

MAR 23 2005
WAYS & MEANS CALENDAR

HOUSE FILE 822
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 750)

(SUCCESSOR TO HF 304)

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:

4
5
6

HOUSE FILE 822

H-1170

1 Amend House File 822 as follows:

2 1. Page 5, by inserting after line 16, the
3 following:

4 "Sec. ____ . Section 483A.24, subsection 2, Code
5 2005, is amended by adding the following new
6 paragraph:

7 "NEW PARAGRAPH. f. A deer hunting license or wild
8 turkey hunting license issued pursuant to this
9 subsection shall be signed by the person to whom the
10 license is issued and shall contain a statement in
11 substantially the following form:

12 By signing this license I certify that I qualify as
13 an owner or tenant under Iowa Code section 483A.24."

14 2. By renumbering as necessary.

By WHITAKER of Van Buren

H-1170 FILED MARCH 23, 2005

HF 822

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

- 3 f. Deer hunting license, antlerless deer only, required
- 4 with the purchase of an antlered or any sex deer hunting
- 5 license \$100.00
- 6 ~~f.~~ g. Deer hunting license, antlerless deer only
- 7 \$150.00
- 8 ~~g.~~ h. Wild turkey hunting license \$100.00
- 9 ~~h.~~ i. Fur harvester license \$200.00
- 10 ~~i.~~ j. Fur dealer license \$501.00
- 11 ~~j.~~ k. Location permit for fur dealers \$ 56.00
- 12 ~~k.~~ l. Aquaculture unit license \$ 56.00
- 13 ~~l.~~ m. Retail bait dealer license \$125.00
- 14 or the amount for the same type of license in the
- 15 nonresident's state, whichever is greater
- 16 ~~m.~~ n. Trout fishing fee \$ 13.00
- 17 ~~n.~~ o. Game breeder license \$ 26.00
- 18 ~~o.~~ p. Taxidermy license \$ 26.00
- 19 ~~p.~~ q. Falconry license \$ 26.00
- 20 ~~q.~~ r. Wildlife habitat fee \$ 8.00
- 21 ~~r.~~ s. Migratory game bird fee \$ 8.00
- 22 ~~s.~~ t. Fishing license, three-day \$ 15.50
- 23 ~~t.~~ u. Wholesale bait dealer license \$250.00
- 24 or the amount for the same type of license in the
- 25 nonresident's state, whichever is greater
- 26 ~~u.~~ v. Fishing license, one-day \$ 8.50

27 Sec. 2. Section 483A.8, subsections 1, 3, and 6, Code
28 2005, are amended to read as follows:

29 1. A resident hunting deer who is required to have a
30 hunting license must have a resident hunting license in
31 addition to the deer hunting license and must pay the wildlife
32 habitat fee. In addition, a resident who purchases a deer
33 hunting license shall pay a one dollar fee that shall be used
34 and is appropriated for the purpose of assisting with the cost
35 of processing deer donated to the help us stop hunger program

1 administered by the commission.

2 3. a. A nonresident hunting deer is required to have a
3 nonresident hunting license and a nonresident deer license and
4 must pay the wildlife habitat fee. In addition, a nonresident
5 who purchases a deer hunting license shall pay a one dollar
6 fee that shall be used and is appropriated for the purpose of
7 assisting with the cost of processing deer donated to the help
8 us stop hunger program administered by the commission.

9 b. A nonresident who purchases an antlered or any sex deer
10 hunting license pursuant to section 483A.1, subsection 2,
11 paragraph "e", is required to purchase an antlerless deer only
12 deer hunting license at the same time, pursuant to section
13 483A.1, subsection 2, paragraph "f".

14 c. The commission shall annually limit to eight six
15 thousand five-hundred-licenses the number of nonresidents
16 allowed to have antlered or any sex deer hunting licenses. Of
17 the first six thousand nonresident antlered or any sex deer
18 licenses issued, not more than thirty-five percent of the
19 licenses shall be bow season licenses and, after. After the
20 first six thousand antlered or any sex nonresident deer
21 licenses have been issued, an additional two thousand five
22 hundred licenses shall be issued available for issuance for
23 antlerless deer only.

