

Rayhons, Chair

Huseman

Atteberry

HSB 565

Sponsored by

02465

Agriculture

SENATE/HOUSE FILE _____

BY (PROPOSED DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the creation of a forest and fruit tree
2 indemnity fund and providing compensation for tree, fruit, and
3 nut crop losses.

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

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1 Section 1. NEW SECTION. 427C.14 FOREST AND FRUIT TREE
2 INDEMNITY FUND CREATED -- USE.

3 1. A forest and fruit tree indemnity fund is created in
4 the state treasury to be administered by the department of
5 agriculture and land stewardship. The forest and fruit tree
6 indemnity fund shall consist of moneys appropriated to the
7 indemnity fund by the general assembly or received from the
8 federal government. The proceeds of the forest and fruit tree
9 indemnity fund shall be used to reimburse persons in the
10 business of producing forest trees, fruit trees, fruit, or
11 nuts from losses incurred due to wild animals. Upon
12 application and investigation by the department of agriculture
13 and land stewardship, the department may compensate a producer
14 for up to sixty percent of the market value of the trees,
15 fruit, or nuts lost to wild animals. The department of
16 agriculture and land stewardship shall adopt rules pursuant to
17 chapter 17A necessary to establish application procedures, to
18 establish eligibility requirements for forest or fruit tree
19 producers and growers, and to provide for the assessment of
20 forest, fruit tree, and related crop damages.

21 2. The department of agriculture and land stewardship may
22 enter into a memorandum of agreement with the United States
23 department of agriculture, animal control division, to serve
24 as a liaison to the department of agriculture and land
25 stewardship for producers in this state who suffer tree crop
26 or related fruit damage due to wild animals. In addition to
27 compensation authorized pursuant to subsection 1, a producer
28 incurring damage from wild animals may request depredation
29 permits from the department of natural resources pursuant to
30 section 481C.2.

31 EXPLANATION

32 This bill creates a forest and fruit tree indemnity fund in
33 the state treasury to be administered by the department of
34 agriculture and land stewardship. The forest and fruit tree
35 indemnity fund shall consist of moneys appropriated to the

1 indemnity fund by the general assembly or received from the
2 federal government. The proceeds of the forest and fruit tree
3 indemnity fund shall be used to reimburse persons in the
4 business of producing forest trees, fruit trees, fruit, or
5 nuts from losses incurred due to wild animals. The department
6 of agriculture and land stewardship shall adopt rules to
7 establish application procedures, eligibility requirements for
8 reimbursement, and to provide for the assessment of damages to
9 the trees and related fruit or crops.

10 The department of agriculture and land stewardship may
11 enter into a memorandum of agreement with the United States
12 department of agriculture, animal control division, to serve
13 as a liaison to the department of agriculture and land
14 stewardship for producers in this state who suffer tree crop
15 or related fruit damage due to wild animals. In addition, a
16 tree producer incurring damage from wild animals may request
17 depredation permits from the department of natural resources
18 to reduce the wild animal population.

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3/20/02 Rereferred To: Agriculture

FEB 20 2002
Place On Calendar

HOUSE FILE 2465
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 565)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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HF 2465

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30 section 481C.2.

31 EXPLANATION

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Legislative Fiscal Bureau

Fiscal Note

HF 2465 - Deer Damage, Growers Compensation (LSB 5363 HV)
Analyst: Deb Kozel (Phone: (515) 281-6767) (deb.kozel@legis.state.ia.us)
Fiscal Note Version — New
Requested by Representative Henry Rayhons

Description

House File 2465 creates a Forest and Fruit Tree Indemnity Fund in the State treasury that will be administered by the Department of Agriculture and Land Stewardship. The Fund will consist of monies appropriated by the General Assembly. The Fund will be used to reimburse business owners that produce trees, fruit trees, fruit, or nuts from damaged incurred by wild animals.

Assumptions

1. There were 41 damage complaints to the Department of Natural Resources in FY 2000. There will be 40 complaints in FY 2003 and 50 complaints in FY 2004.
2. The estimated average reimbursement to an owner is \$18,000.
3. The estimated cost for an investigator is \$20,000 for FY 2003 and \$25,000 for FY 2004.
4. The estimated cost for travel and related expenditures is \$5,000 for FY 2003 and \$8,000 for FY 2004.
5. Funds deposited into the Forest and Fruit Tree Indemnity Fund will be from monies appropriated by the General Assembly. The Bill does not provide an appropriation to the Fund.

Fiscal Impact

The estimated fiscal impact of House File 2465, to the extent funding is available, could result in an increase in General Fund, other funds, or federal fund expenditures up to \$745,000 for FY 2003 and \$933,000 for FY 2004 and subsequent years.

Source

Department of Agriculture and Land Stewardship

/s/ Dennis C Prouty

February 25, 2002

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
