

Senate File 2395 - Reprinted

SENATE FILE _____
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 2329)
(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:
5 TLSB 5069SZ 81
6 av/je/5

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1 1 Section 1. Section 483A.1, subsection 1, paragraph q, Code
1 2 Supplement 2005, 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 Supplement 2005, is amended to read as follows:
1 6 r. Wildlife habitat fee..... \$ ~~8.00~~ 11.00
1 7 Sec. 3. Section 483A.3, Code 2005, 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, 2006,
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, 2006.
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 fees and allocated to the upland game bird wetlands
3 3 conservation account shall again accumulate in the account,
3 4 and each time the account balance is equal to one million
3 5 dollars or an amount sufficient to be used by the department
3 6 to qualify for federal matching funds, the department shall
3 7 again apply for federal matching funds, and upon obtaining
3 8 such funds, shall expend the state and federal revenues
3 9 available at that time to undertake projects as set forth in
3 10 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, 2006.

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 hunting
3 32 recreation 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 fees and allocated to the upland game bird buffer strip
4 26 assistance account shall accumulate in the account and shall
4 27 be used by the department every five years as set forth in

4 28 subparagraph (1).
4 29 4. DEFINITION. As used in this section, "upland game
4 30 bird" means a pheasant or a quail.
4 31 SF 2395
4 32 av:rj/cc/26