24 d. The commission shall allocate the all nonresident deer
25 hunting licenses issued among the zones based on the
26 populations of deer. However, a nonresident applicant may
27 request one or more hunting zones, in order of preference, in
28 which the applicant wishes to hunt. If the request cannot be
29 fulfilled, the applicable fees shall be returned to the
30 applicant. A nonresident applying for a deer hunting license
31 must exhibit proof of having successfully completed a hunter
32 safety and ethics education program as provided in section
33 483A.27 or its equivalent as determined by the department
34 before the license is issued.

35 6. The commission shall provide by rule for the annual

1 issuance to a nonresident of a nonresident antlerless deer
2 hunting license that is valid for use only during the period
3 beginning on December 24~~7~~-2003~~7~~ and ending at sunset on
4 January 2~~7~~-2004 of the following year, and costs fifty
5 dollars. A nonresident hunting deer with a license issued
6 under this subsection shall be otherwise qualified to hunt
7 deer in this state and shall have a nonresident hunting
8 license, and pay the wildlife habitat fee, and pay the one
9 dollar fee for the help us stop hunger program as provided in
10 subsection 3. Pursuant to this subsection, the commission
11 shall make available for issuance only the remaining
12 nonresident antlerless deer hunting licenses allocated under
13 subsection 3 that have not yet been issued for the 2003--2004
14 current year's nonresident antlerless deer hunting seasons.

15 Sec. 3. NEW SECTION. 483A.8A DEER HARVEST REPORTING
16 SYSTEM.

17 1. The commission shall provide, by rule, for the
18 establishment of a deer harvest reporting system for the
19 purpose of collecting information from deer hunters concerning
20 the deer population in this state. Each person who is issued
21 a deer hunting license in this state shall report such
22 information pursuant to this section. Information collected
23 by the commission pursuant to the deer harvest reporting
24 system from a deer hunter who takes a deer shall be limited to
25 the following:

- 26 a. The county where the deer was taken.
- 27 b. The season during which the deer was taken.
- 28 c. The sex of the deer taken.
- 29 d. The age of the deer taken.
- 30 e. The type of weapon used.
- 31 f. The hunting license number of the hunter.
- 32 g. The number of days the hunter hunted.
- 33 h. The total number of deer taken by the hunter.

34 2. The deer harvest reporting system established by the
35 commission shall utilize and is limited to utilizing one or

1 more of the following methods of reporting deer taken by
2 hunters:

- 3 a. A toll-free telephone number.
- 4 b. A postcard.
- 5 c. Reporting at an electronic licensing location.
- 6 d. Electronic internet communication.

7 Sec. 4. Section 483A.24, subsection 2, Code 2005, is
8 amended by adding the following new paragraph:

9 NEW PARAGRAPH. c. Notwithstanding paragraph "b", upon
10 written application on forms furnished by the department, the
11 department shall issue annually without fee two deer hunting
12 licenses, one antlered or any sex deer hunting license and one
13 antlerless deer only deer hunting license, to the owner of a
14 farm unit or a member of the owner's family, but only two
15 licenses for both, and to the tenant of a farm unit or a
16 member of the tenant's family, but only two licenses for both.
17 The deer hunting licenses issued shall be valid only for use
18 on the farm unit for which the applicant applies pursuant to
19 this paragraph and shall be equivalent to the least
20 restrictive license issued under section 481A.38. The owner
21 or the tenant need not reside on the farm unit to qualify for
22 the free deer hunting licenses to hunt on that farm unit. The
23 free hunting licenses issued pursuant to this paragraph shall
24 be valid during all shotgun deer seasons and the licenses may
25 be used to harvest deer in two different seasons. In
26 addition, a person who receives a free deer hunting license
27 pursuant to this paragraph shall pay a one dollar fee that
28 shall be used and is appropriated for the purpose of assisting
29 with the cost of processing deer donated to the help us stop
30 hunger program administered by the commission.

