

Senate Study Bill 1224

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON BLACK)

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:

5 TLSB 2216SC 82

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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 upland 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 UPLAND 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 upland game bird wetlands

1 26 conservation account.

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

1 28 be allocated to the upland game bird buffer strip assistance

1 29 account.

1 30 c. Notwithstanding section 12C.7, subsection 2, interest

1 31 or earnings on moneys collected from wildlife habitat fees

1 32 that are deposited in each account created under this section

1 33 shall be credited to that account. Notwithstanding section

1 34 8.33 or section 456A.17, moneys credited to each account

1 35 created under this section shall not revert to the state

2 1 general fund at the close of a fiscal year.

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

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

2 4 be used as provided in this section, except for that part

2 5 which is specified by the department for use in paying

2 6 administrative expenses as provided in section 456A.17.

2 7 2. UPLAND GAME BIRD WETLANDS CONSERVATION PROGRAM.

2 8 a. All moneys allocated to the upland game bird wetlands

2 9 conservation account shall be used by the department only to

2 10 carry out the purposes of the upland game bird wetlands

2 11 conservation program and shall be used in addition to funds

2 12 already being expended by the department each year for

2 13 wetlands conservation purposes.

2 14 b. The purpose of the upland game bird wetlands

2 15 conservation program is to create a sustained source of

2 16 revenue to be used by the department to qualify for federal

2 17 matching funds that are available for wetlands conservation
2 18 under the federal North American Wetlands Conservation Act
2 19 program, 16 U.S.C. } 4401=4414, and to undertake projects in
2 20 conjunction with county conservation boards and other partners
2 21 that will aid in wetlands and associated upland habitat
2 22 conservation in the state, including the acquisition,
2 23 restoration, maintenance, or preservation of wetlands and
2 24 associated upland habitat.

2 25 c. (1) All moneys that are allocated to the upland game
2 26 bird wetlands conservation account shall accumulate in the
2 27 account until the account balance is equal to one million
2 28 dollars or an amount sufficient to be used by the department
2 29 to qualify for federal matching funds. Each time the account
2 30 balance reaches an amount sufficient to be used by the
2 31 department to qualify for federal matching funds, the
2 32 department shall apply for such matching funds, and upon
2 33 obtaining such funds, shall expend the state and federal
2 34 revenues available at that time to undertake projects as set
2 35 forth in paragraph "b".

3 1 (2) Additional moneys that are generated by upland game
3 2 bird wildlife habitat fees and allocated to the upland game
3 3 bird wetlands conservation account shall again accumulate in
3 4 the account, and each time the account balance is equal to one
3 5 million dollars or an amount sufficient to be used by the
3 6 department to qualify for federal matching funds, the
3 7 department shall again apply for federal matching funds, and
3 8 upon obtaining such funds, shall expend the state and federal
3 9 revenues available at that time to undertake projects as set
3 10 forth in paragraph "b".

3 11 d. The department shall use all state revenue and federal
3 12 matching funds obtained under the federal North American
3 13 Wetlands Conservation Act to undertake the purposes of the
3 14 upland game bird wetlands conservation program as set forth in
3 15 paragraph "b". State revenue allocated to the account shall
3 16 be used by the department only for projects that increase
3 17 public recreational hunting opportunities in the state and
3 18 shall not be used for projects on private land that is not
3 19 accessible to the public for recreational hunting.

3 20 3. UPLAND GAME BIRD BUFFER STRIP ASSISTANCE PROGRAM.

3 21 a. All moneys allocated to the upland game bird buffer
3 22 strip assistance account shall be used by the department only
3 23 to carry out the purposes of the upland game bird buffer strip
3 24 assistance program and shall be used in addition to funds
3 25 already being expended by the department each year for such
3 26 purposes. The department shall not reduce the amount of other
3 27 funds being expended for these purposes as of July 1, 2007.

