

Senate File 2328 - Introduced

SENATE FILE _____
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 3176)

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

A BILL FOR

1 An Act relating to the deer depredation management program,
2 establishing a deer study advisory committee, and providing an
3 effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5779SV 82
6 av/nh/14

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1 1 Section 1. Section 481A.10A, Code 2007, is amended to read
1 2 as follows:
1 3 481A.10A FARMER ADVISORY COMMITTEE.
1 4 The director shall establish a farmer advisory committee
1 5 for the purpose of providing information to the department
1 6 regarding crop and tree damage caused by deer, wild turkey,
1 7 and other predators. Members of the committee shall include a
1 8 representative designated by each of the following
1 9 organizations: the Iowa corn growers association, the Iowa
1 10 farm bureau federation, the Iowa farmers union, the Iowa state
1 11 horticulture society, the Iowa Christmas tree growers
1 12 association, the department of agriculture and land
1 13 stewardship, and the Iowa state university agricultural
1 14 extension service. The committee shall meet with a
1 15 representative of the department of natural resources on a
1 16 semiannual basis. The committee shall serve without
1 17 compensation or reimbursement for expenses.
1 18 Sec. 2. Section 481C.2, Code 2007, is amended to read as
1 19 follows:
1 20 481C.2 DUTIES.
1 21 1. The director of the department of natural resources
1 22 shall enter into a memorandum of agreement with the United
1 23 States department of agriculture, animal damage control
1 24 division. The wild animal depredation unit shall serve and
1 25 act as the liaison to the department for the producers in the
1 26 state who suffer crop and, horticultural product, tree, or
1 27 nursery damage due to wild animals.
1 28 2. The department shall issue depredation permits to any
1 29 landowner who incurs crop and, horticultural product, tree, or
1 30 nursery damage of one thousand dollars or more due to wild
1 31 animals.
1 32 3. The criteria for issuing depredation licenses and
1 33 permits shall be established in administrative rules in
1 34 consultation with the farmer advisory committee created in
1 35 section 481A.10A. The administrative rules adopted pursuant
2 1 to this section shall not require a producer to erect or
2 2 maintain fencing at a cost exceeding one thousand dollars as a
2 3 requisite for receiving a depredation license or permit or for
2 4 participation in a depredation plan.
2 5 Sec. 3. NEW SECTION. 481C.2A DEER DEPREDATION MANAGEMENT
2 6 PROGRAM == LICENSES AND PERMITS.
2 7 1. Deer depredation licenses shall be available for
2 8 issuance as follows:
2 9 a. Deer depredation licenses shall be available for
2 10 issuance to resident hunters.
2 11 b. Depredation licenses issued pursuant to this subsection
2 12 shall be valid to harvest antlerless deer only. Depredation
2 13 licenses that are issued to a landowner and family members as
2 14 defined in section 483A.24 shall be in addition to the number
2 15 of free licenses that are available for issuance to such
2 16 persons under section 483A.24. A landowner or a family member

2 17 may obtain one free depredation license for each deer hunting
2 18 season that is established by the commission. Deer may be
2 19 harvested with a rifle pursuant to a depredation license in
2 20 any area and in any season where the commission authorizes the
2 21 use of rifles.

2 22 c. Licenses issued pursuant to this subsection may be
2 23 issued at any time to a resident hunter who has permission to
2 24 hunt on the land for which the license is valid pursuant to
2 25 this subsection.

2 26 d. A producer who enters into a depredation agreement with
2 27 the department of natural resources shall be issued a set of
2 28 authorization numbers. Each authorization number authorizes a
2 29 resident hunter to obtain a depredation license that is valid
2 30 only for taking antlerless deer on the land designated in the
2 31 producer's depredation plan. A producer may transfer an
2 32 authorization number issued to that producer to a resident
2 33 hunter who has permission to hunt on the land for which the
2 34 authorization number is valid. An authorization number shall
2 35 be valid to obtain a depredation license in any season. The
3 1 provisions of this paragraph shall be implemented by August
3 2 15, 2008. A transferee who receives an authorization number
3 3 pursuant to this paragraph "d" shall be otherwise qualified to
3 4 hunt deer in this state, have a hunting license, pay the
3 5 wildlife habitat fee, and pay the one dollar fee for the
3 6 purpose of the deer herd population management program.