31 Sec. 5. Section 483A.24, subsection 2, paragraphs c and d,
32 Code 2005, are amended to read as follows:

33 e- d. In addition to the free deer hunting license
34 licenses received pursuant to paragraph "b" or "c", an owner
35 of a farm unit or a member of the owner's family and the

1 tenant or a member of the tenant's family may purchase a deer
2 hunting license for any option offered to paying deer hunting
3 licensees. An owner of a farm unit or a member of the owner's
4 family and the tenant or a member of the tenant's family may
5 also purchase two additional antlerless deer hunting licenses
6 which are valid only on the farm unit for a fee of ten dollars
7 each.

8 ~~d.~~ e. If the commission establishes a deer hunting season
9 to occur in the first quarter of a calendar year that is
10 separate from a deer hunting season that continues from the
11 last quarter of the preceding calendar year, each owner and
12 each tenant of a farm unit located within a zone where a deer
13 hunting season is established, upon application, shall be
14 issued a free deer hunting license for each of the two
15 calendar quarters. Each license is valid only for hunting on
16 the farm unit of the owner and tenant.

17 Sec. 6. NEW SECTION. 483A.24B SPECIAL DEER HUNTS.

18 1. The commission may establish a special season deer hunt
19 for antlerless deer in those counties where paid antlerless
20 only deer hunting licenses remain available for issuance.

21 2. Antlerless deer may be taken by shotgun, muzzleloading
22 rifle, muzzleloading pistol, handgun, or bow during the
23 special season as provided by the commission by rule.

24 3. Prior to December 15, a resident may obtain up to three
25 paid antlerless only deer hunting licenses for the special
26 season regardless of how many paid or free gun or bow deer
27 hunting licenses the person may have already obtained.

28 Beginning December 15, a resident or nonresident may purchase
29 an unlimited number of antlerless only deer hunting licenses
30 for the special season. Notwithstanding section 483A.1, the
31 fee for an antlerless only deer hunting license issued
32 pursuant to this section shall be ten dollars for residents.

33 4. All antlerless deer hunting licenses issued pursuant to
34 this section shall be included in the quotas established by
35 the commission by rule for each county and shall be available

1 in each county only until the quota established by the
2 commission for that county is filled.

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

6 6. A person who receives a license pursuant to this
7 section shall be otherwise qualified to hunt deer in this
8 state and shall have a hunting license and pay the wildlife
9 habitat fee.

10 7. A person violating a provision of this section or a
11 rule adopted pursuant to this section is guilty of a simple
12 misdemeanor punishable as a scheduled violation as provided in
13 section 483A.42.

14 EXPLANATION

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

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

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

29 Code section 483A.8, subsection 3, is amended to provide
30 that the commission is limited to issuing 6,000 nonresident
31 antlered or any sex deer hunting licenses per year and that
32 after those licenses have been issued an additional 2,500
33 licenses shall be available for issuance for antlerless deer
34 only. The bill also provides that all nonresident deer
35 hunting licenses issued shall be allocated by the commission

1 among zones based on the populations of deer.

