

FILED MAR 06 2006

SENATE FILE 2329
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SF 2120)

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

A BILL FOR

1 An Act providing for an increase in the wildlife habitat fee,
2 making an appropriation, and creating an upland game bird
3 habitat development program.

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

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SF 2329

1 Section 1. Section 483A.1, subsection 1, paragraph q, Code
2 Supplement 2005, is amended to read as follows:

3 q. Wildlife habitat fee..... \$ ~~8-00~~ 11.00

4 Sec. 2. Section 483A.1, subsection 2, paragraph r, Code
5 Supplement 2005, is amended to read as follows:

6 r. Wildlife habitat fee..... \$ ~~8-00~~ 11.00

7 Sec. 3. Section 483A.3, Code 2005, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 3. Notwithstanding subsections 1 and 2,
10 any increase in revenues received on or after July 1, 2006,
11 pursuant to this section as a result of fee increases pursuant
12 to this Act, shall be used by the commission only for the
13 purpose of the upland game bird habitat development program as
14 provided in section 483A.3B. The commission shall not reduce
15 on an annual basis for these purposes the amount of other
16 funds being expended as of July 1, 2006.

17 Sec. 4. NEW SECTION. 483A.3B UPLAND GAME BIRD HABITAT
18 DEVELOPMENT PROGRAMS.

19 1. ALLOCATION OF REVENUE -- ACCOUNTS. All revenue
20 collected from increases in wildlife habitat fees as provided
21 in section 483A.3, subsection 3, that is deposited in the
22 state fish and game protection fund shall be allocated as
23 follows:

24 a. Two dollars of each wildlife habitat fee collected
25 shall be allocated to the upland game bird wetlands
26 conservation account.

27 b. One dollar of each wildlife habitat fee collected shall
28 be allocated to the upland game bird buffer strip assistance
29 account.

30 c. Notwithstanding section 12C.7, subsection 2, interest
31 or earnings on moneys collected from wildlife habitat fees
32 that are deposited in each account created under this section
33 shall be credited to that account. Notwithstanding section
34 8.33 or section 456A.17, moneys credited to each account
35 created under this section shall not revert to the state

1 general fund at the close of a fiscal year.

2 d. All revenue generated by increases in the wildlife
3 habitat fee as provided in section 483A.3, subsection 3, shall
4 be used as provided in this section, except for that part
5 which is specified by the department for use in paying
6 administrative expenses as provided in section 456A.17.

7 2. UPLAND GAME BIRD WETLANDS CONSERVATION PROGRAM.

8 a. All moneys allocated to the upland game bird wetlands
9 conservation account shall be used by the department only to
10 carry out the purposes of the upland game bird wetlands
11 conservation program and shall be used in addition to funds
12 already being expended by the department each year for
13 wetlands conservation purposes.

14 b. The purpose of the upland game bird wetlands
15 conservation program is to create a sustained source of
16 revenue to be used by the department to qualify for federal
17 matching funds that are available for wetlands conservation
18 under the federal North American Wetlands Conservation Act
19 program, 16 U.S.C. § 4401-4414, and to undertake projects that
20 will aid in wetlands and associated upland habitat
21 conservation in the state, including the acquisition,
22 restoration, maintenance, or preservation of wetlands and
23 associated upland habitat.

24 c. (1) All moneys that are allocated to the upland game
25 bird wetlands conservation account shall accumulate in the
26 account until the account balance is equal to one million
27 dollars or an amount sufficient to be used by the department
28 to qualify for federal matching funds. Each time the account
29 balance reaches an amount sufficient to be used by the
30 department to qualify for federal matching funds, the
31 department shall apply for such matching funds, and upon
32 obtaining such funds, shall expend the state and federal
33 revenues available at that time to undertake projects as set
34 forth in paragraph "b".

35 (2) Additional moneys that are generated by upland game

1 bird fees and allocated to the upland game bird wetlands
2 conservation account shall again accumulate in the account,
3 and each time the account balance is equal to one million
4 dollars or an amount sufficient to be used by the department
5 to qualify for federal matching funds, the department shall
6 again apply for federal matching funds, and upon obtaining
7 such funds, shall expend the state and federal revenues
8 available at that time to undertake projects as set forth in
9 paragraph "b".

10 d. The department shall use all state revenue and federal
11 matching funds obtained under the federal North American
12 Wetlands Conservation Act to undertake the purposes of the
13 upland game bird wetlands conservation program as set forth in
14 paragraph "b". State revenue allocated to the account shall
15 be used by the department only for projects that increase
16 public recreational hunting opportunities in the state and
17 shall not be used for projects on private land that is not
18 accessible to the public for recreational hunting.

19 3. UPLAND GAME BIRD BUFFER STRIP ASSISTANCE PROGRAM.

20 a. All moneys allocated to the upland game bird buffer
21 strip assistance account shall be used by the department only
22 to carry out the purposes of the upland game bird buffer strip
23 assistance program and shall be used in addition to funds
24 already being expended by the department each year for such
25 purposes. The department shall not reduce the amount of other
26 funds being expended for these purposes as of July 1, 2006.

27 b. The purpose of the upland game bird buffer strip
28 assistance program is to create an additional source of
29 revenue to be used by the department for the purpose of
30 providing cost-sharing assistance to landowners who establish
31 farmstead and feedlot shelterbelts, temporary winter habitat
32 plots, and other habitat practices designed to implement the
33 restoration of upland game birds throughout the state.

