

FEB 15 2005
NATURAL RESOURCES

HOUSE FILE 304
BY FREEMAN and BELL

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

A BILL FOR

1 An Act relating to deer population management and providing
2 penalties and appropriations.

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

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HF 304

1 Section 1. Section 170.1, subsection 4, Code 2005, is
2 amended to read as follows:

3 4. "Farm deer" means an animal belonging to the cervidae
4 family and classified as part of the dama species of the dama
5 genus, commonly referred to as fallow deer; part of the
6 elaphus species of the cervus genus, commonly referred to as
7 red deer or elk; part of the virginianus species of the
8 odocoileus genus, commonly referred to as whitetail; part of
9 the hemionus species of the odocoileus genus, commonly
10 referred to as mule deer; or part of the nippon species of the
11 cervus genus, commonly referred to as sika. However, a farm
12 deer does not include any unmarked free-ranging elk, whitetail
13 deer, or mule deer, or whitetail deer on hunting preserves
14 regulated under chapter 484B.

15 Sec. 2. Section 483A.1, subsection 2, paragraph c, Code
16 2005, is amended to read as follows:

17 c. Hunting license, eighteen years of age or older
18 \$ 80.00
19 100.00

20 Sec. 3. Section 483A.1, subsection 2, paragraphs f through
21 u, Code 2005, are amended to read as follows:

- 22 f. Deer hunting license, antlerless deer only, when purchased
23 with an antlered or any sex deer hunting license \$100.00
- 24 f- g. Deer hunting license, antlerless deer only
25 \$150.00
- 26 g- h. Wild turkey hunting license \$100.00
- 27 h- i. Fur harvester license \$200.00
- 28 i- j. Fur dealer license \$501.00
- 29 j- k. Location permit for fur dealers \$ 56.00
- 30 k- l. Aquaculture unit license \$ 56.00
- 31 l- m. Retail bait dealer license \$125.00
- 32 or the amount for the same type of license in the
33 nonresident's state, whichever is greater
- 34 m- n. Trout fishing fee \$ 13.00
- 35 n- o. Game breeder license \$ 26.00

1	o <u>p</u> .	Taxidermy license	\$ 26.00
2	p <u>q</u> .	Falconry license	\$ 26.00
3	q <u>r</u> .	Wildlife habitat fee	\$ 8.00
4	r <u>s</u> .	Migratory game bird fee	\$ 8.00
5	s <u>t</u> .	Fishing license, three-day	\$ 15.50
6	t <u>u</u> .	Wholesale bait dealer license	\$250.00

7 or the amount for the same type of license in the
8 nonresident's state, whichever is greater

9	u <u>v</u> .	Fishing license, one-day	\$ 8.50
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10 Sec. 4. Section 483A.8, subsections 1, 3, and 6, Code
11 2005, are amended to read as follows:

12 1. A resident hunting deer who is required to have a
13 hunting license must have a resident hunting license in
14 addition to the deer hunting license and must pay the wildlife
15 habitat fee. In addition, a resident who purchases a deer
16 hunting license shall pay a one dollar fee that shall be used
17 and is appropriated for the purpose of assisting with the cost
18 of processing deer donated to the help us stop hunger program
19 administered by the commission.

20 3. a. A nonresident hunting deer is required to have a
21 nonresident hunting license and a nonresident deer license and
22 must pay the wildlife habitat fee. In addition, a nonresident
23 who purchases a deer hunting license shall pay a one dollar
24 fee that shall be used and is appropriated for the purpose of
25 assisting with the cost of processing deer donated to the help
26 us stop hunger program administered by the commission.

27 b. A nonresident who purchases an antlered or any sex deer
28 hunting license pursuant to section 483A.1, subsection 2,
29 paragraph "e", may also purchase an antlerless deer only deer
30 hunting license at the same time, pursuant to section 483A.1,
31 subsection 2, paragraph "f".