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

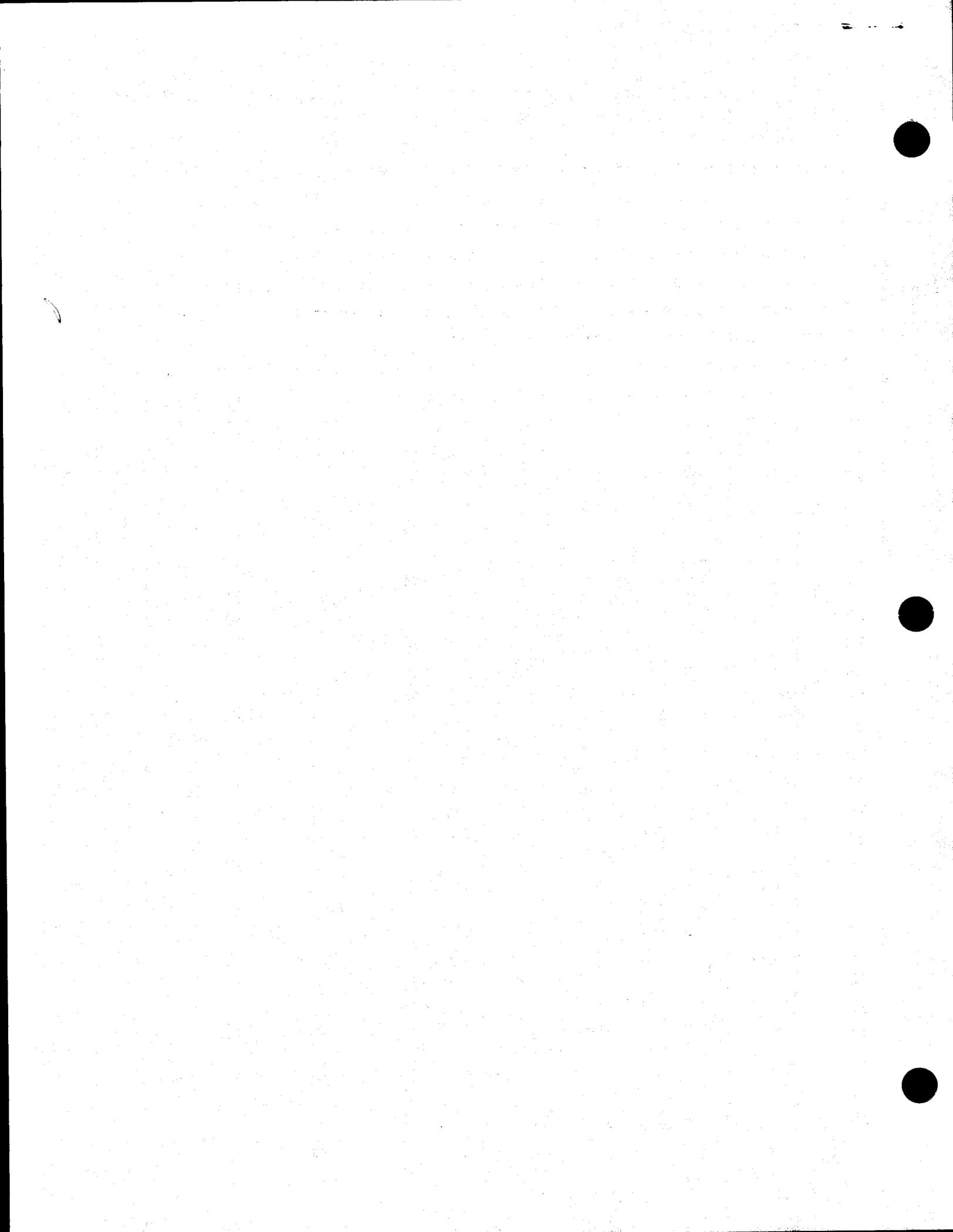
10 The bill contains new Code section 483A.8A which requires
11 the commission to establish, by rule, a deer harvest reporting
12 system for the purpose of collecting information from deer
13 hunters concerning the deer population in the state. Each
14 person who is issued a deer hunting license in this state is
15 required to report such information as is required by the bill
16 by one or more of the reporting methods set forth in the bill.

17 Code section 483A.24 is amended to provide that upon
18 written application, the department shall issue annually
19 without fee one antlered or any sex deer hunting license and
20 one antlerless deer only deer hunting license to the owner of
21 a farm unit or a member of the owner's family, but only two
22 licenses for both, and to the tenant of a farm unit or a
23 member of the tenant's family, but only two licenses for both.
24 A person who receives a free deer hunting license pursuant to
25 this provision is required to pay a one dollar fee for the
26 purpose of assisting with the cost of processing deer donated
27 to the help us stop hunger program.

