. If the commission establishes a deer
- 14 hunting season to occur in the first quarter of a calendar
- 15 year that is separate from a deer hunting season that
- 16 continues from the last quarter of the preceding calendar
- 17 year, each owner and each tenant of a farm unit located within
- 18 a zone where a deer hunting season is established, upon
- 19 application, shall be issued a free deer hunting license for
- 20 each of the two calendar quarters. Each license is valid only
- 21 for hunting on the farm unit of the owner and tenant.
- Sec. 6. Section 483A.30, Code 1997, is repealed effective
- 23 December 31, 1999.
- 24 Sec. 7. EFFECTIVE DATE. This Act, being deemed of
- 25 immediate importance, takes effect upon enactment.

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HOUSE AMENDMENT TO SENATE FILE 362

S-3518

Amend Senate File 362, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 25, by striking the word "three"

4 and inserting the following: "two".

- 5 2. Page 1, by striking lines 32 through 34 and 6 inserting the following: "The unit shall serve and 7 act as the liaison to the department for the producers 8 in the state who suffer crop and nursery damage due to 9 wild animals. The department shall issue depredation 10 permits as necessary to reduce crop and nursery damage 11 due to wild animals. The criteria for issuing".
- 12 3. Page 2, by inserting after line 10 the

13 following:

- "Sec. REPORT TO GENERAL ASSEMBLY, 1998. The 15 department of natural resources shall report, during 16 January 1998, to the chairpersons and ranking members 17 of the house committee on natural resources and the 18 senate committee on natural resources and environment 19 the number of applications received for depredation 20 permits and the number of depredation permits issued 21 during the preceding calendar year pursuant to section 22 481C.2."
- 4. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3518 FILED APRIL 15, 1997 Senate concurred 4/23/97 (p. 1400) Bartz, chair D. Bluck Zieman SSB200

Natural Resource
Succeeded By

SENATE FILE SF HF 362

BY (PROPOSED COMMITTEE ON

NATURAL RESOURCES AND

ENVIRONMENT BILL BY CHAIRPERSON BARTZ)

Passed	Senate,	Date	Passed	House,	Date
Vote:	Ayes	Nays	Vote:	Ayes	Nays
	Ar	oproved			

A BILL FOR

1 An Act relating to the management and hunting of deer by providing for the issuance of nonresident deer hunting 2 passports and establishing the deer damage control fund, 3 relating to the discharge of firearms in state parks, making 4 5 an appropriation, subjecting violators to an existing penalty, and providing an effective date. 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 8 9 10 11 12 13

20 21 22

- 1 Section 1. Section 461A.42, subsection 1, Code 1997, is
- 2 amended by striking the subsection and inserting in lieu
- 3 thereof the following:
- 4 1. The use of firearms, explosives, and weapons of all
- 5 kinds by a person is prohibited in all state parks and
- 6 preserves except under the following conditions:
- 7 a. A firearm or other weapon authorized for hunting may be
- 8 used in preserves or parts of preserves designated by the
- 9 state advisory board on preserves at the request of the
- 10 commission.
- 11 b. A person may use a bow and arrow with an attached bow
- 12 fishing reel and ninety-pound minimum line attached to the
- 13 arrow to take rough fish as provided by rule of the
- 14 commission.
- 15 c. The commission may establish, by rule, the state parks
- 16 or parts of state parks where firearms may be discharged
- 17 during special events, festivals and education programs, or a
- 18 special hunt to control animal populations. The rules
- 19 governing special hunts to control animal populations shall be
- 20 applied separately to each designated state park.
- 21 Sec. 2. Section 483A.8, subsection 3, Code 1997, is
- 22 amended to read as follows:
- 23 3. A nonresident deer hunter is required to have only a
- 24 nonresident deer license and a wildlife habitat stamp. The
- 25 commission shall annually limit to five thousand licenses the
- 26 number of nonresidents allowed to have deer hunting licenses.
- 27 The number of nonresident deer hunting licenses shall be
- 28 determined as provided in section 481A.38. The commission
- 29 shall allocate the nonresident deer hunting licenses issued
- 30 among the zones based on the populations of deer. However, a
- 31 nonresident applicant may request one or more hunting zones,
- 32 in order of preference, in which the applicant wishes to hunt.
- 33 If the request cannot be fulfilled, the applicable fees shall
- 34 be returned to the applicant. A nonresident applying for a
- 35 deer hunting license must exhibit proof of having successfully

S.F. _____ H.F. ____



- 1 completed a hunter safety and ethics education program as
- 2 provided in section 483A.27 or its equivalent as determined by
- 3 the department before the license is issued.
- 4 Sec. 3. Section 483A.24, subsection 2, Code 1997, is
- 5 amended by adding the following new paragraph:
- 6 NEW PARAGRAPH. d. If the commission establishes a deer
- 7 hunting season to occur in the first quarter of a calendar
- 8 year that is separate from a deer hunting season that
- 9 continues from the last quarter of the preceding calendar
- 10 year, each owner and each tenant of a farm unit located within
- ll a zone where a deer hunting season is established, upon
- 12 application, shall be issued a free deer hunting license for
- 13 each of the two calendar quarters. Each license is valid only
- 14 for hunting on the farm unit of the owner and tenant.
- 15 Sec. 4. NEW SECTION. 483A.28 DEPREDATION PERMITS --
- 16 NONRESIDENT DEER HUNTING PASSPORTS.
- 17 l. a. In administering a deer depredation permit program,
- 18 the department shall accept the recommendations of the United
- 19 States department of agriculture, animal damage control. In
- 20 determining the value of crop damage caused by deer, the
- 21 department shall include the damage to all types of
- 22 agricultural and horticultural crops caused by the deer
- 23 population.
- 24 b. A deer damage control fund is created in the state
- 25 treasury under the control of the department. The moneys
- 26 credited to the deer damage control fund shall be used by the
- 27 department to fund the deer depredation permit program.
- 28 2. In addition to the requirements of section 483A.8, a
- 29 nonresident who hunts deer in this state shall have a
- 30 nonresident deer passport. Upon application and payment of a
- 31 fee of ten dollars, the department shall issue a nonresident
- 32 deer passport to the applicant. The fees collected by the
- 33 department shall be credited to the deer damage control fund.
- 34 Sec. 5. APPROPRIATION. There is appropriated from the
- 35 general fund of the state to the deer damage control fund for



