

SENATE FILE 206

BY COMMITTEE ON NATURAL RESOURCES  
AND ENVIRONMENT

(SUCCESSOR TO SSB 1147)

Passed Senate, Date 3-22-05 Passed House, Date 4-6-05

Vote: Ayes 49 Nays 0 Vote: Ayes 100 Nays 0

*Repassed 4-26-05* Approved 6-3-05 *Repassed 4-26-05*  
*50-0* *97-3*

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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SF 206

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, required  
23 with the purchase of an antlered or any sex deer hunting license  
24 ..... \$ 100.00

25 ~~f.~~ g. Deer hunting license, antlerless deer only  
26 ..... \$ 150.00

27 ~~g.~~ h. Wild turkey hunting license ..... \$ 100.00

28 ~~h.~~ i. Fur harvester license ..... \$ 200.00

29 ~~i.~~ j. Fur dealer license ..... \$ 501.00

30 ~~j.~~ k. Location permit for fur dealers ..... \$ 56.00

31 ~~k.~~ l. Aquaculture unit license ..... \$ 56.00

32 ~~l.~~ m. Retail bait dealer license ..... \$ 125.00

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

35 ~~m.~~ n. Trout fishing fee ..... \$ 13.00

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

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

10	u- v.	Fishing license, one-day .....	\$	8.50
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11 Sec. 4. Section 483A.8, subsections 1, 3, and 6, Code  
12 2005, are amended to read as follows:

13 1. A resident hunting deer who is required to have a  
14 hunting license must have a resident hunting license in  
15 addition to the deer hunting license and must pay the wildlife  
16 habitat fee. In addition, a resident who purchases a deer  
17 hunting license shall 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 commission.

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

28 b. A nonresident who purchases an antlered or any sex deer  
29 hunting license pursuant to section 483A.1, subsection 2,  
30 paragraph "e", is required to purchase an antlerless deer only  
31 deer hunting license at the same time, pursuant to section  
32 483A.1, subsection 2, paragraph "f".

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

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

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

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

1     Sec. 5. NEW SECTION. 483A.8A DEER HARVEST REPORTING  
2 SYSTEM.

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

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

13    3. A nonresident deer hunter who violates this section  
14 shall not be issued another deer hunting license for the next  
15 year until after all other nonresident applications for deer  
16 hunting licenses have been fulfilled and then only if such  
17 licenses allocated remain available for issuance.

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

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

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

25    (b) which-are Are operated as a unit for agricultural  
26 purposes and-which-are.

27    (c) Are under the lawful control of the owner or the  
28 tenant.

29    The commission shall adopt rules establishing a procedure  
30 for the certification of parcels of land as farm units for the  
31 purposes of this subsection.

32    Sec. 7. Section 483A.24, subsection 2, paragraph b, Code  
33 2005, is amended to read as follows:

34    b. Upon written application on forms furnished by the  
35 department, the department shall issue annually without fee

1 ~~one-deer-or~~ one wild turkey license~~, -or-both,~~ to the owner of  
2 a farm unit or to a member of the owner's family, but not to  
3 both, and to the tenant or to a member of the tenant's family,  
4 but not to both. The ~~deer-hunting-license-or~~ wild turkey  
5 hunting license issued shall be valid only on the farm unit  
6 for which an applicant qualifies pursuant to this subsection  
7 and shall be equivalent to the least restrictive license  
8 issued under section 481A.38. The owner or the tenant need  
9 not reside on the farm unit to qualify for a free license to  
10 hunt on that farm unit. ~~A-free-deer-hunting-license-issued~~  
11 ~~pursuant-to-this-subsection-shall-be-valid-during-all-shotgun~~  
12 ~~deer-seasons-~~

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

15 NEW PARAGRAPH. c. Upon written application on forms  
16 furnished by the department, the department shall issue  
17 annually without fee two deer hunting licenses, one antlered  
18 or any sex deer hunting license and one antlerless deer only  
19 deer hunting license, to the owner of a farm unit or a member  
20 of the owner's family, but only a total of two licenses for  
21 both, and to the tenant of a farm unit or a member of the  
22 tenant's family, but only a total of two licenses for both.  
23 The deer hunting licenses issued shall be valid only for use  
24 on the farm unit for which the applicant applies pursuant to  
25 this paragraph. The owner or the tenant need not reside on  
26 the farm unit to qualify for the free deer hunting licenses to  
27 hunt on that farm unit. The free deer hunting licenses issued  
28 pursuant to this paragraph shall be valid and may be used  
29 during any shotgun deer season. The licenses may be used to  
30 harvest deer in two different seasons. In addition, a person  
31 who receives a free deer hunting license pursuant to this  
32 paragraph shall pay a one dollar fee for each license that  
33 shall be used and is appropriated for the purpose of assisting  
34 with the cost of processing deer donated to the help us stop  
35 hunger program administered by the commission.

1 Sec. 9. Section 483A.24, subsection 2, paragraphs c and d,  
2 Code 2005, are amended to read as follows:

3 ~~c.~~ d. In addition to the free deer hunting ~~license~~  
4 licenses received pursuant to paragraph "c", an owner of a  
5 farm unit or a member of the owner's family and the tenant or  
6 a member of the tenant's family may purchase a deer hunting  
7 license for any option offered to paying deer hunting  
8 licensees. An owner of a farm unit or a member of the owner's  
9 family and the tenant or a member of the tenant's family may  
10 also purchase two additional antlerless deer hunting licenses  
11 which are valid only on the farm unit for a fee of ten dollars  
12 each.

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

22 Sec. 10. NEW SECTION. 483A.24B SPECIAL DEER HUNTS --  
23 INTENT -- PENALTY.

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

30 Sec. 11. NEW SECTION. 483A.24C DEER DEPREDATION  
31 MANAGEMENT AGREEMENTS -- PERMITS.

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

1 two licenses for both. A person who receives a free deer  
2 hunting license pursuant to this provision is required to pay  
3 a one dollar fee for the purpose of assisting with the cost of  
4 processing deer donated to the help us stop hunger program.

5 The bill adds new Code section 483A.24B directing the  
6 commission to administer and enforce administrative rules  
7 allowing special season deer hunts for antlerless deer in  
8 those counties where deer population management is necessary.  
9 A person who violates this section is guilty of a simple  
10 misdemeanor punishable as a scheduled violation with a fine of  
11 \$100.

12 The bill also adds new Code section 483A.24C providing tha'  
13 it is the intent of the general assembly that the department  
14 of natural resources shall administer and enforce the  
15 administrative rules concerning deer depredation that are  
16 contained in 571 IAC chapter 106.

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EIGHTY FIRST GENERAL ASSEMBLY  
2005 REGULAR SESSION  
DAILY  
SENATE CLIP SHEET

MARCH 16, 2005

SENATE FILE 206

S-3023

1 Amend Senate File 206 as follows:

2 1. Page 2, line 17, by striking the word "that"  
3 and inserting the following: "eighty percent of  
4 which".

5 2. Page 2, line 20, by inserting after the word  
6 "commission" the following: "and twenty percent of  
7 which shall be used and is appropriated for the  
8 purpose of assisting with the cost of processing deer  
9 donated to the harvested deer program established  
10 under section 483A.24A and administered by the  
11 department of corrections in cooperation with the  
12 commission".

13 3. Page 2, by inserting before line 21 the  
14 following: "Any fees appropriated for the use of  
15 either program that are not used by that program may  
16 be used by the other program as necessary as  
17 determined by the commission."

18 4. Page 2, line 25, by striking the word "that"  
19 and inserting the following: "eighty percent of  
20 which".

21 5. Page 2, line 27, by inserting after the word  
22 "commission" the following: "and twenty percent of  
23 which shall be used and is appropriated for the  
24 purpose of assisting with the cost of processing deer  
25 donated to the harvested deer program established  
26 under section 483A.24A and administered by the  
27 department of corrections in cooperation with the  
28 commission".

29 6. Page 2, by inserting before line 28 the  
30 following: "Any fees appropriated for the use of  
31 either program that are not used by that program may  
32 be used by the other program as necessary as  
33 determined by the commission."

34 7. Page 3, line 30, by inserting after the word  
35 "program" the following: "and the harvested deer  
36 program under section 483A.24A".

37 8. Page 5, line 32, by striking the word "that"  
38 and inserting the following: "eighty percent of  
39 which".

40 9. Page 5, line 35, by inserting after the word  
41 "commission" the following: "and twenty percent of  
42 which shall be used and is appropriated for the  
43 purpose of assisting with the cost of processing deer  
44 donated to the harvested deer program established  
45 under section 483A.24A and administered by the  
46 department of corrections in cooperation with the  
47 commission".