28 The bill adds new Code section 483A.24B allowing the
29 commission to establish special season deer hunts for
30 antlerless deer in those counties where paid antlerless only
31 deer hunting licenses remain available for issuance. Prior to
32 December 15, a resident may obtain up to three paid antlerless
33 deer only deer hunting licenses regardless of how many paid or
34 free deer hunting licenses the person has obtained. Beginning
35 December 15, a resident or nonresident may purchase an

1 unlimited number of antlerless deer only deer hunting licenses
2 for the special season. Licenses issued for the special
3 season are included in the quotas established by the
4 commission for each county and are available in each county
5 only until the quota for that county is filled. A person who
6 receives a license for the special season must be otherwise
7 qualified to hunt deer in this state. A person who violates
8 this section is guilty of a simple misdemeanor punishable as a
9 scheduled violation with a fine of \$100.

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HOUSE FILE 822

H-1178

1 Amend House File 822 as follows:

2 1. Page 1, by inserting before line 1, the
3 following:

4 "Section 1. Section 170.1, subsection 4, Code
5 2005, is amended to read as follows:

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

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

22 c. Hunting license, eighteen years of age or older
23 \$

80.00
100.00"

24
25 2. Page 1, line 34, by inserting after the word
26 "of" the following: "deer herd population management,
27 including".

28 3. Page 2, line 6, by inserting after the word
29 "of" the following: "deer herd population management,
30 including".

31 4. Page 2, by striking lines 21 through 23, and
32 inserting the following: "licenses have been issued,
33 all additional licenses shall be issued for antlerless
34 deer only. The commission shall annually determine the
35 number of nonresident antlerless deer only deer
36 hunting licenses that will be available for issuance."

37 5. Page 2, by striking line 24, and inserting the
38 following:

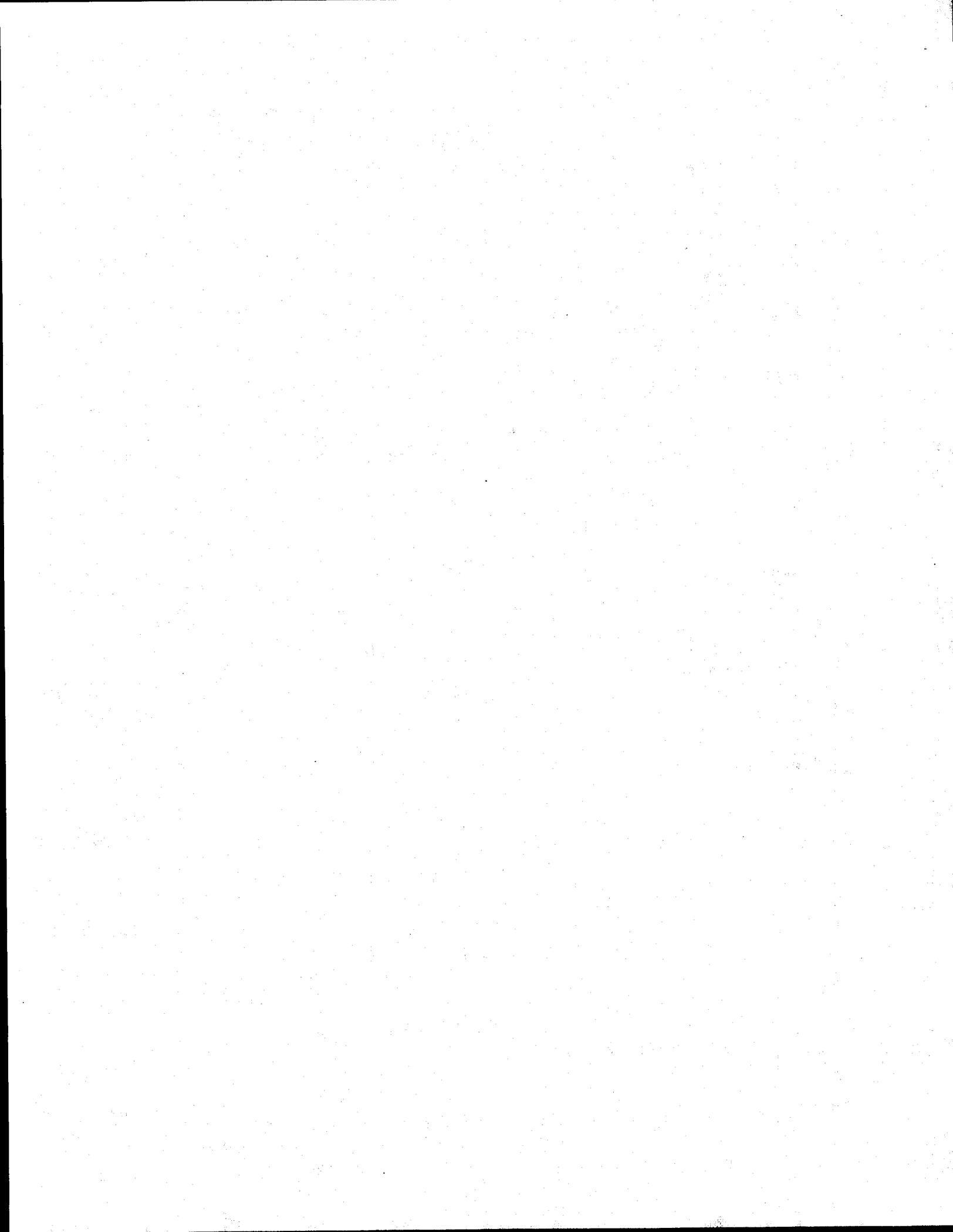
39 "d. The commission shall allocate the all
40 nonresident deer".

