

Senate File 255 - Introduced

SENATE FILE _____
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 1224)

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 a game bird habitat
3 development program.

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

5 TLSB 2216SV 82

6 av/je/5

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1 1 Section 1. Section 483A.1, subsection 1, paragraph q, Code
1 2 2007, is amended to read as follows:

1 3 q. Wildlife habitat fee \$ ~~8.00~~ 11.00

1 4 Sec. 2. Section 483A.1, subsection 2, paragraph r, Code

1 5 2007, is amended to read as follows:

1 6 r. Wildlife habitat fee \$ ~~8.00~~ 11.00

1 7 Sec. 3. Section 483A.3, Code 2007, is amended by adding

1 8 the following new subsection:

1 9 NEW SUBSECTION. 3. Notwithstanding subsections 1 and 2,

1 10 any increase in revenues received on or after July 1, 2007,

1 11 pursuant to this section as a result of fee increases pursuant

1 12 to this Act, shall be used by the commission only for the

1 13 purpose of the game bird habitat development program as

1 14 provided in section 483A.3B. The commission shall not reduce

1 15 on an annual basis for these purposes the amount of other

1 16 funds being expended as of July 1, 2007.

1 17 Sec. 4. NEW SECTION. 483A.3B GAME BIRD HABITAT

1 18 DEVELOPMENT PROGRAMS.

1 19 1. ALLOCATION OF REVENUE == ACCOUNTS. All revenue

1 20 collected from increases in wildlife habitat fees as provided

1 21 in section 483A.3, subsection 3, that is deposited in the

1 22 state fish and game protection fund shall be allocated as

1 23 follows:

1 24 a. Two dollars of each wildlife habitat fee collected

1 25 shall be allocated to the game bird wetlands conservation

1 26 account.

1 27 b. One dollar of each wildlife habitat fee collected shall

1 28 be allocated to the game bird buffer strip assistance account.

1 29 c. Notwithstanding section 12C.7, subsection 2, interest

1 30 or earnings on moneys collected from wildlife habitat fees

1 31 that are deposited in each account created under this section

1 32 shall be credited to that account. Notwithstanding section

1 33 8.33 or section 456A.17, moneys credited to each account

1 34 created under this section shall not revert to the state

1 35 general fund at the close of a fiscal year.

2 1 d. All revenue generated by increases in the wildlife

2 2 habitat fee as provided in section 483A.3, subsection 3, shall

2 3 be used as provided in this section, except for that part

2 4 which is specified by the department for use in paying

2 5 administrative expenses as provided in section 456A.17.

2 6 2. GAME BIRD WETLANDS CONSERVATION PROGRAM.

2 7 a. All moneys allocated to the game bird wetlands

2 8 conservation account shall be used by the department only to

2 9 carry out the purposes of the game bird wetlands conservation

2 10 program and shall be used in addition to funds already being

2 11 expended by the department each year for wetlands conservation

2 12 purposes.

2 13 b. The purpose of the game bird wetlands conservation

2 14 program is to create a sustained source of revenue to be used

2 15 by the department to qualify for federal matching funds that

2 16 are available for wetlands conservation under the federal

2 17 North American Wetlands Conservation Act program, 16 U.S.C. }
2 18 4401=4414, and to undertake projects in conjunction with soil
2 19 and water conservation districts, county conservation boards,
2 20 and other partners that will aid in wetlands and associated
2 21 habitat conservation in the state, including the acquisition,
2 22 restoration, maintenance, or preservation of wetlands and
2 23 associated upland habitat.

2 24 c. (1) All moneys that are allocated to the game bird
2 25 wetlands conservation account shall accumulate in the account
2 26 until the account balance is equal to one million dollars or
2 27 an amount sufficient to be used by the department to qualify
2 28 for federal matching funds. Each time the account balance
2 29 reaches an amount sufficient to be used by the department to
2 30 qualify for federal matching funds, the department shall apply
2 31 for such matching funds, and upon obtaining such funds, shall
2 32 expend the state and federal revenues available at that time
2 33 to undertake projects as set forth in paragraph "b".

2 34 (2) Additional moneys that are generated by game bird
2 35 wildlife habitat fees and allocated to the game bird wetlands
3 1 conservation account shall again accumulate in the account,
3 2 and each time the account balance is equal to one million
3 3 dollars or an amount sufficient to be used by the department
3 4 to qualify for federal matching funds, the department shall
3 5 again apply for federal matching funds, and upon obtaining
3 6 such funds, shall expend the state and federal revenues
3 7 available at that time to undertake projects as set forth in
3 8 paragraph "b".

3 9 d. The department shall use all state revenue and federal
3 10 matching funds obtained under the federal North American
3 11 Wetlands Conservation Act to undertake the purposes of the
3 12 game bird wetlands conservation program as set forth in
3 13 paragraph "b". State revenue allocated to the account shall
3 14 be used by the department only for projects that increase
3 15 public recreational hunting opportunities in the state and
3 16 shall not be used for projects on private land that is not
3 17 accessible to the public for recreational hunting.

3 18 3. GAME BIRD BUFFER STRIP ASSISTANCE PROGRAM.

3 19 a. All moneys allocated to the game bird buffer strip
3 20 assistance account shall be used by the department only to
3 21 carry out the purposes of the game bird buffer strip
3 22 assistance program and shall be used in addition to funds
3 23 already being expended by the department each year for such
3 24 purposes. The department shall not reduce the amount of other
3 25 funds being expended for these purposes as of July 1, 2007.