32 c. The commission shall annually limit to ~~eight~~ six
33 ~~thousand five-hundred-licenses~~ the number of nonresidents
34 allowed to have antlered or any sex deer hunting licenses. Of
35 the ~~first~~ six thousand nonresident antlered or any sex deer

1 licenses issued, not more than thirty-five percent of the
2 licenses shall be bow season licenses ~~and, after.~~ After the
3 ~~first~~ six thousand antlered or any sex nonresident deer
4 licenses have been issued, all additional licenses shall be
5 issued for antlerless deer only. The commission shall
6 annually determine the number of nonresident antlerless deer
7 only deer hunting licenses that will be available for
8 issuance.

9 d. The commission shall allocate the all nonresident deer
10 hunting licenses issued among the zones based on the
11 populations of deer. However, a nonresident applicant may
12 request one or more hunting zones, in order of preference, in
13 which the applicant wishes to hunt. If the request cannot be
14 fulfilled, the applicable fees shall be returned to the
15 applicant. A nonresident applying for a deer hunting license
16 must exhibit proof of having successfully completed a hunter
17 safety and ethics education program as provided in section
18 483A.27 or its equivalent as determined by the department
19 before the license is issued.

20 6. The commission shall provide by rule for the annual
21 issuance to a nonresident of a nonresident antlerless deer
22 hunting license that is valid for use only during the period
23 beginning on December 24, ~~2003~~, and ending at sunset on
24 January 2, ~~2004~~ of the following year, and costs fifty
25 dollars. A nonresident hunting deer with a license issued
26 under this subsection shall be otherwise qualified to hunt
27 deer in this state and shall have a nonresident hunting
28 license, and pay the wildlife habitat fee, and pay the one
29 dollar fee for the help us stop hunger program as provided in
30 subsection 3. Pursuant to this subsection, the commission
31 shall make available for issuance only the remaining
32 nonresident antlerless deer hunting licenses allocated under
33 subsection 3 that have not yet been issued for the ~~2003--2004~~
34 current year's nonresident antlerless deer hunting seasons.

35 Sec. 5. NEW SECTION. 483A.8A DEER HARVEST REPORTING

1 SYSTEM.

2 1. The commission shall provide, by rule, for the
3 establishment of a deer harvest reporting system for the
4 purpose of collecting information from deer hunters concerning
5 the deer population in this state. Each person who is issued
6 a deer hunting license in this state shall report such
7 information pursuant to this section as is required by the
8 commission by rule.

9 2. A person who violates this section shall be assessed a
10 ten dollar surcharge before that person is issued another deer
11 hunting license.

12 Sec. 6. Section 483A.24, subsection 2, paragraph a,
13 subparagraph (2), Code 2005, is amended to read as follows:

14 (2) "Farm unit" means all parcels of land which are
15 certified by the commission pursuant to rule as meeting all of
16 the following requirements:

17 (a) Are in tracts of ten acres or more, not necessarily
18 contiguous.

19 (b) ~~which-are~~ Are operated as a unit for agricultural
20 purposes ~~and-which-are.~~

21 (c) Are under the lawful control of the owner of record or
22 the tenant who is named in a lease.

23 The commission shall adopt rules establishing a procedure
24 for the certification of parcels of land as farm units for the
25 purposes of this subsection.

26 Sec. 7. Section 483A.24, subsection 2, Code 2005, is
27 amended by adding the following new paragraph:

28 NEW PARAGRAPH. c. Notwithstanding paragraph "b", upon
29 written application on forms furnished by the department, the
30 department shall issue annually without fee two deer hunting
31 licenses, one antlered or any sex deer hunting license and one
32 antlerless deer only deer hunting license, to the owner of a
33 farm unit or a member of the owner's family, but only two
34 licenses for both, and to the tenant of a farm unit or a
35 member of the tenant's family, but only two licenses for both.