41 6. Page 3, line 9, by striking the words "help us
42 stop hunger program" and inserting the following:
43 "purpose of deer herd population management".

44 7. By striking page 3, line 22, through page 4,
45 line 6, and inserting the following: "information
46 pursuant to this section as is required by the
47 commission by rule.

48 2. A nonresident deer hunter who violates this
49 section shall not be issued another deer hunting
50 license for the next year until after all other

H-1178



1 nonresident applications for deer hunting licenses
2 have been fulfilled and then only if such licenses
3 allocated remain available for issuance."

4 8. Page 4, by striking lines 7 through 30, and
5 inserting the following:

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

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

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

14 (b) which are Are operated as a unit for
15 agricultural purposes and which are.

16 (c) Are under the lawful control of the owner or
17 the tenant.

18 The commission shall adopt rules establishing a
19 procedure for the certification of parcels of land as
20 farm units for the purposes of this subsection.

21 Sec. _____. Section 483A.24, subsection 2, paragraph
22 b, Code 2005, is amended to read as follows:

23 b. Upon written application on forms furnished by
24 the department, the department shall issue annually
25 without fee ~~one deer or one wild turkey license, or~~
26 ~~both,~~ to the owner of a farm unit or to a member of
27 the owner's family, but not to both, and to the tenant
28 or to a member of the tenant's family, but not to
29 both. ~~The deer hunting license or wild turkey hunting~~
30 ~~license issued shall be valid only on the farm unit~~
31 ~~for which an applicant qualifies pursuant to this~~
32 ~~subsection and shall be equivalent to the least~~
33 ~~restrictive license issued under section 481A.38. The~~
34 ~~owner or the tenant need not reside on the farm unit~~
35 ~~to qualify for a free license to hunt on that farm~~
36 ~~unit. A free deer hunting license issued pursuant to~~
37 ~~this subsection shall be valid during all shotgun deer~~
38 ~~seasons.~~

39 Sec. _____. Section 483A.24, subsection 2, Code
40 2005, is amended by adding the following new
41 paragraph:

42 NEW PARAGRAPH. c. Upon written application on
43 forms furnished by the department, the department
44 shall issue annually without fee two deer hunting
45 licenses, one antlered or any sex deer hunting license
46 and one antlerless deer only deer hunting license, to
47 the owner of a farm unit or a member of the owner's
48 family, but only a total of two licenses for both, and
49 to the tenant of a farm unit or a member of the
50 tenant's family, but only a total of two licenses for

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

16 9. Page 4, line 34, by striking the words "b"
17 or".