3 7 2. Deer shooting permits shall be available for issuance
3 8 as follows:

3 9 a. Deer shooting permits shall be available for issuance
3 10 to landowners who incur crop, horticultural product, tree, or
3 11 nursery damage as provided in section 481C.2 and shall be
3 12 available for issuance for use on areas where public safety
3 13 may be an issue.

3 14 b. Deer shooting permits issued pursuant to this
3 15 subsection shall be valid and may be used outside of
3 16 established deer hunting seasons.

3 17 3. Notwithstanding section 481C.2, subsection 3, a
3 18 producer shall not be required to erect or maintain fencing as
3 19 a requisite for receiving a deer depredation permit or for
3 20 participation in a deer depredation plan pursuant to this
3 21 section.

3 22 4. A person who harvests a deer with a deer depredation
3 23 license or a deer shooting permit issued pursuant to this
3 24 section shall utilize the deer harvest reporting system set
3 25 forth in section 483A.8A and shall not be subject to different
3 26 disposal or reporting requirements than are applicable to the
3 27 harvest of deer pursuant to other deer hunting licenses except
3 28 that any antlers on a deer taken pursuant to a shooting permit
3 29 shall be delivered to the local conservation officer for
3 30 disposal.

3 31 5. The department shall administer and enforce the
3 32 administrative rules concerning deer depredation, including
3 33 issuance of deer depredation licenses and deer shooting
3 34 permits, that are established by the commission.

3 35 6. The department shall make educational materials that
4 1 explain the deer depredation management program available to
4 2 the general public, and available specifically to farmers and
4 3 farm and commodity organizations, in both electronic and
4 4 brochure formats by June 30, 2008.

4 5 7. The department shall conduct outreach programs for
4 6 farmers and farm and commodity organizations that explain the
4 7 deer depredation management program. The department shall
4 8 develop, by rule, a master hunter program and maintain a list
4 9 of master hunters who are available to assist producers in the
4 10 deer depredation management program by increasing the harvest
4 11 of antlerless deer on the producer's property.

4 12 Sec. 4. DEER STUDY ADVISORY COMMITTEE. A deer study
4 13 advisory committee is established for the purpose of studying
4 14 the best way to maintain a sustainable, socially acceptable
4 15 deer population in the state while maximizing and balancing
4 16 the economic value of deer hunting to Iowa's economy with the
4 17 needs of the agricultural industry and public safety concerns.

4 18 1. The advisory committee shall be composed of the
4 19 following members:

4 20 a. One representative from each of the following
4 21 organizations or entities, to be appointed by the governor:

4 22 (1) Iowa association of county conservation boards.
4 23 (2) Iowa farm bureau federation.
4 24 (3) Iowa farmers union.
4 25 (4) Iowa conservation alliance.
4 26 (5) Iowa bow hunters association.
4 27 (6) Whitetails unlimited.

4 28 (7) Iowa hospitality association.
4 29 (8) Iowa restaurant association.
4 30 (9) Iowa meat processors association.
4 31 (10) Iowa league of cities.
4 32 (11) The department of transportation.
4 33 (12) Iowa woodland owners association.
4 34 (13) Federation of Iowa insurers.
4 35 (14) Iowa realtors association.
5 1 (15) Iowa chapter of the sierra club.
5 2 (16) Iowa environmental council.
5 3 b. The director of the department of natural resources or
5 4 a designee.
5 5 c. The secretary of agriculture or a designee.
5 6 d. The director of the department of economic development
5 7 or a designee.
5 8 e. Two members of the senate, one of whom is appointed by
5 9 the majority leader of the senate and one of whom is appointed
5 10 by the minority leader of the senate.
5 11 f. Two members of the house of representatives, one of
5 12 whom is appointed by the speaker of the house of
5 13 representatives and one of whom is appointed by the minority
5 14 leader of the house of representatives.
5 15 2. The director of the department of natural resources or
5 16 the director's designee shall serve as the chairperson of the
5 17 advisory committee.
5 18 3. Legislative members of the committee are eligible for
5 19 per diem and reimbursement of actual expenses as provided in
5 20 section 2.10.
5 21 4. The committee shall review, analyze, and make
5 22 recommendations on issues relating to the state's deer
5 23 population including but not limited to the following:
5 24 a. The current status of Iowa's deer population, harvest,
5 25 and population management programs.
5 26 b. The economic impact and value of Iowa's deer
5 27 population.
5 28 c. The cost of damage to crops caused by deer.
5 29 d. The number and cost of motor vehicle accidents caused
5 30 by deer.
5 31 e. A review of the deer management challenges and programs
5 32 of other midwestern states.
5 33 f. An assessment of public opinion concerning the number
5 34 of deer, and the impact and value of Iowa's deer population.
5 35 5. The advisory committee shall complete its deliberations
6 1 in December 2008 and submit a final report to the governor and
6 2 the general assembly summarizing the committee's activities,
6 3 analyzing the issues studied, and including any other
6 4 information or recommendations that the committee deems
6 5 relevant and necessary by January 10, 2009.
6 6 Sec. 5. Section 483A.24C, Code 2007, is repealed.
6 7 Sec. 6. EFFECTIVE DATE. This Act, being deemed of
6 8 immediate importance, takes effect upon enactment.