34 c. (1) All moneys that are allocated to the upland game
35 bird buffer strip assistance account shall accumulate in the

1 account for a period of five years. At the end of the five-
2 year period, the moneys in the account shall be used by the
3 department to carry out the purposes of the upland game bird
4 buffer strip assistance program as set forth in paragraph "b".
5 The cost-share assistance shall be provided to applicants on a
6 first-come, first-served basis until the moneys accumulated in
7 the account during that period are exhausted. The department
8 shall, by rule pursuant to chapter 17A, establish eligibility
9 requirements for the program and procedures for applications
10 for and approval of projects to be funded under the program.
11 The department shall expend moneys from the account only for
12 projects on private land that is accessible to the public for
13 recreational hunting.

14 (2) Additional moneys that are generated by upland game
15 bird fees and allocated to the upland game bird buffer strip
16 assistance account shall accumulate in the account and shall
17 be used by the department every five years as set forth in
18 subparagraph (1).

19 4. DEFINITION. As used in this section, "upland game
20 bird" means a pheasant or a quail.

21 EXPLANATION

22 This bill increases the wildlife habitat fee by \$3,
23 appropriates the increase in moneys collected, and creates
24 programs to expend the moneys for upland game bird habitat
25 development.

26 The bill provides that all increases in wildlife habitat
27 fees collected shall be forwarded by the department of natural
28 resources to the treasurer of state for placement in the state
29 fish and game protection fund and are appropriated to the
30 department to be used solely for the purposes set forth in the
31 bill.

32 Revenue deposited in the state fish and game protection
33 fund is allocated by the bill into two separate accounts, with
34 \$2 of each fee collected to be allocated to the upland game
35 bird wetlands conservation account and \$1 of each fee

1 collected to be allocated to the upland game bird buffer strip
2 assistance account. Interest or earnings on moneys contained
3 in each account must be credited to the account, and moneys in
4 each account do not revert to the general fund at the close of
5 the fiscal year.

6 Moneys allocated to the upland game bird wetlands
7 conservation account by the bill must be used by the
8 department only to carry out the purposes of the upland game
9 bird wetlands conservation program, which are to create a
10 sustained source of revenue to be used by the department to
11 qualify for federal matching funds that are available for
12 wetlands conservation under the federal North American
13 Wetlands Conservation Act and to undertake projects that will
14 aid in wetlands and associated upland habitat conservation in
15 the state, including the acquisition, restoration,
16 maintenance, or preservation of wetlands and associated upland
17 habitat.

18 The bill provides that moneys that are allocated to the
19 upland game bird wetlands conservation account shall
20 accumulate in the account until the account balance is equal
21 to \$1 million or an amount sufficient to be used by the
22 department to qualify for federal matching funds. Each time
23 the account balance reaches the necessary amount, the
24 department is required to apply for such matching funds, and
25 upon obtaining those funds, expend the state and federal
26 revenues available to carry out the purposes of the upland
27 game bird wetlands conservation program. The bill provides
28 that state revenue allocated to the account shall be used for
29 projects that increase public recreational hunting
30 opportunities in the state and shall not be used on private
31 land that is not accessible to the public for recreational
32 hunting.

33 Moneys allocated to the upland game bird buffer strip
34 assistance account must be used by the department only to
35 carry out the purposes of the upland game bird buffer strip

1 assistance program, which are to create an additional source
2 of revenue to be used by the department to provide cost-
3 sharing assistance to landowners who establish farmstead and
4 feedlot shelterbelts, temporary winter habitat plots, and
5 other habitat practices designed to implement the restoration
6 of upland game birds throughout the state.

7 The bill provides that moneys allocated to the upland game
8 bird buffer strip assistance account shall accumulate in the
9 account for five years and then be used by the department to
10 carry out the purposes of the upland game bird buffer strip
11 assistance program. The bill provides that cost-share
12 assistance given under the program shall be on a first-come,
13 first-served basis until the moneys allocated to the account
14 during that period are exhausted. The department is required
15 to adopt rules to establish eligibility requirements and
16 procedures for applications for and approval of projects to be
17 funded under the program. The process is then repeated every
18 five years using funds that have accumulated in the account.

19 For purposes of the bill, an "upland game bird" is a
20 pheasant or a quail.

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Fiscal Services Division
Legislative Services Agency
Fiscal Note

SF 2329 - Pheasant Habitat Program (LSB 5069 SV)
Analyst: Debra Kozel (Phone: [515] 281-6767) (deb.kozel@legis.state.ia.us)
Fiscal Note Version - New

Description

Senate File 2329 increases the wildlife habitat fee from \$8.00 to \$11.00 with the additional funding distributed for two new funds. Of the \$3.00 increase, the allocations will include:

1. Two dollars to the Upland Game Bird Wetlands Conservation Account. The Department of Natural Resources (DNR) will accumulate the funds until they qualify for matching federal funding under the North American Wetlands Conservation Act. Funds will be used by the DNR for projects that will increase public recreational hunting opportunities in the State.
2. One dollar to the new Upland Game Bird Buffer Strip Assistance Account. The DNR will use this funding to provide cost share assistance to landowners to create habitats that will increase the number of upland game birds.

Assumptions

1. The DNR estimates they will sell 240,000 wildlife habitat fees.
2. The additional \$3.00 will generate \$720,000 per year to the Fish and Game Protection Fund.
3. Two-thirds of the funding or \$480,000 will be allocated to the Upland Game Bird Wetlands Conservation Account and one-third or \$240,000 will be allocation to the Upland Game Bird Buffer Strip Assistance Account.

Fiscal Impact

The fiscal impact of SF 2329 is an increase in revenue to the Fish and Game Protection Fund of approximately \$720,000 per year beginning in FY 2007. The funds will be allocated with \$480,000 for the Upland Game Bird Wetlands Conservation Account and \$240,000 to the Upland Game Bird Buffer Strip Assistance Account.

Source

Department of Natural Resources

/s/ Holly M. Lyons

March 9, 2006

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