3 26 b. The purpose of the game bird buffer strip assistance
3 27 program is to increase landowner participation in federally
3 28 funded conservation programs that benefit game birds and to
3 29 increase opportunities for recreational hunting on private
3 30 lands. To the extent possible, moneys allocated to the game
3 31 bird buffer strip assistance account shall be used in
3 32 conjunction with and to qualify for additional funding from
3 33 private conservation organizations and other state and federal
3 34 agencies to accomplish the purposes of the program. The funds
3 35 may be used to provide private landowners with cost-sharing
4 1 assistance for habitat improvement practices on projects that
4 2 are not eligible for federal programs or where federal funding
4 3 for such projects is not adequate. The department may utilize
4 4 the funds to provide marketing and outreach efforts to
4 5 landowners in order to maximize landowners' use of federal
4 6 conservation programs. The department may coordinate such
4 7 marketing and outreach efforts with soil and water
4 8 conservation districts and other partners.

4 9 c. (1) All moneys that are allocated to the game bird
4 10 buffer strip assistance account shall accumulate in the
4 11 account for a period of five years. At the end of the five=
4 12 year period, the moneys in the account shall be used by the
4 13 department to carry out the purposes of the game bird buffer
4 14 strip assistance program as set forth in paragraph "b". The
4 15 department shall, by rule pursuant to chapter 17A, establish
4 16 eligibility requirements for the program and procedures for
4 17 applications for and approval of projects to be funded under
4 18 the program. The department shall expend moneys from the
4 19 account only for projects on private land that is accessible
4 20 to the public for recreational hunting.

4 21 (2) Additional moneys that are generated by game bird
4 22 wildlife habitat fees and allocated to the game bird buffer
4 23 strip assistance account shall accumulate in the account and
4 24 shall be used by the department every five years as set forth
4 25 in subparagraph (1).

4 26 4. DEFINITION. As used in this section, "game bird" means
4 27 a pheasant or a quail.

EXPLANATION

4 28
4 29 This bill increases the wildlife habitat fee by \$3,
4 30 appropriates the increase in moneys collected, and creates
4 31 programs to expend the moneys for game bird habitat
4 32 development.

4 33 The bill provides that all increases in wildlife habitat
4 34 fees collected shall be forwarded by the department of natural
4 35 resources to the treasurer of state for placement in the state
5 1 fish and game protection fund and are appropriated to the
5 2 department to be used solely for the purposes set forth in the
5 3 bill.

5 4 Revenue deposited in the state fish and game protection
5 5 fund is allocated by the bill into two separate accounts, with
5 6 \$2 of each fee collected to be allocated to the game bird
5 7 wetlands conservation account and \$1 of each fee collected to
5 8 be allocated to the game bird buffer strip assistance account.
5 9 Interest or earnings on moneys contained in each account must
5 10 be credited to the account, and moneys in each account do not
5 11 revert to the general fund at the close of the fiscal year.

5 12 Moneys allocated to the game bird wetlands conservation
5 13 account by the bill must be used by the department only to
5 14 carry out the purposes of the game bird wetlands conservation
5 15 program, which are to create a sustained source of revenue to
5 16 be used by the department to qualify for federal matching
5 17 funds that are available for wetlands conservation under the
5 18 federal North American Wetlands Conservation Act and to
5 19 undertake projects in conjunction with soil and water
5 20 conservation districts, county conservation boards, and other
5 21 partners that will aid in wetlands and associated habitat
5 22 conservation in the state, including the acquisition,
5 23 restoration, maintenance, or preservation of wetlands and
5 24 associated habitat.

5 25 The bill provides that moneys that are allocated to the
5 26 game bird wetlands conservation account shall accumulate in
5 27 the account until the account balance is equal to \$1 million
5 28 or an amount sufficient to be used by the department to
5 29 qualify for federal matching funds. Each time the account
5 30 balance reaches the necessary amount, the department is
5 31 required to apply for such matching funds, and upon obtaining
5 32 those funds, expend the state and federal revenues available
5 33 to carry out the purposes of the game bird wetlands
5 34 conservation program. The bill provides that state revenue
5 35 allocated to the account shall be used for projects that
6 1 increase public recreational hunting opportunities in the
6 2 state and shall not be used on private land that is not
6 3 accessible to the public for recreational hunting.

6 4 Moneys allocated to the game bird buffer strip assistance
6 5 account must be used by the department only to carry out the
6 6 purpose of the game bird buffer strip assistance program,
6 7 which is to increase landowner participation in federally
6 8 funded conservation programs that benefit game birds and to
6 9 increase opportunities for recreational hunting on private
6 10 lands.

6 11 The bill provides that moneys allocated to the game bird
6 12 buffer strip assistance account shall accumulate in the
6 13 account for five years and then be used by the department to
6 14 carry out the purposes of the game bird buffer strip
6 15 assistance program. The department is required to adopt rules
6 16 to establish eligibility requirements and procedures for
6 17 applications for and approval of projects to be funded under
6 18 the program. The process is then repeated every five years
6 19 using funds that have accumulated in the account.

6 20 For purposes of the bill, a "game bird" is a pheasant or a
6 21 quail.

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6 23 av:rj/je/5