

JAN 3 1 2005  
NATURAL RESOURCES

HOUSE FILE 159  
BY WHITAKER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to hunting including nonresident turkey and deer  
2 hunting licenses, the help us stop hunger program,  
3 registration of hunting guides and outfitters, deer management  
4 plans, providing for fees and penalties, and making an  
5 appropriation.

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

HF 159

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1 Section 1. Section 483A.7, subsection 3, Code 2005, is  
2 amended to read as follows:

3 3. A nonresident wild turkey hunter is required to have a  
4 nonresident hunting license and a nonresident wild turkey  
5 hunting license and pay the wildlife habitat fee. The  
6 commission shall annually limit to ~~two~~ three thousand three  
7 hundred licenses the number of nonresidents allowed to have  
8 wild turkey hunting licenses. Of the ~~two~~ three thousand three  
9 hundred licenses, one hundred fifty licenses shall be valid  
10 for hunting with muzzle loading shotguns only. The commission  
11 shall allocate the nonresident wild turkey hunting licenses  
12 issued among the zones based on the populations of wild  
13 turkey. A nonresident applying for a wild turkey hunting  
14 license must exhibit proof of having successfully completed a  
15 hunter safety and ethics education program as provided in  
16 section 483A.27 or its equivalent as determined by the  
17 department before the license is issued.

18 Sec. 2. Section 483A.8, subsections 2 and 3, Code 2005,  
19 are amended to read as follows:

20 2. a. The deer hunting license for residents shall be  
21 accompanied by a tag designed to be used only once. When a  
22 deer is taken, the deer shall be tagged and the tag shall be  
23 dated.

24 b. The deer hunting license for nonresidents shall be  
25 accompanied by two tags and each tag shall be used only once.  
26 The first tag shall be used to take an antlerless deer and the  
27 second tag may be used after the first tag has been used, to  
28 take either an antlered deer or an antlerless deer. When a  
29 deer is taken, the deer shall be tagged and the time and date  
30 of taking shall be written on the tag.

31 3. A nonresident hunting deer is required to have a  
32 nonresident hunting license and a nonresident deer license and  
33 must pay the wildlife habitat fee. The commission shall  
34 annually limit to ~~eight~~ ten thousand five hundred licenses the  
35 number of nonresidents allowed to have deer hunting licenses.

1 Of the first ~~six~~ eight thousand nonresident deer licenses  
2 issued, not more than thirty-five percent of the licenses  
3 shall be bow season licenses and, after the first ~~six~~ eight  
4 thousand nonresident deer licenses have been issued, all  
5 additional licenses shall be issued for antlerless deer only.  
6 The commission shall allocate the nonresident deer hunting  
7 licenses issued among the zones based on the populations of  
8 deer. However, a nonresident applicant may request one or  
9 more hunting zones, in order of preference, in which the  
10 applicant wishes to hunt. If the request cannot be fulfilled,  
11 the applicable fees shall be returned to the applicant. A  
12 nonresident applying for a deer hunting license must exhibit  
13 proof of having successfully completed a hunter safety and  
14 ethics education program as provided in section 483A.27 or its  
15 equivalent as determined by the department before the license  
16 is issued.

17 Sec. 3. NEW SECTION. 483A.8A HELP US STOP HUNGER PROGRAM  
18 FEE.

19 A nonresident hunting deer who obtains an any sex deer  
20 hunting license pursuant to section 483A.8, subsection 3,  
21 shall not hunt deer unless the person has paid the help us  
22 stop hunger program fee of fifty dollars. The proceeds from  
23 the fee are appropriated for the exclusive use of assisting  
24 with the cost of processing deer donated to the help us stop  
25 hunger program administered by the commission.

26 Sec. 4. NEW SECTION. 483A.28 REGISTRATION OF HUNTING  
27 OUTFITTERS OR HUNTING GUIDES -- PENALTY.

28 1. A person shall not engage in or be employed for any  
29 compensation in the business of a hunting outfitter or a  
30 hunting guide in this state unless the person is registered as  
31 a hunting outfitter or a hunting guide with the department.  
32 The commission shall define, by rule, the activities that  
33 constitute hunting outfitter activities or hunting guide  
34 activities for the purposes of this section. The rules shall  
35 require an applicant for registration to identify the location

1 and acreage to be hunted and the equipment and services to be  
2 provided by the outfitter or the guide.

3 2. The commission shall establish, by rule, a conduct  
4 board consisting of hunting outfitters and hunting guides  
5 selected by the department, to compose standards of ethical  
6 and professional conduct concerning hunting outfitters and  
7 hunting guides and to review complaints and make  
8 recommendations to the department for the revocation of  
9 registrations of hunting outfitters and hunting guides who are  
10 in violation of this section or the rules adopted pursuant to  
11 this section.