6 9 EXPLANATION

6 10 This bill relates to the deer depredation management
6 11 program and provides for a deer study advisory committee.
6 12 The bill specifies that the farmer advisory committee that
6 13 provides information to the department of natural resources
6 14 (DNR) regarding crop and tree damage caused by deer, wild
6 15 turkey, and other predators must include representatives of
6 16 specified organizations.
6 17 The bill expands the scope of the wild animal depredation
6 18 unit of the DNR to include horticultural product and tree
6 19 damage as well as crop and nursery damage. The bill
6 20 establishes the deer depredation management program and
6 21 requires the DNR to issue deer depredation licenses and
6 22 shooting permits.
6 23 Deer depredation licenses are available for issuance to
6 24 resident hunters to shoot antlerless deer on the land
6 25 designated in the producer's depredation plan during any
6 26 established deer hunting season. Such licenses are in
6 27 addition to free licenses that are available to landowners and
6 28 family members under Code section 483A.24. A producer who
6 29 enters into a depredation agreement with the DNR will be
6 30 issued a set of authorization numbers. Each number authorizes
6 31 a resident hunter to obtain one depredation license. A
6 32 producer may transfer such an authorization number to any
6 33 resident hunter who is otherwise qualified to hunt, has a
6 34 hunting license, and has paid the wildlife habitat fee and the
6 35 deer herd population management program fee. This program
7 1 must be implemented by August 15, 2008.
7 2 The bill also requires the DNR to issue deer shooting
7 3 permits to landowners who incur crop, horticultural product,

7 4 tree, or nursery damage or for use on areas where public
7 5 safety may be an issue. Deer shooting permits are valid for
7 6 use outside of established deer hunting seasons to harvest
7 7 antlerless or any sex deer.

7 8 Deer harvested pursuant to deer depredation licenses or
7 9 deer shooting permits must be reported using the harvest
7 10 reporting system set forth in Code section 483A.8A and shall
7 11 not be subject to different disposal or reporting requirements
7 12 than are applicable to the harvest of deer pursuant to other
7 13 deer hunting licenses except that antlers on a deer taken with
7 14 a shooting permit must be delivered to the local conservation
7 15 officer for disposal.

7 16 The DNR is required to make educational materials available
7 17 explaining the deer depredation management program to the
7 18 general public and specifically to farmers and farm and
7 19 commodity organizations, in both electronic and brochure
7 20 formats by June 30, 2008. The DNR is required to conduct
7 21 outreach programs for farmers and farm and commodity
7 22 organizations to explain the depredation program. The DNR is
7 23 also required to develop a master hunter program and maintain
7 24 a list of master hunters who are available to assist producers
7 25 in the deer depredation management program by increasing the
7 26 harvest of antlerless deer on the producer's property.

7 27 The bill establishes a deer study advisory committee to
7 28 study the best way to maintain a sustainable, socially
7 29 acceptable deer population in the state while maximizing and
7 30 balancing the economic value of deer hunting to Iowa's economy
7 31 with the needs of the agricultural industry and public safety
7 32 concerns. The bill specifies that the committee shall be
7 33 composed of representatives from specified organizations and
7 34 entities, the director of the DNR or a designee, the secretary
7 35 of agriculture or a designee, and six legislators. The
8 1 committee is required to complete its deliberations in
8 2 December 2008 and submit a final report to the governor and
8 3 the general assembly summarizing the committee's activities,
8 4 analyzing the issues studied, and include any other
8 5 information or recommendations by January 10, 2009.

8 6 The bill is effective upon enactment.

8 7 LSB 5779SV 82
8 8 av/nh/14