SSB 200 H.F.

- 1 the fiscal year beginning July 1, 1997, and ending June 30,
- 2 1998, the sum of twenty-five thousand dollars, or so much
- 3 thereof as is necessary, to be used for the purposes
- 4 authorized for the deer damage control fund.
- 5 Sec. 6. EFFECTIVE DATE. This Act, being deemed of
- 6 immediate importance, takes effect upon enactment.
- 7 EXPLANATION
- 8 This bill amends Code section 461A.42 to allow the
- 9 discharge of firearms in state parks for special events such
- 10 as historic reenactments, educational programs, and special
- 11 hunts for deer population control.
- 12 The bill authorizes an additional free deer hunting license
- 13 for landowners and tenants if the department of natural
- 14 resources creates an additional deer hunting season for the
- 15 first quarter of a calendar year which is separate from a deer
- 16 hunting season which begins in the last quarter of a calendar
- 17 year but extends into the succeeding first quarter.
- 18 Currently, only one free deer license per calendar year is
- 19 allowed for an owner and a tenant.
- The bill also creates a deer damage control fund which will
- 21 receive moneys from a nonresident deer hunting passport and an
- 22 appropriation of \$25,000 from the general fund of the state.
- 23 The fee for the nonresident deer hunting passport is \$10. The
- 24 moneys are to be used to administer the deer depredation
- 25 permit program by the department of natural resources. In
- 26 administering the deer depredation program, the department of
- 27 natural resources is to use the recommendations of the United
- 28 States department of agriculture, animal damage control, and
- 29 include the value of all types of agricultural and
- 30 horticulture crops which are damaged by deer population when
- 31 determining crop damage for the deer depredation permit
- 32 program.
- 33 A violator is guilty of a simple misdemeanor.
- 34 This bill takes effect upon enactment.

AM ACT

ESTABLISHING A WILD ANIMAL DEPREDATION UNIT WITHIN THE DEPARTMENT OF NATURAL RESCURCES, ALLOWING THE DISCHARGE OF PIREARMS IN STATE PARKS FOR CERTAIN PURPOSES, PROVIDING FOR THE ISSUANCE OF ADDITIONAL FREE DEER HUNTING LICENSES, SUBJECTING VIOLATORS TO AN EXISTING PENALTY, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 461A.42, subsection 1, Code 1997, is amended by striking the subsection and inserting in lieu thereof the following:

- 1. The use of Eirearms, explosives, and weapons of all kinds by a person is prohibited in all state parks and preserves except under the following conditions:
- a. A firearm or other weapon authorized for hunting may be used in preserves or parts of preserves designated by the state advisory board on preserves at the request of the commission.
- b. A person may use a bow and arrow with an attached how fishing reel and ninety-pound minimum line attached to the arrow to take rough fish as provided by rule of the commission.
- c. The commission may establish, by rule, the state parks or parts of state parks where firearms may be discharged during special events, festivals and education programs, or a special bunt to control animal populations. The rules governing special bunts to control animal populations shall be applied separately to each designated state park.
- Sec. 2. NEW SECTION. 481C.1 WILD ANIMAL DEPREDATION UNIT.

A wild animal depredation unit is established within the fish and wildlife division of the department of natural

resources. The unit shall be comprised of two wild animal depredation biologists. The biologists shall serve under the director of the department of natural resources.

Sec. 3. NEW SECTION. 4810.2 DUTIES.

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 unit shall serve and act as the liaison to the department for the producers in the state who suffer crop and nursery damage due to wild animals. The department shall issue depredation permits as necessary to reduce crop and nursery damage due to wild animals. The criteria for issuing depredation permits shall be established in administrative rules in consultation with the farmer advisory committee created in section 481A.10A.

Sec. 4. NEW SECTION. 481C.3 FUNDING.

Notwithstanding section 483A.30, the revenue from nonresident deer and wild torkey hunting licenses shall first be used to pay the salaries, support, and maintenance of the wild animal depredation unit established pursuant to section 481C.1. The remaining revenue from nonresident deer and wild turkey bunting licenses shall be used to meet the requirements of section 483A.30.

Sec. 5. REPORT TO GENERAL ASSEMBLY, 1998. The department of natural resources shall report, during January 1998, to the chairpersons and ranking members of the house committee on natural resources and the senate committee on natural resources and environment the number of applications received for depredation permits and the number of depredation permits issued during the preceding calendar year pursuant to section 4810.2.

Sec. 6. Section 483A.24, subsection 2, Code 1997, is amended by adding the following new paragraph:

NEW PARACRAPH. d. If the commission establishes a deer bunting season to occur in the first guarter of a calendar year that is separate from a deer bunting season that