48 10. Page 6, by inserting before line 1 the  
49 following: "Any fees appropriated for the use of  
50 either program that are not used by that program may

S-3023

S-3023

Page 2

1 be used by the other program as necessary as  
2 determined by the commission."

By BOB BRUNKHORST  
DENNIS H. BLACK

S-3023 FILED MARCH 15, 2005

**SENATE FILE 206**

S-3039

1 Amend Senate File 206 as follows:  
2 1. Page 1, by striking lines 1 through 14.  
By MARK ZIEMAN

S-3039 FILED MARCH 21, 2005

**SENATE FILE 206**

S-3043

1 Amend Senate File 206 as follows:  
2 1. Page 2, line 18, by inserting after the word  
3 "of" the following: "deer herd population management,  
4 including".  
5 2. Page 2, line 25, by inserting after the word  
6 "of" the following: "deer herd population management,  
7 including".  
8 3. Page 3, line 30, by striking the words "help  
9 us stop hunger program" and inserting the following:  
10 "purpose of deer herd population management".  
11 4. Page 6, by inserting after line 35 the  
12 following:  
13 "Sec. \_\_\_\_ . Section 483A.24A, Code 2005, is  
14 repealed."  
15 5. By renumbering as necessary.

By BOB BRUNKHORST  
DENNIS H. BLACK

S-3043 FILED MARCH 22, 2005  
ADOPTED

**SENATE FILE 206**

S-3046

1 Amend Senate File 206 as follows:  
2 1. Page 4, by striking lines 10 through 12.  
3 2. By renumbering as necessary.

By JERRY BEHN

S-3046 FILED MARCH 22, 2005  
ADOPTED

**Fiscal Services Division**  
**Legislative Services Agency**  
**Fiscal Note**

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SF 206 - Deer Harvest (LSB 2270 SV)

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

Fiscal Note Version - New

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**Description**

Senate File 206 makes the following changes related to deer hunting:

- Transfers authority for shooting farm deer at preserves from the Department of Agriculture and Land Stewardship to the Department of Natural Resources (DNR).
- Increases the non-resident hunting license fee from \$80 to \$100.
- 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 all hunters to report the number of deer harvested or pay a \$10 penalty.
- Requires the Natural Resource Commission to adopt Administrative Rules defining a farm unit.
- Specifies the DNR adopt Administrative Rules for special deer hunts.
- Specifies the DNR enforce Administrative Rules regarding deer depredation permits.

**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 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 \$20 increase to purchase a non-resident hunting license and pay an additional \$100 to purchase an antlerless deer license.
3. It is estimated 3,000 non-resident hunters will pay the \$20 increase to purchase a non-resident hunting license to hunt antlerless deer.
4. It is estimated 20,000 hunters will pay the \$10 penalty for not reporting harvested deer.
5. It is estimated the expenditures for hunters reporting harvested deer is \$640,000 per year.

**Correctional Impact**

The correctional impact of SF 206 is expected to be minimal.

**Fiscal Impact**

The estimated fiscal impact of SF 206 is an increase in revenue of \$355,000 for the HUSH Program and an increase in revenue of \$340,000 for the Fish and Wildlife Trust Fund for FY 2006 and each following year.

**Sources**

Department of Natural Resources

Department of Human Rights, Criminal and Juvenile Justice Planning Division

/s/ Holly M. Lyons

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March 15, 2005

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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.

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 7 red deer or elk; part of the virginianus species of the  
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5	r-	<u>s.</u>	Migratory game bird fee .....	\$	8.00
6	s-	<u>t.</u>	Fishing license, three-day .....	\$	15.50
7	t-	<u>u.</u>	Wholesale bait dealer license .....	\$	250.00

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

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 15 addition to the deer hunting license and must pay the wildlife  
 16 habitat fee. In addition, a resident who purchases a deer  
 17 hunting license shall pay a one dollar fee that shall be used  
 18 and is appropriated for the purpose of deer herd population  
 19 management, including assisting with the cost of processing  
 20 deer donated to the help us stop hunger program administered  
 21 by the commission.

22 3. a. A nonresident hunting deer is required to have a  
 23 nonresident hunting license and a nonresident deer license and  
 24 must pay the wildlife habitat fee. In addition, a nonresident  
 25 who purchases a deer hunting license shall pay a one dollar  
 26 fee that shall be used and is appropriated for the purpose of  
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4 licenses issued, not more than thirty-five percent of the  
5 licenses shall be bow season licenses ~~and, after~~. After the  
6 ~~first~~ six thousand antlered or any sex nonresident deer  
7 licenses have been issued, all additional licenses shall be  
8 issued for antlerless deer only. The commission shall  
9 annually determine the number of nonresident antlerless deer  
10 only deer hunting licenses that will be available for  
11 issuance.

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13 hunting licenses issued among the zones based on the  
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18 applicant. A nonresident applying for a deer hunting license  
19 must exhibit proof of having successfully completed a hunter  
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21 483A.27 or its equivalent as determined by the department  
22 before the license is issued.

23 6. The commission shall provide by rule for the annual  
24 issuance to a nonresident of a nonresident antlerless deer  
25 hunting license that is valid for use only during the period  
26 beginning on December 24~~7~~-2003~~7~~ and ending at sunset on  
27 January 2~~7~~-2004 of the following year, and costs fifty  
28 dollars. A nonresident hunting deer with a license issued  
29 under this subsection shall be otherwise qualified to hunt  
30 deer in this state and shall have a nonresident hunting  
31 license, and pay the wildlife habitat fee, and pay the one  
32 dollar fee for the purpose of deer herd population management  
33 as provided in subsection 3. Pursuant to this subsection, the  
34 commission shall make available for issuance only the  
35 remaining nonresident antlerless deer hunting licenses

1 allocated under subsection 3 that have not yet been issued for  
2 the 2003--2004 current year's nonresident antlerless deer  
3 hunting seasons.

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26 purposes and which are.

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28 tenant.

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33 2005, is amended to read as follows:

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2 a farm unit or to a member of the owner's family, but not to  
3 both, and to the tenant or to a member of the tenant's family,  
4 but not to both. The ~~deer-hunting-license-or~~ wild turkey  
5 hunting license issued shall be valid only on the farm unit  
6 for which an applicant qualifies pursuant to this subsection  
7 and shall be equivalent to the least restrictive license  
8 issued under section 481A.38. The owner or the tenant need  
9 not reside on the farm unit to qualify for a free license to  
10 hunt on that farm unit. ~~A-free-deer-hunting-license-issued~~  
11 ~~pursuant-to-this-subsection-shall-be-valid-during-all-shotgun~~  
12 ~~deer-seasons.~~

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

15 NEW PARAGRAPH. c. Upon written application on forms  
16 furnished by the department, the department shall issue  
17 annually without fee two deer hunting licenses, one antlered  
18 or any sex deer hunting license and one antlerless deer only  
19 deer hunting license, to the owner of a farm unit or a member  
20 of the owner's family, but only a total of two licenses for  
21 both, and to the tenant of a farm unit or a member of the  
22 tenant's family, but only a total of two licenses for both.  
23 The deer hunting licenses issued shall be valid only for use  
24 on the farm unit for which the applicant applies pursuant to  
25 this paragraph. The owner or the tenant need not reside on  
26 the farm unit to qualify for the free deer hunting licenses to  
27 hunt on that farm unit. The free deer hunting licenses issued  
28 pursuant to this paragraph shall be valid and may be used  
29 during any shotgun deer season. The licenses may be used to  
30 harvest deer in two different seasons. In addition, a person  
31 who receives a free deer hunting license pursuant to this  
32 paragraph shall pay a one dollar fee for each license that  
33 shall be used and is appropriated for the purpose of assisting  
34 with the cost of processing deer donated to the help us stop  
35 hunger program administered by the commission.

1 Sec. 9. Section 483A.24, subsection 2, paragraphs c and d,  
2 Code 2005, are amended to read as follows:

3 ~~c.~~ d. In addition to the free deer hunting ~~license~~  
4 licenses received pursuant to paragraph "c", an owner of a  
5 farm unit or a member of the owner's family and the tenant or  
6 a member of the tenant's family may purchase a deer hunting  
7 license for any option offered to paying deer hunting  
8 licensees. An owner of a farm unit or a member of the owner's  
9 family and the tenant or a member of the tenant's family may  
10 also purchase two additional antlerless deer hunting licenses  
11 which are valid only on the farm unit for a fee of ten dollars  
12 each.