1 The deer hunting licenses issued shall be valid only for use
2 on the farm unit for which the applicant applies pursuant to
3 this paragraph and shall be equivalent to the least
4 restrictive license issued under section 481A.38. The owner
5 or the tenant need not reside on the farm unit to qualify for
6 the free deer hunting licenses to hunt on that farm unit. The
7 free hunting licenses issued pursuant to this paragraph shall
8 be valid during all shotgun deer seasons and the licenses may
9 be used to harvest deer in two different seasons. In
10 addition, a person who receives a free deer hunting license
11 pursuant to this paragraph shall pay a one dollar fee that
12 shall be used and is appropriated for the purpose of assisting
13 with the cost of processing deer donated to the help us stop
14 hunger program administered by the commission.

15 Sec. 8. Section 483A.24, subsection 2, paragraphs c and d,
16 Code 2005, are amended to read as follows:

17 ~~c-~~ d. In addition to the free deer hunting ~~license~~
18 licenses received pursuant to paragraph "b" or "c", an owner
19 of a farm unit or a member of the owner's family and the
20 tenant or a member of the tenant's family may purchase a deer
21 hunting license for any option offered to paying deer hunting
22 licensees. An owner of a farm unit or a member of the owner's
23 family and the tenant or a member of the tenant's family may
24 also purchase two additional antlerless deer hunting licenses
25 which are valid only on the farm unit for a fee of ten dollars
26 each.

27 ~~d-~~ e. If the commission establishes a deer hunting season
28 to occur in the first quarter of a calendar year that is
29 separate from a deer hunting season that continues from the
30 last quarter of the preceding calendar year, each owner and
31 each tenant of a farm unit located within a zone where a deer
32 hunting season is established, upon application, shall be
33 issued a free deer hunting license for each of the two
34 calendar quarters. Each license is valid only for hunting on
35 the farm unit of the owner and tenant.

1 Sec. 9. NEW SECTION. 483A.24B SPECIAL DEER HUNTS.

2 1. The commission may establish special season deer hunts
3 for antlerless deer in those counties where deer population
4 management is necessary.

5 2. Antlerless deer may be taken by shotgun, muzzle loading
6 rifle, muzzle loading pistol, handgun, or bow during the
7 special season as provided by the commission by rule.

8 3. Prior to October 1, a person may obtain up to three
9 paid antlerless deer only deer hunting licenses for the
10 special season regardless of how many paid or free gun or bow
11 deer hunting licenses the person may have obtained. Beginning
12 October 1, a person may purchase an unlimited number of
13 antlerless deer only deer hunting licenses for the special
14 season.

15 4. All antlerless deer hunting licenses issued pursuant to
16 this section shall be included in the quotas established by
17 the commission by rule for each county and shall be available
18 in each county only until the quota established by the
19 commission for that county is filled.

20 5. The daily bag and possession limit during the special
21 season is one deer per license. The tagging requirements are
22 the same as for the regular gun season.

23 6. A person who receives a license pursuant to this
24 section shall be a resident or applicant qualified under
25 section 483A.24 and shall be otherwise qualified to hunt deer
26 in this state.

27 7. A person violating a provision of this section or a
28 rule adopted pursuant to this section is guilty of a simple
29 misdemeanor punishable as a scheduled violation as provided in
30 section 483A.42.

31 Sec. 10. NEW SECTION. 483A.24C DEER DEPREDATION
32 MANAGEMENT AGREEMENTS -- PERMITS.

33 It is the intent of the general assembly that the
34 department shall administer and enforce the administrative
35 rules concerning deer depredation that are contained in 571

1 IAC chapter 106.

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EXPLANATION

3 This bill contains various provisions relating to
4 management of the deer population in this state.

5 Code section 170.1 is amended to provide that whitetail
6 deer on hunting preserves are not "farm deer" that are subject
7 to regulation by the department of agriculture and land
8 stewardship but are instead subject to regulation by the
9 department of natural resources.

10 Code section 483A.1 is amended to change the fee for a
11 nonresident adult hunting license from \$80 to \$100 and to
12 provide for the purchase of a nonresident antlerless deer only
13 hunting license for \$100 when purchased with a nonresident
14 antlered or any sex deer hunting license.

