

Senate File 2328 - Reprinted

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

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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 Iowa nursery and landscape association, the

1 13 department of agriculture and land stewardship, and the Iowa

1 14 state university agricultural extension service. The

1 15 committee shall meet with a representative of the department

1 16 of natural resources on a semiannual basis. The committee

1 17 shall serve without compensation or reimbursement for

1 18 expenses.

1 19 Sec. 2. Section 481C.2, Code 2007, is amended to read as

1 20 follows:

1 21 481C.2 DUTIES.

1 22 1. The director of the department of natural resources

1 23 shall enter into a memorandum of agreement with the United

1 24 States department of agriculture, animal damage control

1 25 division. The wild animal depredation unit shall serve and

1 26 act as the liaison to the department for the producers in the

1 27 state who suffer crop and, horticultural product, tree, or

1 28 nursery damage due to wild animals.

1 29 2. The department shall issue depredation permits to any

1 30 landowner who incurs crop and, horticultural product, tree, or

1 31 nursery damage of one thousand dollars or more due to wild

1 32 animals.

1 33 3. The criteria for issuing depredation licenses and

1 34 permits shall be established in administrative rules in

1 35 consultation with the farmer advisory committee created in

2 1 section 481A.10A. The administrative rules adopted pursuant

2 2 to this section shall not require a producer to erect or

2 3 maintain fencing at a cost exceeding one thousand dollars as a

2 4 requisite for receiving a depredation license or permit or for

2 5 participation in a depredation plan.

2 6 Sec. 3. NEW SECTION. 481C.2A DEER DEPREDATION MANAGEMENT

2 7 PROGRAM == LICENSES AND PERMITS.

2 8 1. Deer depredation licenses shall be available for

2 9 issuance as follows:

2 10 a. Deer depredation licenses shall be available for

2 11 issuance to resident hunters.

2 12 b. Depredation licenses issued pursuant to this subsection

2 13 shall be valid to harvest antlerless deer only. Depredation

2 14 licenses that are issued to a landowner and family members as

2 15 defined in section 483A.24 shall be in addition to the number

2 16 of free licenses that are available for issuance to such

2 17 persons under section 483A.24. A landowner or a family member
2 18 may obtain one free depredation license for each deer hunting
2 19 season that is established by the commission. Deer may be
2 20 harvested with a rifle pursuant to a depredation license in
2 21 any area and in any season where the commission authorizes the
2 22 use of rifles.

2 23 c. Licenses issued pursuant to this subsection may be
2 24 issued at any time to a resident hunter who has permission to
2 25 hunt on the land for which the license is valid pursuant to
2 26 this subsection.

2 27 d. A producer who enters into a depredation agreement with
2 28 the department of natural resources shall be issued a set of
2 29 authorization numbers. Each authorization number authorizes a
2 30 resident hunter to obtain a depredation license that is valid
2 31 only for taking antlerless deer on the land designated in the
2 32 producer's depredation plan. A producer may transfer an
2 33 authorization number issued to that producer to a resident
2 34 hunter who has permission to hunt on the land for which the
2 35 authorization number is valid. An authorization number shall
3 1 be valid to obtain a depredation license in any season. The
3 2 provisions of this paragraph shall be implemented by August
3 3 15, 2008. A transferee who receives an authorization number
3 4 pursuant to this paragraph "d" shall be otherwise qualified to
3 5 hunt deer in this state, have a hunting license, pay the
3 6 wildlife habitat fee, and pay the one dollar fee for the
3 7 purpose of the deer herd population management program.

3 8 2. Deer shooting permits shall be available for issuance
3 9 as follows:

3 10 a. Deer shooting permits shall be available for issuance
3 11 to landowners who incur crop, horticultural product, tree, or
3 12 nursery damage as provided in section 481C.2 and shall be
3 13 available for issuance for use on areas where public safety
3 14 may be an issue.

3 15 b. Deer shooting permits issued pursuant to this
3 16 subsection shall be valid and may be used outside of
3 17 established deer hunting seasons.

3 18 3. Notwithstanding section 481C.2, subsection 3, a
3 19 producer shall not be required to erect or maintain fencing as
3 20 a requisite for receiving a deer depredation permit or for
3 21 participation in a deer depredation plan pursuant to this
3 22 section.