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

22 Sec. 10. NEW SECTION. 483A.24B SPECIAL DEER HUNTS --  
23 INTENT -- PENALTY.

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

30 Sec. 11. NEW SECTION. 483A.24C DEER DEPREDATION  
31 MANAGEMENT AGREEMENTS -- PERMITS.

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

1 Sec. 12. Section 483A.24A, Code 2005, is repealed.  
2  
3

**SENATE FILE 206**

**H-1189**

1 Amend Senate File 206, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 6, by inserting after line 21, the  
4 following:  
5 "Sec. \_\_\_\_ . Section 483A.24, subsection 2, Code  
6 2005, is amended by adding the following new  
7 paragraph:  
8 NEW PARAGRAPH. f. A deer hunting license or wild  
9 turkey hunting license issued pursuant to this  
10 subsection shall be signed by the person to whom the  
11 license is issued and shall contain a statement in  
12 substantially the following form:  
13 By signing this license I certify that I qualify as  
14 an owner or tenant under Iowa Code section 483A.24."  
15 2. By renumbering as necessary.  
By WHITAKER of Van Buren

1 **H-1189 FILED MARCH 28, 2005**

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**SENATE FILE 206**

**H-1275**

1 Amend Senate File 206, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 4, line 23, by striking the word "ten"  
4 and inserting the following: "two".  
5 2. Page 4, by striking lines 29 through 31.  
By RAYHONS of Hancock

**H-1275 FILED MARCH 31, 2005**

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**Fiscal Services Division**  
**Legislative Services Agency**  
**Fiscal Note**

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SF 206 - Deer Harvest (LSB 2270 SV)

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

Fiscal Note Version – As amended and passed by the Senate

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**Description**

Senate File 206 makes the following changes related to deer hunting:

- Transfers authority for shooting farm deer at preserves from the Department of Agriculture and Land Stewardship to the Department of Natural Resources (DNR).
- Increases the non-resident hunting license fee from \$80 to \$100.
- 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 adopt Administrative Rules defining a farm unit.
- Specifies the Natural Resource Commission to adopt Administrative Rules for a deer harvest reporting system.
- Specifies the DNR adopt Administrative Rules for special deer hunts.
- Specifies the DNR enforce Administrative Rules regarding deer depredation permits.

**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 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**

5. 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.
6. It is estimated that 6,000 non-resident hunters will pay the \$20 increase to purchase a non-resident hunting license and pay an additional \$100 to purchase an antlerless deer license.
7. It is estimated 3,000 non-resident hunters will pay the \$20 increase to purchase a non-resident hunting license to hunt antlerless deer.
8. It is estimated the expenditures for hunters reporting harvested deer is \$323,000 per year.

**Correctional Impact**

The correctional impact of SF 206 is expected to be minimal.

**Fiscal Impact**

The estimated fiscal impact of SF 206 is an increase in revenue of \$355,000 for the HUSH Program and an increase in revenue of \$457,000 for the Fish and Wildlife Trust Fund for FY 2006 and each following year.

**Sources**

Department of Natural Resources  
Department of Human Rights, Criminal and Juvenile Justice Planning Division

/s/ Holly M. Lyons

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March 28, 2005

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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.

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SENATE FILE 206

H-1255

1 Amend Senate File 206, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 6, by inserting after line 21, the  
4 following:

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

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

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

15 A person who makes a false attestation as described  
16 in this paragraph is guilty of a simple misdemeanor.  
17 In addition, the person's hunting license shall be  
18 revoked and the person shall not be issued a hunting  
19 license for a period of one year."

20 2. By renumbering as necessary.

By RAYHONS of Hancock  
BELL of Jasper

FREEMAN of Buena Vista  
WHITAKER of Van Buren

H-1255 FILED MARCH 30, 2005

SENATE FILE 206

H-1282

1 Amend Senate File 206, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by striking lines 1 through 14.  
4 2. Page 4, by striking lines 11 through 17 and  
5 inserting the following: "information pursuant to  
6 this section. Information collected by the commission  
7 pursuant to the deer harvest reporting system from a  
8 deer hunter who takes a deer shall be limited to the  
9 following:  
10 a. The county where the deer was taken.  
11 b. The season during which the deer was taken.  
12 c. The sex of the deer taken.  
13 d. The age of the deer taken.  
14 e. The type of weapon used.  
15 f. The hunting license number of the hunter.  
16 g. The number of days the hunter hunted.  
17 h. The total number of deer taken by the hunter.  
18 2. The deer harvest reporting system established  
19 by the commission shall utilize and is limited to  
20 utilizing one or more of the following methods of  
21 reporting deer taken by hunters:  
22 a. A toll-free telephone number.  
23 b. A postcard.  
24 c. Reporting at an electronic licensing location.  
25 d. Electronic internet communication."  
26 3. Page 6, by striking lines 22 through 29 and  
27 inserting the following:  
28 "Sec. \_\_\_\_ . NEW SECTION. 483A.24B SPECIAL DEER  
29 HUNTS.  
30 1. The commission may establish a special season  
31 deer hunt for antlerless deer in those counties where  
32 paid antlerless only deer hunting licenses remain  
33 available for issuance.  
34 2. Antlerless deer may be taken by shotgun,  
35 muzzleloading rifle, muzzleloading pistol, handgun, or  
36 bow during the special season as provided by the  
37 commission by rule.  
38 3. Prior to December 15, a resident may obtain up  
39 to three paid antlerless only deer hunting licenses  
40 for the special season regardless of how many paid or  
41 free gun or bow deer hunting licenses the person may  
42 have already obtained. Beginning December 15, a  
43 resident or nonresident may purchase an unlimited  
44 number of antlerless only deer hunting licenses for  
45 the special season. Notwithstanding section 483A.1,  
46 the fee for an antlerless only deer hunting license  
47 issued pursuant to this section shall be ten dollars  
48 for residents.  
49 4. All antlerless deer hunting licenses issued  
50 pursuant to this section shall be included in the

H-1282

1 quotas established by the commission by rule for each  
2 county and shall be available in each county only  
3 until the quota established by the commission for that  
4 county is filled.

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

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

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

17 4. By renumbering as necessary.

By RAYHONS of Hancock

H-1282 FILED MARCH 31, 2005

**SENATE FILE 206**

**H-1283**

1 Amend Senate File 206, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 5, line 33, by inserting after the word  
4 "of" the following: "deer herd population management,  
5 including".

By RAYHONS of Hancock

H-1283 FILED MARCH 31, 2005

H-1318

1 Amend Senate File 206, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 2, lines 18 and 19, by striking the words  
4 "deer herd population management, including".  
5 2. Page 2, line 27, by striking the words "deer  
6 herd population management, including".  
7 3. Page 3, line 32, by striking the words  
8 "purpose of deer herd population management" and  
9 inserting the following: "help us stop hunger  
10 program".

By RAYHONS of Hancock

H-1318 FILED APRIL 5, 2005

SENATE FILE 206

H-1331

1 Amend Senate File 206, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by striking lines 15 through 19.

By BAUDLER of Adair

H-1331 FILED APRIL 5, 2005

SENATE FILE 206

H-1336

1 Amend the amendment, H-1282, to Senate File 206, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, line 3, by striking the word and  
5 figure "through 14." and inserting the following:  
6 "through 14, and inserting the following:

7 "Sec. \_\_\_\_ . NEW SECTION. 170.3A FARM DEER  
8 IDENTIFICATION.

9 1. All farm deer shall be individually identified  
10 with a distinctive and easily discernible ear tag  
11 affixed in either ear of the animal or other  
12 identification acceptable to the department, which has  
13 been specified by rule adopted pursuant to the  
14 department's rulemaking authority. The department  
15 shall make ear tags available at convenient locations  
16 within each county and shall sell such tags at a price  
17 not exceeding the cost to owners of farm deer and  
18 others to comply with this section.

19 2. Every person who releases animals kept as farm  
20 deer onto land shall keep a record of the ear tag  
21 number of each farm deer, or other approved  
22 identification, which records shall be made available  
23 by that person to any appropriate representative of  
24 the department.

25 Sec. \_\_\_\_ . NEW SECTION. 170.3B TRESPASS --  
26 PENALTIES -- LIABILITY.

27 1. The owner of a farm deer that trespasses upon  
28 the land of another person or strays from the owner's  
29 control onto a public road shall, for each offense, be  
30 subject to a civil penalty of one thousand five  
31 hundred dollars.

32 2. The owner of a farm deer that strays from the  
33 owner's control onto a public road or right-of-way  
34 shall be liable for all damages caused by the presence  
35 of the farm deer on the public road or right-of-way."

36 2. By renumbering as necessary.