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

4 9 c. (1) All moneys that are allocated to the upland game
4 10 bird 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 upland game bird
4 14 buffer strip assistance program as set forth in paragraph "b".
4 15 The cost-share assistance shall be provided to applicants on a
4 16 first-come, first-served basis until the moneys accumulated in
4 17 the account during that period are exhausted. The department
4 18 shall, by rule pursuant to chapter 17A, establish eligibility
4 19 requirements for the program and procedures for applications
4 20 for and approval of projects to be funded under the program.
4 21 The department shall expend moneys from the account only for
4 22 projects on private land that is accessible to the public for
4 23 recreational hunting.

4 24 (2) Additional moneys that are generated by upland game
4 25 bird wildlife habitat fees and allocated to the upland game
4 26 bird buffer strip assistance account shall accumulate in the
4 27 account and shall be used by the department every five years

4 28 as set forth in subparagraph (1).
4 29 4. DEFINITION. As used in this section, "upland game
4 30 bird" means a pheasant or a quail.

4 31 EXPLANATION

4 32 This bill increases the wildlife habitat fee by \$3,
4 33 appropriates the increase in moneys collected, and creates
4 34 programs to expend the moneys for upland game bird habitat
4 35 development.

5 1 The bill provides that all increases in wildlife habitat
5 2 fees collected shall be forwarded by the department of natural
5 3 resources to the treasurer of state for placement in the state
5 4 fish and game protection fund and are appropriated to the
5 5 department to be used solely for the purposes set forth in the
5 6 bill.

5 7 Revenue deposited in the state fish and game protection
5 8 fund is allocated by the bill into two separate accounts, with
5 9 \$2 of each fee collected to be allocated to the upland game
5 10 bird wetlands conservation account and \$1 of each fee
5 11 collected to be allocated to the upland game bird buffer strip
5 12 assistance account. Interest or earnings on moneys contained
5 13 in each account must be credited to the account, and moneys in
5 14 each account do not revert to the general fund at the close of
5 15 the fiscal year.

5 16 Moneys allocated to the upland game bird wetlands
5 17 conservation account by the bill must be used by the
5 18 department only to carry out the purposes of the upland game
5 19 bird wetlands conservation program, which are to create a
5 20 sustained source of revenue to be used by the department to
5 21 qualify for federal matching funds that are available for
5 22 wetlands conservation under the federal North American
5 23 Wetlands Conservation Act and to undertake projects in
5 24 conjunction with county conservation boards and other partners
5 25 that will aid in wetlands and associated upland habitat
5 26 conservation in the state, including the acquisition,
5 27 restoration, maintenance, or preservation of wetlands and
5 28 associated upland habitat.

5 29 The bill provides that moneys that are allocated to the
5 30 upland game bird wetlands conservation account shall
5 31 accumulate in the account until the account balance is equal
5 32 to \$1 million or an amount sufficient to be used by the
5 33 department to qualify for federal matching funds. Each time
5 34 the account balance reaches the necessary amount, the
5 35 department is required to apply for such matching funds, and
6 1 upon obtaining those funds, expend the state and federal
6 2 revenues available to carry out the purposes of the upland
6 3 game bird wetlands conservation program. The bill provides
6 4 that state revenue allocated to the account shall be used for
6 5 projects that increase public recreational hunting
6 6 opportunities in the state and shall not be used on private
6 7 land that is not accessible to the public for recreational
6 8 hunting.

6 9 Moneys allocated to the upland game bird buffer strip
6 10 assistance account must be used by the department only to
6 11 carry out the purpose of the upland game bird buffer strip
6 12 assistance program, which is to increase landowner
6 13 participation in federally funded conservation programs that
6 14 benefit upland game birds and to increase opportunities for
6 15 recreational hunting on private lands.

6 16 The bill provides that moneys allocated to the upland game
6 17 bird buffer strip assistance account shall accumulate in the
6 18 account for five years and then be used by the department to
6 19 carry out the purposes of the upland game bird buffer strip
6 20 assistance program. The bill provides that cost-share
6 21 assistance given under the program shall be on a first-come,
6 22 first-served basis until the moneys allocated to the account
6 23 during that period are exhausted. The department is required
6 24 to adopt rules to establish eligibility requirements and
6 25 procedures for applications for and approval of projects to be
6 26 funded under the program. The process is then repeated every
6 27 five years using funds that have accumulated in the account.

6 28 For purposes of the bill, an "upland game bird" is a
6 29 pheasant or a quail.