3 23 4. A person who harvests a deer with a deer depredation
3 24 license or a deer shooting permit issued pursuant to this
3 25 section shall utilize the deer harvest reporting system set
3 26 forth in section 483A.8A and shall not be subject to different
3 27 disposal or reporting requirements than are applicable to the
3 28 harvest of deer pursuant to other deer hunting licenses except
3 29 that any antlers on a deer taken pursuant to a shooting permit
3 30 shall be delivered to the local conservation officer for
3 31 disposal.

3 32 5. The department shall administer and enforce the
3 33 administrative rules concerning deer depredation, including
3 34 issuance of deer depredation licenses and deer shooting
3 35 permits, that are established by the commission.

4 1 6. The department shall make educational materials that
4 2 explain the deer depredation management program available to
4 3 the general public, and available specifically to farmers and
4 4 farm and commodity organizations, in both electronic and
4 5 brochure formats by June 30, 2008.

4 6 7. The department shall conduct outreach programs for
4 7 farmers and farm and commodity organizations that explain the
4 8 deer depredation management program. The department shall
4 9 develop, by rule, a master hunter program and maintain a list
4 10 of master hunters who are available to assist producers in the
4 11 deer depredation management program by increasing the harvest
4 12 of antlerless deer on the producer's property.

4 13 Sec. 4. DEER STUDY ADVISORY COMMITTEE. A deer study
4 14 advisory committee is established for the purpose of studying
4 15 the best way to maintain a sustainable, socially acceptable
4 16 deer population in the state while maximizing and balancing
4 17 the economic value of deer hunting to Iowa's economy with the
4 18 needs of the agricultural industry and public safety concerns.

4 19 1. The advisory committee shall be composed of the
4 20 following members:

4 21 a. One representative from each of the following
4 22 organizations or entities, to be appointed by the governor:

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

4 28 (6) Whittails unlimited.
4 29 (7) Iowa hospitality association.
4 30 (8) Iowa restaurant association.
4 31 (9) Iowa meat processors association.
4 32 (10) Iowa league of cities.
4 33 (11) The department of transportation.
4 34 (12) Iowa woodland owners association.
4 35 (13) Iowa insurance institute.
5 1 (14) Iowa realtors association.
5 2 (15) Iowa chapter of the sierra club.
5 3 (16) Iowa environmental council.
5 4 (17) Iowa nursery and landscape association.
5 5 b. The director of the department of natural resources or
5 6 a designee.
5 7 c. The secretary of agriculture or a designee.
5 8 d. The director of the department of economic development
5 9 or a designee.
5 10 e. Two members of the senate, one of whom is appointed by
5 11 the majority leader of the senate and one of whom is appointed
5 12 by the minority leader of the senate.
5 13 f. Two members of the house of representatives, one of
5 14 whom is appointed by the speaker of the house of
5 15 representatives and one of whom is appointed by the minority
5 16 leader of the house of representatives.
5 17 2. The director of the department of natural resources or
5 18 the director's designee shall serve as the chairperson of the
5 19 advisory committee.
5 20 3. Legislative members of the committee are eligible for
5 21 per diem and reimbursement of actual expenses as provided in
5 22 section 2.10.
5 23 4. The committee shall review, analyze, and make
5 24 recommendations on issues relating to the state's deer
5 25 population including but not limited to the following:
5 26 a. The current status of Iowa's deer population, harvest,
5 27 and population management programs.
5 28 b. The economic impact and value of Iowa's deer
5 29 population.
5 30 c. The cost of damage to crops caused by deer.
5 31 d. The number and cost of motor vehicle accidents caused
5 32 by deer.
5 33 e. A review of the deer management challenges and programs
5 34 of other midwestern states.
5 35 f. An assessment of public opinion concerning the number
6 1 of deer, and the impact and value of Iowa's deer population.
6 2 5. The advisory committee shall complete its deliberations
6 3 in December 2008 and submit a final report to the governor and
6 4 the general assembly summarizing the committee's activities,
6 5 analyzing the issues studied, and including any other
6 6 information or recommendations that the committee deems
6 7 relevant and necessary by January 10, 2009.
6 8 Sec. 5. Section 483A.24C, Code 2007, is repealed.
6 9 Sec. 6. EFFECTIVE DATE. This Act, being deemed of
6 10 immediate importance, takes effect upon enactment.
6 11 SF 2328
6 12 av/nh/cc/26