By ZIRKELBACH of Jones

H-1336 FILED APRIL 6, 2005

WITHDRAWN

**HOUSE AMENDMENT TO  
SENATE FILE 206**

**S-3096**

1 Amend Senate File 206, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by striking lines 1 through 14.  
4 2. Page 1, by striking lines 15 through 19.  
5 3. Page 2, lines 18 and 19, by striking the words  
6 "deer herd population management, including".  
7 4. Page 2, line 27, by striking the words "deer  
8 herd population management, including".  
9 5. Page 3, line 32, by striking the words  
10 "purpose of deer herd population management" and  
11 inserting the following: "help us stop hunger  
12 program".  
13 6. Page 4, by striking lines 11 through 17 and  
14 inserting the following: "information pursuant to  
15 this section. Information collected by the commission  
16 pursuant to the deer harvest reporting system from a  
17 deer hunter who takes a deer shall be limited to the  
18 following:  
19 a. The county where the deer was taken.  
20 b. The season during which the deer was taken.  
21 c. The sex of the deer taken.  
22 d. The age of the deer taken.  
23 e. The type of weapon used.  
24 f. The hunting license number of the hunter.  
25 g. The number of days the hunter hunted.  
26 h. The total number of deer taken by the hunter.  
27 2. The deer harvest reporting system established  
28 by the commission shall utilize and is limited to  
29 utilizing one or more of the following methods of  
30 reporting deer taken by hunters:  
31 a. A toll-free telephone number.  
32 b. A postcard.  
33 c. Reporting at an electronic licensing location.  
34 d. Electronic internet communication."  
35 7. Page 4, line 23, by striking the word "ten"  
36 and inserting the following: "two".  
37 8. Page 4, by striking lines 29 through 31.  
38 9. Page 6, by inserting after line 21, the  
39 following:  
40 "Sec. \_\_\_\_ . Section 483A.24, subsection 2, Code  
41 2005, is amended by adding the following new  
42 paragraph:  
43 NEW PARAGRAPH. f. A deer hunting license or wild  
44 turkey hunting license issued pursuant to this  
45 subsection shall be attested by the signature of the  
46 person to whom the license is issued and shall contain  
47 a statement in substantially the following form:  
48 By signing this license I certify that I qualify as  
49 an owner or tenant under Iowa Code section 483A.24.  
50 A person who makes a false attestation as described

**S-3096**

1 in this paragraph is guilty of a simple misdemeanor.  
2 In addition, the person's hunting license shall be  
3 revoked and the person shall not be issued a hunting  
4 license for a period of one year."

5 10. Page 6, by striking lines 22 through 29 and  
6 inserting the following:

7 "Sec. \_\_\_\_ . NEW SECTION. 483A.24B SPECIAL DEER  
8 HUNTS.

9 1. The commission may establish a special season  
10 deer hunt for antlerless deer in those counties where  
11 paid antlerless only deer hunting licenses remain  
12 available for issuance.

13 2. Antlerless deer may be taken by shotgun,  
14 muzzleloading rifle, muzzleloading pistol, handgun, or  
15 bow during the special season as provided by the  
16 commission by rule.

17 3. Prior to December 15, a resident may obtain up  
18 to three paid antlerless only deer hunting licenses  
19 for the special season regardless of how many paid or  
20 free gun or bow deer hunting licenses the person may  
21 have already obtained. Beginning December 15, a  
22 resident or nonresident may purchase an unlimited  
23 number of antlerless only deer hunting licenses for  
24 the special season. Notwithstanding section 483A.1,  
25 the fee for an antlerless only deer hunting license  
26 issued pursuant to this section shall be ten dollars  
27 for residents.

28 4. All antlerless deer hunting licenses issued  
29 pursuant to this section shall be included in the  
30 quotas established by the commission by rule for each  
31 county and shall be available in each county only  
32 until the quota established by the commission for that  
33 county is filled.

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

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

42 7. A person violating a provision of this section  
43 or a rule adopted pursuant to this section is guilty  
44 of a simple misdemeanor punishable as a scheduled  
45 violation as provided in section 483A.42."

46 11. By renumbering, relettering, or redesignating  
47 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

**Fiscal Services Division**  
**Legislative Services Agency**  
**Fiscal Note**

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SF 206 - Deer Harvest (LSB 2270 SV.2)

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

Fiscal Note Version – SF 206 as Amended and Passed by the House

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**Description**

Senate File 206, as amended and passed by the House, makes the following changes related to deer hunting:

- Specifies 6,000 non-resident hunters that purchase an antlered or 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.
- Includes whitetail farm deer on hunting preserves under the definition of farm deer.
- Includes the definition of a farm unit and changes the ten-acre requirement to two acres.
- Eliminates language that the Natural Resource Commission adopt Administrative Rules for the certification of farm units.
- Requires the Natural Resource Commission to establish a deer harvest reporting system and specifies the information that must be submitted.
- Specifies the Natural Resource Commission to establish special deer hunts in counties where antlerless deer licenses remain available for issuance. 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. Specifies a person in violation is guilty of a simple misdemeanor.
- Specifies that a landowner's or tenant's signature certifies they are eligible for a free wild turkey or deer license. A person found to have submitted false information is guilty of a simple misdemeanor.

**Background**

The number of deer and vehicle collision accidents has increased in Iowa. During 2004, there were 18,000 accidents in Iowa with an estimated cost of \$60.0 million to insurance companies. During the same time period, the 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.

The average State costs for one serious misdemeanor conviction ranges from \$101 (court costs) to \$4,100 (court costs, jury trial, indigent defense, prison, and parole). The maximum costs will be incurred across multiple years while the offender is supervised in the correctional system, either in prison or in the community.

**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 an additional \$100 to purchase an antlerless deer license.
3. It is estimated the expenditures for hunters reporting harvested deer is \$323,000 per year.
4. The number of special deer hunting licenses sold is unknown.

### **Correctional Impact**

The creation of new offenses carries the potential for a correctional impact on court caseloads, prisons, county jails, Community-Based Corrections (CBC), and indigent defense resources. However, due to a lack of data, that correctional impact cannot be estimated.

### **Fiscal Impact**

The estimated fiscal impact of SF 206, as amended and passed by the House, is an increase in revenue of \$355,000 for the HUSH Program and an increase in revenue of \$277,000 for the Fish and Wildlife Trust Fund for FY 2006 and each following year.

### **Sources**

Department of Natural Resources  
Department of Human Rights, Criminal and Juvenile Justice Planning Division

/s/ Holly M. Lyons

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April 11, 2005

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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.

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EIGHTY FIRST GENERAL ASSEMBLY  
2005 REGULAR SESSION  
DAILY  
SENATE CLIP SHEET

APRIL 27, 2005

SENATE FILE 206

S-3170

1 Amend the House amendment, S-3096, to Senate File  
2 206, as amended, passed, and reprinted by the Senate,  
3 as follows:  
4 1. Page 1, line 3, by striking the figure "14."  
5 and inserting the following: "14, and inserting the  
6 following:  
7 "Sec. \_\_\_\_\_. Section 170.1, subsection 4, Code 2005,  
8 is amended to read as follows:  
9 4. a. "Farm deer" means an animal belonging to  
10 the cervidae family and classified as part of the dama  
11 species of the dama genus, commonly referred to as  
12 fallow deer; part of the elaphus species of the cervus  
13 genus, commonly referred to as red deer or elk; part  
14 of the virginianus species of the odocoileus genus,  
15 commonly referred to as whitetail; part of the  
16 hemionus species of the odocoileus genus, commonly  
17 referred to as mule deer; or part of the nippon  
18 species of the cervus genus, commonly referred to as  
19 sika. ~~However, a farm deer~~  
20 b. "Farm deer" does not include any unmarked free-  
21 ranging elk, whitetail, or mule deer. "Farm deer"  
22 also does not include preserve whitetail which are  
23 kept on a hunting preserve as provided in chapter  
24 484C.  
25 Sec. \_\_\_\_\_. NEW SECTION. 170.1A APPLICATION OF  
26 CHAPTER.  
27 1. A landowner shall not keep whitetail unless the  
28 whitetail are kept as farm deer under this chapter or  
29 kept as preserve whitetail on a hunting preserve  
30 pursuant to chapter 484C.  
31 2. This chapter authorizes the department of  
32 agriculture and land stewardship to regulate whitetail  
33 kept as farm deer. However, the department of natural  
34 resources shall regulate preserve whitetail kept on a  
35 hunting preserve pursuant to chapter 484C."  
36 2. Page 1, by striking lines 5 through 12.  
37 3. Page 1, by striking lines 35 and 36, and  
38 inserting the following:  
39 "\_\_\_\_\_. Page 4, line 20, by inserting after the  
40 word "land" the following: "~~not necessarily~~".  
41 \_\_\_\_\_. Page 4, by striking lines 23 and 24, and  
42 inserting the following:  
43 "(a) Are in tracts of two or more contiguous,  
44 acres."  
45 4. Page 2, by striking lines 24 through 27, and  
46 inserting the following: "the special season."  
47 5. Page 2, by inserting after line 45, the  
48 following:  
49 "\_\_\_\_\_. Page 6, by inserting after line 35, the  
50 following:

S-3170

1 "Sec. \_\_\_\_ . Section 484B.3, Code 2005, is amended  
2 to read as follows:

3 484B.3 AUTHORITY OF THE DIRECTOR.