15 Code section 483A.8, subsections 1 and 3, are amended to
16 provide that a resident or a nonresident who purchases a deer
17 hunting license must pay a one dollar fee that shall be used
18 and is appropriated for the purpose of assisting with the cost
19 of processing deer donated to the help us stop hunger program
20 administered by the natural resource commission.

21 Code section 483A.8, subsection 3, is also amended to
22 provide that a nonresident who purchases an antlered or any
23 sex deer hunting license pursuant to Code section 483A.1,
24 subsection 2, may also purchase an antlerless deer only deer
25 hunting license at the same time for \$100.

26 Code section 483A.8, subsection 3, is amended to provide
27 that the commission is limited to issuing 6,000 nonresident
28 antlered or any sex deer hunting licenses per year and that
29 after those licenses have been issued any additional licenses
30 issued shall be for antlerless deer only. The bill also
31 provides that the commission shall determine how many
32 antlerless deer only deer hunting licenses will be available
33 for issuance each year. The bill also provides that all
34 nonresident deer hunting licenses issued shall be allocated by
35 the commission among zones based on the populations of deer.

1 Code section 483A.8, subsection 6, is amended to allow the
2 commission to continue to provide by rule for the issuance of
3 nonresident deer hunting licenses for use only during the
4 period beginning on December 24 of each year and ending on
5 January 2 of the following year. The bill also provides that
6 a person who obtains such a license is required to pay the one
7 dollar fee for the help us stop hunger program as provided in
8 Code section 483A.8, subsection 3, as amended in the bill.

9 The bill contains new Code section 483A.8A which requires
10 the commission to establish, by rule, a deer harvest reporting
11 system for the purpose of collecting information from deer
12 hunters concerning the deer population in the state. Each
13 person who is issued a deer hunting license in this state is
14 required to report such information as the commission
15 requires. A person who violates the new Code section shall be
16 assessed a \$10 surcharge before that person is issued another
17 deer hunting license.

18 Code section 483A.24 is amended by changing the definition
19 of "farm unit" by requiring that parcels of land must be
20 certified by the commission, pursuant to rules establishing a
21 certification process, to be in tracts of 10 acres or more,
22 not necessarily contiguous, which are operated as a unit for
23 agricultural purposes and are under the lawful control of the
24 owner of record or the tenant who is named in a lease. The
25 commission is required to adopt rules establishing a
26 certification process.

27 Code section 483A.24 is also amended to provide that upon
28 written application, the department shall issue annually
29 without fee one antlered or any sex deer hunting license and
30 one antlerless deer only deer hunting license to the owner of
31 a farm unit or a member of the owner's family, but only two
32 licenses for both, and to the tenant of a farm unit or a
33 member of the tenant's family, but only two licenses for both.
34 A person who receives a free deer hunting license pursuant to
35 this provision is required to pay a one dollar fee for the

1 purpose of assisting with the cost of processing deer donated
2 to the help us stop hunger program.

3 The bill adds new Code section 483A.24B allowing the
4 commission to establish special season deer hunts for
5 antlerless deer in those counties where deer population
6 management is necessary. Prior to October 1, a person may
7 obtain up to three paid antlerless deer only deer hunting
8 licenses regardless of how many paid or free deer hunting
9 licenses the person has obtained. After October 1, a person
10 may purchase an unlimited number of antlerless deer only deer
11 hunting licenses for the special season. Licenses issued for
12 the special season are included in the quotas established by
13 the commission for each county and are available in each
14 county only until the quota for that county is filled. A
15 person who receives a license for the special season must be a
16 resident or an applicant qualified under Code section 483A.24
17 and be otherwise qualified to hunt deer in this state. A
18 person who violates this section is guilty of a simple
19 misdemeanor punishable as a scheduled violation with a fine of
20 \$100.

21 The bill also adds new Code section 483A.24C providing that
22 it is the intent of the general assembly that the department
23 of natural resources shall administer and enforce the
24 administrative rules concerning deer depredation that are
25 contained in 571 IAC chapter 106.

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