

# House Study Bill 565

## Bill Text

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1 1 Section 1. NEW SECTION. 427C.14 FOREST AND FRUIT TREE  
1 2 INDEMNITY FUND CREATED USE.  
1 3 1. A forest and fruit tree indemnity fund is created in  
1 4 the state treasury to be administered by the department of  
1 5 agriculture and land stewardship. The forest and fruit tree  
1 6 indemnity fund shall consist of moneys appropriated to the  
1 7 indemnity fund by the general assembly or received from the  
1 8 federal government. The proceeds of the forest and fruit tree  
1 9 indemnity fund shall be used to reimburse persons in the  
1 10 business of producing forest trees, fruit trees, fruit, or  
1 11 nuts from losses incurred due to wild animals. Upon  
1 12 application and investigation by the department of agriculture  
1 13 and land stewardship, the department may compensate a producer  
1 14 for up to sixty percent of the market value of the trees,  
1 15 fruit, or nuts lost to wild animals. The department of  
1 16 agriculture and land stewardship shall adopt rules pursuant to  
1 17 chapter 17A necessary to establish application procedures, to  
1 18 establish eligibility requirements for forest or fruit tree  
1 19 producers and growers, and to provide for the assessment of  
1 20 forest, fruit tree, and related crop damages.  
1 21 2. The department of agriculture and land stewardship may  
1 22 enter into a memorandum of agreement with the United States  
1 23 department of agriculture, animal control division, to serve  
1 24 as a liaison to the department of agriculture and land  
1 25 stewardship for producers in this state who suffer tree crop  
1 26 or related fruit damage due to wild animals. In addition to  
1 27 compensation authorized pursuant to subsection 1, a producer  
1 28 incurring damage from wild animals may request depredation  
1 29 permits from the department of natural resources pursuant to  
1 30 section 481C.2.

### EXPLANATION

1 31  
1 32 This bill creates a forest and fruit tree indemnity fund in  
1 33 the state treasury to be administered by the department of  
1 34 agriculture and land stewardship. The forest and fruit tree  
1 35 indemnity fund shall consist of moneys appropriated to the  
2 1 indemnity fund by the general assembly or received from the  
2 2 federal government. The proceeds of the forest and fruit tree  
2 3 indemnity fund shall be used to reimburse persons in the  
2 4 business of producing forest trees, fruit trees, fruit, or  
2 5 nuts from losses incurred due to wild animals. The department  
2 6 of agriculture and land stewardship shall adopt rules to  
2 7 establish application procedures, eligibility requirements for  
2 8 reimbursement, and to provide for the assessment of damages to  
2 9 the trees and related fruit or crops.  
2 10 The department of agriculture and land stewardship may  
2 11 enter into a memorandum of agreement with the United States  
2 12 department of agriculture, animal control division, to serve  
2 13 as a liaison to the department of agriculture and land  
2 14 stewardship for producers in this state who suffer tree crop  
2 15 or related fruit damage due to wild animals. In addition, a  
2 16 tree producer incurring damage from wild animals may request  
2 17 depredation permits from the department of natural resources  
2 18 to reduce the wild animal population.  
2 19 LSB 5363DP 79