4 1. The director shall develop, administer, and  
5 enforce hunting preserve programs and requirements  
6 within the state which implement the provisions of  
7 this chapter and the rules adopted by the commission  
8 pursuant to this chapter.

9 2. The chapter does not apply to keeping farm deer  
10 ~~as defined in section 170.1 as regulated by the~~  
11 ~~department of agriculture and land stewardship~~  
12 ~~pursuant to chapter 170 or to preserve whitetail kept~~  
13 ~~on a hunting preserve as regulated by the department~~  
14 ~~of natural resources pursuant to chapter 484C.~~

15 Sec. \_\_\_\_ . NEW SECTION. 484C.1 DEFINITIONS.

16 As used in this chapter, unless the context  
17 otherwise requires:

18 1. "Commission" means the natural resource  
19 commission as created pursuant to section 455A.6.

20 2. "Department" means the department of natural  
21 resources as created pursuant to section 455A.2.

22 3. "Documented event" includes but is not limited  
23 to the birth, death, harvest, transfer for  
24 consideration, or release of preserve whitetail.

25 4. "Fence" means a boundary fence which encloses  
26 preserve whitetail within a landowner's property as  
27 required to be constructed and maintained pursuant to  
28 this chapter.

29 5. "Hunting preserve" means land where a landowner  
30 keeps preserve whitetail as part of a business, if the  
31 business's purpose is to provide persons with the  
32 opportunity to hunt the preserve whitetail.

33 6. "Landowner" means a person who holds an  
34 interest in land, including a titleholder.

35 7. "Preserve whitetail" means whitetail kept on a  
36 hunting preserve.

37 8. "Whitetail" means an animal belonging to the  
38 cervidae family and classified as part of the  
39 virginianus species of the odocoileus genus.

40 Sec. \_\_\_\_ . NEW SECTION. 484C.2 APPLICATION OF  
41 CHAPTER.

42 1. A landowner shall not keep whitetail unless the  
43 whitetail are kept as preserve whitetail pursuant to  
44 this chapter or as farm deer pursuant to chapter 170.

45 2. This chapter authorizes the department of  
46 natural resources to regulate preserve whitetail.  
47 However, the department of agriculture and land  
48 stewardship shall regulate whitetail kept as farm deer  
49 pursuant to chapter 170.

50 Sec. \_\_\_\_ . NEW SECTION. 484C.3 RULES.

1 The department shall adopt rules pursuant to  
2 chapter 17A as necessary to administer this chapter.

3 Sec. \_\_\_\_ . NEW SECTION. 484C.4 DEPARTMENTAL  
4 PROGRAMS AND REQUIREMENTS.

5 The department shall develop, administer, and  
6 enforce hunting preserve programs and requirements,  
7 which implement the provisions of this chapter and  
8 rules adopted by the department pursuant to section  
9 484C.3, regarding fencing, recordkeeping, reporting,  
10 and the tagging, transportation, testing, and  
11 monitoring for disease of preserve whitetail.

12 Sec. \_\_\_\_ . NEW SECTION. 484C.5 MINIMUM ENCLOSED  
13 ACREAGE -- EXCEPTIONS.

14 A hunting preserve must include at least three  
15 hundred twenty contiguous acres which are enclosed by  
16 a fence certified pursuant to section 484C.6.

17 However, the hunting preserve may include a fewer  
18 number of enclosed acres if any of the following  
19 applies:

20 1. The commission grants a waiver for the hunting  
21 preserve according to terms and conditions required by  
22 the commission. The hunting preserve must include at  
23 least one hundred sixty contiguous acres.

24 2. a. The hunting preserve was operated as a  
25 business on January 1, 2005.

26 b. If the hunting preserve operated as a business  
27 on January 1, 2005, the landowner or the landowner's  
28 successor in interest may sell or otherwise transfer  
29 ownership of the hunting preserve to another person  
30 who may continue to operate the hunting preserve in  
31 the same manner as the landowner. However, this  
32 paragraph shall not apply if the owner of the hunting  
33 preserve or any successor in interest fails to  
34 register with the department as provided in section  
35 484C.7 for three or more consecutive years.

36 3. a. The hunting preserve was not operated as a  
37 business on January 1, 2005, and all of the following  
38 apply:

39 (1) The hunting preserve has at least one hundred  
40 contiguous acres.

41 (2) The hunting preserve's fence is certified by  
42 the department not later than September 1, 2005.

43 b. If the hunting preserve complies with paragraph  
44 "a", the landowner or the landowner's successor in  
45 interest may sell or otherwise transfer ownership of  
46 the hunting preserve to another person who may  
47 continue to operate the hunting preserve in the same  
48 manner as the landowner. However, this paragraph  
49 shall not apply if the owner of the hunting preserve  
50 or any successor in interest fails to register with

1 the department as provided in section 484C.7 for three  
2 or more consecutive years.

3 Sec. \_\_\_\_ . NEW SECTION. 484C.6 FENCING --  
4 CERTIFICATION.

5 1. A fence required to enclose preserve whitetail  
6 under section 484C.5 must be constructed and  
7 maintained as prescribed by rules adopted by the  
8 department and as certified by the department. The  
9 fence shall be constructed and maintained to ensure  
10 that the preserve whitetail are kept in the enclosure  
11 and all other whitetail are excluded from the  
12 enclosure.

13 2. A fence that was certified by the department of  
14 agriculture and land stewardship pursuant to chapter  
15 170 prior to the effective date of this Act shall be  
16 certified by the department of natural resources.

17 3. A fence shall be at least eight feet in height  
18 above ground level. The enclosure shall be posted  
19 with signs as prescribed by rules adopted by the  
20 department.

21 4. The department may require that the fence be  
22 inspected and approved by the department prior to  
23 certification. The department shall periodically  
24 inspect the fence at any reasonable time by  
25 appointment or by providing the landowner with at  
26 least forty-eight hours' notice.

27 Sec. \_\_\_\_ . NEW SECTION. 484C.7 REGISTRATION AND  
28 FEE.

29 A landowner who keeps preserve whitetail shall  
30 annually register the landowner's hunting preserve  
31 with the department by June 30. The landowner shall  
32 pay the department a registration fee. The amount of  
33 the registration fee shall not exceed three hundred  
34 fifty dollars per fiscal year. The fee shall be  
35 deposited into the state fish and game protection  
36 fund.

37 Sec. \_\_\_\_ . NEW SECTION. 484C.8 REQUIREMENTS FOR  
38 RELEASING WHITETAIL -- PROPERTY INTERESTS.

39 A person shall not release whitetail kept as  
40 preserve whitetail onto land unless the landowner  
41 complies with all of the following:

42 1. The landowner must notify the department at  
43 least thirty days prior to first releasing the  
44 preserve whitetail on the land. The notice shall be  
45 provided in a manner required by the department. The  
46 notice must at least provide all of the following:

47 a. A statement verifying that the fence which  
48 encloses the land is certified by the department  
49 pursuant to section 484C.6.

50 b. The landowner's name.

1 c. The location of the land enclosed by the fence.  
2 2. The landowner shall cooperate with the  
3 department to remove any whitetail from the enclosed  
4 land. However, after the thirtieth day following  
5 receipt of the notice, the state shall relinquish its  
6 property interest in any remaining whitetail that the  
7 landowner and the department were unable to remove  
8 from the enclosed land. Any remaining whitetail  
9 existing at that time on the enclosed land, and any  
10 progeny of the whitetail, shall become preserve  
11 whitetail and property of the landowner.

12 3. A hunting preserve may include whitetail which  
13 were regulated as farm deer by the department of  
14 agriculture and land stewardship pursuant to chapter  
15 170 and transported to the hunting preserve. The  
16 whitetail shall be considered farm deer until released  
17 onto the hunting preserve. Once released onto the  
18 hunting preserve, the whitetail and its progeny become  
19 preserve whitetail and are subject to regulation by  
20 the department of natural resources.

21 Sec. \_\_\_\_ . NEW SECTION. 484C.9 DOCUMENTATION --  
22 INSPECTIONS.

23 1. The department shall prepare forms for  
24 documents, including records and reports, and provide  
25 such forms to landowners in order to comply with this  
26 section. The department shall provide procedures for  
27 the receipt, filing, processing, and return of  
28 documents in an electronic format. The department  
29 shall provide for the authentication of the documents  
30 that may include electronic signatures as provided in  
31 chapter 554D. However, this subsection does not  
32 require a landowner to complete or receive a document  
33 in an electronic format.