18 10. By striking page 5, line 17, through page 6,
19 line 13, and inserting the following:

20 "Sec. ____ . NEW SECTION. 483A.24B SPECIAL DEER
21 HUNTS -- INTENT -- PENALTY.

22 It is the intent of the general assembly that the
23 department shall administer and enforce the
24 administrative rules concerning special deer hunts
25 promulgated pursuant to sections 481A.38 and 481A.39.
26 A person violating such rules is guilty of a simple
27 misdemeanor punishable as a scheduled violation as
28 provided in section 483A.42.

29 Sec. ____ . NEW SECTION. 483A.24C DEER DEPREDATION
30 MANAGEMENT AGREEMENTS -- PERMITS.

31 It is the intent of the general assembly that the
32 department shall administer and enforce the
33 administrative rules concerning deer depredation that
34 are contained in 571 IAC chapter 106.

35 Sec. ____ . Section 483A.24A, Code 2005, is
36 repealed."

37 11. By renumbering as necessary.

By RAYHONS of Hancock

Fiscal Services Division
Legislative Services Agency
Fiscal Note

HF 822 - Deer Harvest (LSB 2270 HZ)

Analyst: Debra Kozel (Phone: (515) 281-6767) (deb.kozel@legis.state.ia.us)

Fiscal Note Version - New

Description

House File 822 makes the following changes related to deer hunting:

- Specifies 6,000 non-resident hunters that purchase an any sex deer license must purchase an additional antlerless deer license for \$100.
- Specifies all resident and non-resident hunters pay a \$1.00 fee for the Help Us Stop Hunger (HUSH) Program.
- Requires the Natural Resource Commission to establish a deer harvest reporting system.
- Specifies the Natural Resource Commission to establish special deer hunts in counties where antlerless deer licenses remain available for issuance. This allows a resident hunter to purchase up to three licenses prior to December 15, and after December 15, a resident or non-resident can purchase an unlimited number of antlerless deer licenses. The resident fee is \$10.00.

Background

The number of deer and vehicle collision accidents has increased in Iowa. During 2004, there were 18,000 accidents in Iowa with at an estimated cost of \$60.0 million to insurance companies. During the same time period, the Department of Natural Resources (DNR) sold 28,000 additional deer licenses (23,000 antlerless deer) and reported that 2,000 deer were donated to the HUSH Program. The HUSH Program allows hunters to donate harvested deer to designated food lockers where the meat is processed and then donated to the Iowa Food Bank.

Assumptions

1. It is estimated that 340,000 residents and 15,000 non-residents will purchase licenses and pay the \$1.00 HUSH Program fee for total revenue of \$355,000.
2. It is estimated that 6,000 non-resident hunters will pay the additional \$100 to purchase an antlerless deer license for revenue of \$600,000.
3. It is estimated the expenditures for hunters reporting harvested deer is \$640,000 per year.
4. The number of special deer hunt licenses sold is unknown.

Correctional Impact

The correctional impact of HF 822 is expected to be minimal.

Fiscal Impact

The estimated fiscal impact of HF 822 is an increase in revenue of \$955,000 with \$355,000 for the HUSH Program and an increase in expenditures of \$640,000 for the Fish and Wildlife Trust Fund. The net impact is an increase of \$315,000 for the Fish and Wildlife Trust Fund for FY 2006 and each following fiscal year.

Sources

Department of Natural Resources

Department of Human Rights, Criminal and Juvenile Justice Planning Division

/s/ Holly M. Lyons

March 28, 2005

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 Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