12 3. The commission shall establish, by rule, the annual fee  
13 for a hunting outfitter or hunting guide registration required  
14 pursuant to this section. In determining an annual fee, the  
15 commission shall consider the costs of providing for the  
16 registration and administering and enforcing the provisions of  
17 this section.

18 4. A violation of this section or the rules adopted  
19 pursuant to this section is punishable as provided in section  
20 483A.42.

21 5. This section does not apply to the activities of a  
22 hunting outfitter or hunting guide that are conducted on a  
23 hunting preserve pursuant to chapter 484B.

24 Sec. 5. NEW SECTION. 483A.29 DEER POPULATION MANAGEMENT  
25 PLAN.

26 A person who holds an interest in land, including a  
27 titleholder or tenant, and charges hunters a fee to hunt deer  
28 on the land shall prepare and adhere to a deer population  
29 management plan approved by the department. The primary  
30 purpose of a deer population management plan is to manage deer  
31 populations on land where deer hunting for a fee is allowed so  
32 that damage by deer to agricultural crops on adjacent land is  
33 minimized. The commission shall adopt rules prescribing the  
34 format and content of such plans. This section does not apply  
35 to licensed hunting preserves.

1 Sec. 6. Section 805.8B, subsection 3, paragraph b, Code  
2 2005, is amended to read as follows:

3 b. For violations of sections 481A.54, 481A.69, 481A.71,  
4 481A.72, 482.6, 483A.3, 483A.6, 483A.8A, 483A.19, and 483A.27,  
5 the scheduled fine is twenty dollars.

6 EXPLANATION

7 This bill contains provisions relating to nonresident  
8 turkey and deer hunting licenses, the natural resource  
9 commission's help us stop hunger (HUSH) program, registration  
10 of hunting guides and outfitters, and deer management plans.

11 The bill changes the number of nonresident turkey hunting  
12 licenses available from 2,300 to 3,300. The bill also changes  
13 the number of nonresident deer hunting licenses available from  
14 8,500 to 10,500, of which 8,000, instead of 6,000, are any sex  
15 deer hunting licenses.

16 The bill provides that a deer hunting license for  
17 nonresidents shall be accompanied by two tags, each of which  
18 shall only be used once. The bill provides that the first tag  
19 shall be used to take an antlerless deer and that the second  
20 tag may be used only after the first tag has been used, to  
21 take either an antlered deer or an antlerless deer. The bill  
22 provides that when a deer is taken, the deer shall be tagged  
23 and the time and date of taking written on the tag.

24 The bill also provides that a nonresident hunting deer who  
25 obtains an any sex deer hunting license pursuant to Code  
26 section 483A.8A, subsection 3, is required to pay a HUSH  
27 program fee of \$50 in addition to purchasing a nonresident  
28 hunting license, a nonresident deer license, and paying the  
29 wildlife habitat fee.

30 The bill provides that the HUSH program fee is appropriated  
31 for the exclusive use of assisting with the cost of processing  
32 deer meat donated to the HUSH program administered by the  
33 natural resource commission. A violation of this provision is  
34 punishable by a scheduled fine of \$20.

35 The bill provides for the registration of persons engaged

1 in the business of a hunting outfitter or hunting guide. The  
2 natural resource commission is directed to define what  
3 activities constitute hunting outfitter activities or hunting  
4 guide activities and the department of natural resources is  
5 directed to register hunting outfitters or hunting guides upon  
6 application and payment of an annual fee determined by rule of  
7 the natural resource commission. An applicant shall identify  
8 the location and acreage to be hunted and the equipment and  
9 services to be provided by the outfitter or the hunting guide.

10 The bill also requires the natural resource commission to  
11 establish, by rule, a conduct board consisting of hunting  
12 outfitters and hunting guides to compose standards of ethics  
13 and conduct, to review complaints, and to make recommendations  
14 concerning revocations of registrations of hunting outfitters  
15 and hunting guides.

16 The bill does not apply to activities that are conducted on  
17 a hunting preserve.

18 A violator is guilty of a simple misdemeanor and subject to  
19 a scheduled fine of \$100 for each offense.

20 New Code section 483A.29 requires a person who holds an  
21 interest in land, including a titleholder or tenant, and who  
22 charges hunters a fee to hunt deer on the land, to prepare and  
23 adhere to a deer population management plan approved by the  
24 department of natural resources. The primary purpose of a  
25 deer population management plan is to manage deer populations  
26 on land where deer hunting for a fee is allowed so that damage  
27 by deer to agricultural crops on adjacent land is minimized.

28 The natural resource commission is directed to adopt rules  
29 regarding the format and content of such plans. This new  
30 provision does not apply to licensed hunting preserves.

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