34 2. A landowner who operates a hunting preserve  
35 shall do all of the following:

36 a. Keep records as required by the department.  
37 The records shall be open for inspection at any  
38 reasonable time by the department.

39 b. File an annual report with the department on or  
40 before June 30. The report shall describe the hunting  
41 preserve operations during the preceding twelve  
42 months. The original report shall be forwarded to the  
43 department and a copy shall be retained in the hunting  
44 preserve's file for three years from the date of  
45 expiration of the landowner's last registration as  
46 provided in section 484C.7.

47 c. Keep a record of a documented event as required  
48 by the department. The record of the documented event  
49 shall be entered in the annual report required in this  
50 section. The record of the documented event shall be

1 maintained by the landowner and submitted to the  
2 department. The entry of the documented event shall  
3 be made within twenty-four hours after its occurrence  
4 as prescribed by departmental rule.

5 Sec. \_\_\_\_ . NEW SECTION. 484C.10 TAKING PRESERVE  
6 WHITETAIL -- TRANSPORTATION TAGS.

7 The department shall provide transportation tags to  
8 a landowner for use in identifying the carcass of  
9 preserve whitetail.

10 1. The tags shall be used to designate all  
11 preserve whitetail taken by persons on the hunting  
12 preserve. A person taking the preserve whitetail  
13 shall tag the preserve whitetail in accordance with  
14 the rules adopted by the department.

15 2. The preserve whitetail taken on a hunting  
16 preserve shall be tagged prior to being removed from  
17 the hunting preserve.

18 3. A tag shall remain attached to the carcass of  
19 the dead preserve whitetail until processed for  
20 consumption. The person taking the preserve whitetail  
21 shall be provided with a bill of sale by the  
22 landowner. The bill of sale shall remain in the  
23 possession of the person taking the preserve  
24 whitetail.

25 4. Preserve whitetail tags issued to a hunting  
26 preserve are not transferable.

27 Sec. \_\_\_\_ . NEW SECTION. 484C.11 TAKING PRESERVE  
28 WHITETAIL -- PROCESSING.

29 If preserve whitetail have been taken, the  
30 harvested preserve whitetail may be processed by the  
31 hunting preserve as prescribed by rules adopted by the  
32 department. The rules shall provide for the marking  
33 and shipment of meat.

34 Sec. \_\_\_\_ . NEW SECTION. 484C.12 HEALTH  
35 REQUIREMENTS -- CHRONIC WASTING DISEASE.

36 1. Preserve whitetail that are purchased,  
37 propagated, confined, released, or sold by a hunting  
38 preserve shall be free of diseases considered  
39 reportable for wildlife, poultry, or livestock. The  
40 department may provide for the quarantine of diseased  
41 preserve whitetail that threaten the health of animal  
42 populations.

43 2. The landowner, or the landowner's veterinarian,  
44 and an epidemiologist designated by the department  
45 shall develop a plan for eradicating a reportable  
46 disease among the preserved whitetail population. The  
47 plan shall be designed to reduce and then eliminate  
48 the reportable disease, and to prevent the spread of  
49 the disease to other animals. The plan must be  
50 developed and signed within sixty days after a

1 determination that the preserved whitetail population  
2 is affected with the disease. The plan must address  
3 population management and adhere to rules adopted by  
4 the department. The plan must be formalized as a  
5 memorandum of agreement executed by the landowner or  
6 landowner's veterinarian and the epidemiologist. The  
7 plan must be approved by the department.

8 Sec. \_\_\_\_ . NEW SECTION. 484C.13 PENALTIES.

9 1. A person who violates a provision of this  
10 chapter or a rule adopted pursuant to this chapter is  
11 guilty of a simple misdemeanor.

12 2. A landowner who keeps preserve whitetail and  
13 who fails to register with the department as required  
14 in section 484C.7 is subject to a civil penalty of not  
15 more than two thousand five hundred dollars. The  
16 civil penalty shall be deposited in the state fish and  
17 game protection fund.

18 3. The department may suspend or revoke a fence  
19 certification issued pursuant to section 484C.6 if the  
20 department determines that a landowner has done any of  
21 the following:

22 a. Provided false information to the department in  
23 an application for fence certification pursuant to  
24 section 484C.6.

25 b. Failed to provide access to the department for  
26 an inspection as provided in this chapter.

27 c. Failed to maintain adequate records or to  
28 submit timely reports as provided in section 484C.9.

29 d. Failed to maintain a fence enclosing the land  
30 where preserve whitetail are kept as required by this  
31 chapter. The department shall not suspend or revoke a  
32 certification, if the landowner remedies each item as  
33 provided in a notice of deficiency delivered to the  
34 landowner by the department. The remedies shall be  
35 completed within seven days from receipt of the  
36 notice. The notice shall be hand delivered or sent by  
37 certified mail."

38 \_\_\_\_ . Page 7, by inserting after line 1 the  
39 following:

40 "Sec. \_\_\_\_ . DEPARTMENT OF AGRICULTURE AND LAND  
41 STEWARDSHIP AND DEPARTMENT OF NATURAL RESOURCES --  
42 JOINT STUDY AND RECOMMENDATIONS.

43 1. The department of agriculture and land  
44 stewardship and the department of natural resources  
45 shall conduct a joint study to consider issues  
46 relating to keeping of farm deer pursuant to Code  
47 chapter 170 and keeping preserve whitetail as part of  
48 a hunting preserve pursuant to Code chapter 484C as  
49 enacted by this Act. As part of the study, the  
50 departments shall consider all of the following:

1 a. The fair and effective regulation of farm deer  
 2 and preserve whitetail by the departments.  
 3 b. Threats to farm deer, preserve whitetail, and  
 4 state-owned whitetail caused by potential outbreaks of  
 5 infectious diseases including but not limited to  
 6 chronic wasting disease, and methods to cooperate in  
 7 monitoring and controlling infectious diseases and  
 8 obtaining federal moneys necessary to provide for the  
 9 prevention and suppression of infectious diseases.  
 10 2. The departments shall jointly report the  
 11 results of the study, including findings and  
 12 recommendations, to the government oversight  
 13 committees by November 2005 as required by the  
 14 committees.

15 Sec. \_\_\_\_ . DEPARTMENT OF NATURAL RESOURCES AND  
 16 HUNTING PRESERVE INDUSTRY -- JOINT STUDY AND  
 17 RECOMMENDATIONS.

18 1. A preserve whitetail committee is established.  
 19 The committee shall be composed of the following:  
 20 a. Not more than five persons appointed by the  
 21 governor who shall be members of the Iowa whitetail  
 22 deer association.  
 23 b. Not more than five persons appointed by the  
 24 director of the department of natural resources who  
 25 shall be knowledgeable regarding hunting preserves.  
 26 2. The committee shall develop recommendations for  
 27 industry standards and guidelines to be used by the  
 28 natural resource commission when considering the  
 29 granting of waivers for minimum acreage requirements  
 30 for hunting preserves as provided in section 484C.5 as  
 31 enacted in this Act.  
 32 3. The committee shall submit the recommendations  
 33 required in this section to the natural resource  
 34 commission by January 1, 2006."  
 35 6. By renumbering as necessary.

By DENNIS H. BLACK

S-3170 FILED APRIL 26, 2005  
ADOPTED

SENATE FILE 206

S-3176

1 Amend the amendment, S-3170, to the House  
 2 Amendment, S-3096, to Senate File 206, as amended,  
 3 passed, and reprinted by the Senate, as follows:  
 4 1. Page 7, line 46, by inserting after the word  
 5 "of" the following: "whitetail".  
 6 2. Page 8, line 1, by inserting after the word  
 7 "of" the following: "whitetail".  
 8 3. Page 8, line 3, by inserting after the word  
 9 "to" the following: "whitetail".

By EUGENE S. FRAISE

S-3176 FILED APRIL 26, 2005  
ADOPTED

SENATE AMENDMENT TO HOUSE AMENDMENT TO  
SENATE FILE 206

H-1536

1 Amend the House amendment, S-3096, to Senate File  
2 206, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, line 3, by striking the figure "14."  
5 and inserting the following: "14, and inserting the  
6 following:

7 "Sec. \_\_\_\_\_. Section 170.1, subsection 4, Code 2005,  
8 is amended to read as follows:

9 4. a. "Farm deer" means an animal belonging to  
10 the cervidae family and classified as part of the dama  
11 species of the dama genus, commonly referred to as  
12 fallow deer; part of the elaphus species of the cervus  
13 genus, commonly referred to as red deer or elk; part  
14 of the virginianus species of the odocoileus genus,  
15 commonly referred to as whitetail; part of the  
16 hemionus species of the odocoileus genus, commonly  
17 referred to as mule deer; or part of the nippon  
18 species of the cervus genus, commonly referred to as  
19 sika. ~~However, a farm deer~~

20 b. "Farm deer" does not include any unmarked free-  
21 ranging elk, whitetail, or mule deer. "Farm deer"  
22 also does not include preserve whitetail which are  
23 kept on a hunting preserve as provided in chapter  
24 484C.

25 Sec. \_\_\_\_\_. NEW SECTION. 170.1A APPLICATION OF  
26 CHAPTER.

27 1. A landowner shall not keep whitetail unless the  
28 whitetail are kept as farm deer under this chapter or  
29 kept as preserve whitetail on a hunting preserve  
30 pursuant to chapter 484C.

31 2. This chapter authorizes the department of  
32 agriculture and land stewardship to regulate whitetail  
33 kept as farm deer. However, the department of natural  
34 resources shall regulate preserve whitetail kept on a  
35 hunting preserve pursuant to chapter 484C."

36 2. Page 1, by striking lines 5 through 12.

37 3. Page 1, by striking lines 35 and 36, and  
38 inserting the following:

39 "\_\_\_\_\_. Page 4, line 20, by inserting after the  
40 word "land" the following: "~~not necessarily~~".

41 \_\_\_\_\_. Page 4, by striking lines 23 and 24, and  
42 inserting the following:

43 "(a) Are in tracts of two or more contiguous,  
44 acres."

45 4. Page 2, by striking lines 24 through 27, and  
46 inserting the following: "the special season."

47 5. Page 2, by inserting after line 45, the  
48 following:

49 "\_\_\_\_\_. Page 6, by inserting after line 35, the  
50 following:

H-1536

1 "Sec. \_\_\_\_\_. Section 484B.3, Code 2005, is amended  
2 to read as follows:

3 484B.3 AUTHORITY OF THE DIRECTOR.

4 1. The director shall develop, administer, and  
5 enforce hunting preserve programs and requirements  
6 within the state which implement the provisions of  
7 this chapter and ~~the~~ rules adopted by the commission  
8 pursuant to this chapter.

9 2. The chapter does not apply to keeping farm deer  
10 ~~as defined in section 170.1 as regulated by the~~  
11 department of agriculture and land stewardship  
12 pursuant to chapter 170 or to preserve whitetail kept  
13 on a hunting preserve as regulated by the department  
14 of natural resources pursuant to chapter 484C.

15 Sec. \_\_\_\_\_. NEW SECTION. 484C.1 DEFINITIONS.

16 As used in this chapter, unless the context  
17 otherwise requires:

- 18 1. "Commission" means the natural resource  
19 commission as created pursuant to section 455A.6.
- 20 2. "Department" means the department of natural  
21 resources as created pursuant to section 455A.2.
- 22 3. "Documented event" includes but is not limited  
23 to the birth, death, harvest, transfer for  
24 consideration, or release of preserve whitetail.
- 25 4. "Fence" means a boundary fence which encloses  
26 preserve whitetail within a landowner's property as  
27 required to be constructed and maintained pursuant to  
28 this chapter.
- 29 5. "Hunting preserve" means land where a landowner  
30 keeps preserve whitetail as part of a business, if the  
31 business's purpose is to provide persons with the  
32 opportunity to hunt the preserve whitetail.
- 33 6. "Landowner" means a person who holds an  
34 interest in land, including a titleholder.
- 35 7. "Preserve whitetail" means whitetail kept on a  
36 hunting preserve.
- 37 8. "Whitetail" means an animal belonging to the  
38 cervidae family and classified as part of the  
39 virginianus species of the odocoileus genus.

40 Sec. \_\_\_\_\_. NEW SECTION. 484C.2 APPLICATION OF  
41 CHAPTER.

42 1. A landowner shall not keep whitetail unless the  
43 whitetail are kept as preserve whitetail pursuant to  
44 this chapter or as farm deer pursuant to chapter 170.

45 2. This chapter authorizes the department of  
46 natural resources to regulate preserve whitetail.  
47 However, the department of agriculture and land  
48 stewardship shall regulate whitetail kept as farm deer  
49 pursuant to chapter 170.

50 Sec. \_\_\_\_\_. NEW SECTION. 484C.3 RULES.

1 The department shall adopt rules pursuant to  
2 chapter 17A as necessary to administer this chapter.

3 Sec. \_\_\_\_\_. NEW SECTION. 484C.4 DEPARTMENTAL  
4 PROGRAMS AND REQUIREMENTS.

5 The department shall develop, administer, and  
6 enforce hunting preserve programs and requirements,  
7 which implement the provisions of this chapter and  
8 rules adopted by the department pursuant to section  
9 484C.3, regarding fencing, recordkeeping, reporting,  
10 and the tagging, transportation, testing, and  
11 monitoring for disease of preserve whitetail.

12 Sec. \_\_\_\_\_. NEW SECTION. 484C.5 MINIMUM ENCLOSED  
13 ACREAGE -- EXCEPTIONS.

14 A hunting preserve must include at least three  
15 hundred twenty contiguous acres which are enclosed by  
16 a fence certified pursuant to section 484C.6.

17 However, the hunting preserve may include a fewer  
18 number of enclosed acres if any of the following  
19 applies:

20 1. The commission grants a waiver for the hunting  
21 preserve according to terms and conditions required by  
22 the commission. The hunting preserve must include at  
23 least one hundred sixty contiguous acres.

24 2. a. The hunting preserve was operated as a  
25 business on January 1, 2005.

26 b. If the hunting preserve operated as a business  
27 on January 1, 2005, the landowner or the landowner's  
28 successor in interest may sell or otherwise transfer  
29 ownership of the hunting preserve to another person  
30 who may continue to operate the hunting preserve in  
31 the same manner as the landowner. However, this  
32 paragraph shall not apply if the owner of the hunting  
33 preserve or any successor in interest fails to  
34 register with the department as provided in section  
35 484C.7 for three or more consecutive years.

36 3. a. The hunting preserve was not operated as a  
37 business on January 1, 2005, and all of the following  
38 apply:

39 (1) The hunting preserve has at least one hundred  
40 contiguous acres.

41 (2) The hunting preserve's fence is certified by  
42 the department not later than September 1, 2005.

43 b. If the hunting preserve complies with paragraph  
44 "a", the landowner or the landowner's successor in  
45 interest may sell or otherwise transfer ownership of  
46 the hunting preserve to another person who may  
47 continue to operate the hunting preserve in the same  
48 manner as the landowner. However, this paragraph  
49 shall not apply if the owner of the hunting preserve  
50 or any successor in interest fails to register with

1 the department as provided in section 484C.7 for three  
2 or more consecutive years.

3 Sec. \_\_\_\_ . NEW SECTION. 484C.6 FENCING --  
4 CERTIFICATION.

5 1. A fence required to enclose preserve whitetail  
6 under section 484C.5 must be constructed and  
7 maintained as prescribed by rules adopted by the  
8 department and as certified by the department. The  
9 fence shall be constructed and maintained to ensure  
10 that the preserve whitetail are kept in the enclosure  
11 and all other whitetail are excluded from the  
12 enclosure.

13 2. A fence that was certified by the department of  
14 agriculture and land stewardship pursuant to chapter  
15 170 prior to the effective date of this Act shall be  
16 certified by the department of natural resources.

17 3. A fence shall be at least eight feet in height  
18 above ground level. The enclosure shall be posted  
19 with signs as prescribed by rules adopted by the  
20 department.

21 4. The department may require that the fence be  
22 inspected and approved by the department prior to  
23 certification. The department shall periodically  
24 inspect the fence at any reasonable time by  
25 appointment or by providing the landowner with at  
26 least forty-eight hours' notice.

27 Sec. \_\_\_\_ . NEW SECTION. 484C.7 REGISTRATION AND  
28 FEE.

29 A landowner who keeps preserve whitetail shall  
30 annually register the landowner's hunting preserve  
31 with the department by June 30. The landowner shall  
32 pay the department a registration fee. The amount of  
33 the registration fee shall not exceed three hundred  
34 fifty dollars per fiscal year. The fee shall be  
35 deposited into the state fish and game protection  
36 fund.

37 Sec. \_\_\_\_ . NEW SECTION. 484C.8 REQUIREMENTS FOR  
38 RELEASING WHITETAIL -- PROPERTY INTERESTS.

39 A person shall not release whitetail kept as  
40 preserve whitetail onto land unless the landowner  
41 complies with all of the following:

42 1. The landowner must notify the department at  
43 least thirty days prior to first releasing the  
44 preserve whitetail on the land. The notice shall be  
45 provided in a manner required by the department. The  
46 notice must at least provide all of the following:

47 a. A statement verifying that the fence which  
48 encloses the land is certified by the department  
49 pursuant to section 484C.6.

50 b. The landowner's name.

1 c. The location of the land enclosed by the fence.  
2 2. The landowner shall cooperate with the  
3 department to remove any whitetail from the enclosed  
4 land. However, after the thirtieth day following  
5 receipt of the notice, the state shall relinquish its  
6 property interest in any remaining whitetail that the  
7 landowner and the department were unable to remove  
8 from the enclosed land. Any remaining whitetail  
9 existing at that time on the enclosed land, and any  
10 progeny of the whitetail, shall become preserve  
11 whitetail and property of the landowner.

12 3. A hunting preserve may include whitetail which  
13 were regulated as farm deer by the department of  
14 agriculture and land stewardship pursuant to chapter  
15 170 and transported to the hunting preserve. The  
16 whitetail shall be considered farm deer until released  
17 onto the hunting preserve. Once released onto the  
18 hunting preserve, the whitetail and its progeny become  
19 preserve whitetail and are subject to regulation by  
20 the department of natural resources.

21 Sec. \_\_\_\_ . NEW SECTION. 484C.9 DOCUMENTATION --  
22 INSPECTIONS.

23 1. The department shall prepare forms for  
24 documents, including records and reports, and provide  
25 such forms to landowners in order to comply with this  
26 section. The department shall provide procedures for  
27 the receipt, filing, processing, and return of  
28 documents in an electronic format. The department  
29 shall provide for the authentication of the documents  
30 that may include electronic signatures as provided in  
31 chapter 554D. However, this subsection does not  
32 require a landowner to complete or receive a document  
33 in an electronic format.

34 2. A landowner who operates a hunting preserve  
35 shall do all of the following:

36 a. Keep records as required by the department.

37 The records shall be open for inspection at any  
38 reasonable time by the department.

39 b. File an annual report with the department on or  
40 before June 30. The report shall describe the hunting  
41 preserve operations during the preceding twelve  
42 months. The original report shall be forwarded to the  
43 department and a copy shall be retained in the hunting  
44 preserve's file for three years from the date of  
45 expiration of the landowner's last registration as  
46 provided in section 484C.7.

47 c. Keep a record of a documented event as required  
48 by the department. The record of the documented event  
49 shall be entered in the annual report required in this  
50 section. The record of the documented event shall be

1 maintained by the landowner and submitted to the  
2 department. The entry of the documented event shall  
3 be made within twenty-four hours after its occurrence  
4 as prescribed by departmental rule.

5 Sec. \_\_\_\_ . NEW SECTION. 484C.10 TAKING PRESERVE  
6 WHITETAIL -- TRANSPORTATION TAGS.

7 The department shall provide transportation tags to  
8 a landowner for use in identifying the carcass of  
9 preserve whitetail.

10 1. The tags shall be used to designate all  
11 preserve whitetail taken by persons on the hunting  
12 preserve. A person taking the preserve whitetail  
13 shall tag the preserve whitetail in accordance with  
14 the rules adopted by the department.

15 2. The preserve whitetail taken on a hunting  
16 preserve shall be tagged prior to being removed from  
17 the hunting preserve.

18 3. A tag shall remain attached to the carcass of  
19 the dead preserve whitetail until processed for  
20 consumption. The person taking the preserve whitetail  
21 shall be provided with a bill of sale by the  
22 landowner. The bill of sale shall remain in the  
23 possession of the person taking the preserve  
24 whitetail.

25 4. Preserve whitetail tags issued to a hunting  
26 preserve are not transferable.

27 Sec. \_\_\_\_ . NEW SECTION. 484C.11 TAKING PRESERVE  
28 WHITETAIL -- PROCESSING.

29 If preserve whitetail have been taken, the  
30 harvested preserve whitetail may be processed by the  
31 hunting preserve as prescribed by rules adopted by the  
32 department. The rules shall provide for the marking  
33 and shipment of meat.

34 Sec. \_\_\_\_ . NEW SECTION. 484C.12 HEALTH  
35 REQUIREMENTS -- CHRONIC WASTING DISEASE.

36 1. Preserve whitetail that are purchased,  
37 propagated, confined, released, or sold by a hunting  
38 preserve shall be free of diseases considered  
39 reportable for wildlife, poultry, or livestock. The  
40 department may provide for the quarantine of diseased  
41 preserve whitetail that threaten the health of animal  
42 populations.

43 2. The landowner, or the landowner's veterinarian,  
44 and an epidemiologist designated by the department  
45 shall develop a plan for eradicating a reportable  
46 disease among the preserved whitetail population. The  
47 plan shall be designed to reduce and then eliminate  
48 the reportable disease, and to prevent the spread of  
49 the disease to other animals. The plan must be  
50 developed and signed within sixty days after a

1 determination that the preserved whitetail population  
2 is affected with the disease. The plan must address  
3 population management and adhere to rules adopted by  
4 the department. The plan must be formalized as a  
5 memorandum of agreement executed by the landowner or  
6 landowner's veterinarian and the epidemiologist. The  
7 plan must be approved by the department.

8 Sec. \_\_\_\_ . NEW SECTION. 484C.13 PENALTIES.

9 1. A person who violates a provision of this  
10 chapter or a rule adopted pursuant to this chapter is  
11 guilty of a simple misdemeanor.

12 2. A landowner who keeps preserve whitetail and  
13 who fails to register with the department as required  
14 in section 484C.7 is subject to a civil penalty of not  
15 more than two thousand five hundred dollars. The  
16 civil penalty shall be deposited in the state fish and  
17 game protection fund.

18 3. The department may suspend or revoke a fence  
19 certification issued pursuant to section 484C.6 if the  
20 department determines that a landowner has done any of  
21 the following:

22 a. Provided false information to the department in  
23 an application for fence certification pursuant to  
24 section 484C.6.

25 b. Failed to provide access to the department for  
26 an inspection as provided in this chapter.

27 c. Failed to maintain adequate records or to  
28 submit timely reports as provided in section 484C.9.

29 d. Failed to maintain a fence enclosing the land  
30 where preserve whitetail are kept as required by this  
31 chapter. The department shall not suspend or revoke a  
32 certification, if the landowner remedies each item as  
33 provided in a notice of deficiency delivered to the  
34 landowner by the department. The remedies shall be  
35 completed within seven days from receipt of the  
36 notice. The notice shall be hand delivered or sent by  
37 certified mail."

38 \_\_\_\_ . Page 7, by inserting after line 1 the  
39 following:

40 "Sec. \_\_\_\_ . DEPARTMENT OF AGRICULTURE AND LAND  
41 STEWARDSHIP AND DEPARTMENT OF NATURAL RESOURCES --  
42 JOINT STUDY AND RECOMMENDATIONS.

43 1. The department of agriculture and land  
44 stewardship and the department of natural resources  
45 shall conduct a joint study to consider issues  
46 relating to keeping of whitetail farm deer pursuant to  
47 Code chapter 170 and keeping preserve whitetail as  
48 part of a hunting preserve pursuant to Code chapter  
49 484C as enacted by this Act. As part of the study,  
50 the departments shall consider all of the following:

1 a. The fair and effective regulation of whitetail  
2 farm deer and preserve whitetail by the departments.

3 b. Threats to whitetail farm deer, preserve  
4 whitetail, and state-owned whitetail caused by  
5 potential outbreaks of infectious diseases including  
6 but not limited to chronic wasting disease, and  
7 methods to cooperate in monitoring and controlling  
8 infectious diseases and obtaining federal moneys  
9 necessary to provide for the prevention and  
10 suppression of infectious diseases.

11 2. The departments shall jointly report the  
12 results of the study, including findings and  
13 recommendations, to the government oversight  
14 committees by November 2005 as required by the  
15 committees.

16 Sec. \_\_\_\_ . DEPARTMENT OF NATURAL RESOURCES AND  
17 HUNTING PRESERVE INDUSTRY -- JOINT STUDY AND  
18 RECOMMENDATIONS.

19 1. A preserve whitetail committee is established.  
20 The committee shall be composed of the following:

21 a. Not more than five persons appointed by the  
22 governor who shall be members of the Iowa whitetail  
23 deer association.

24 b. Not more than five persons appointed by the  
25 director of the department of natural resources who  
26 shall be knowledgeable regarding hunting preserves.

27 2. The committee shall develop recommendations for  
28 industry standards and guidelines to be used by the  
29 natural resource commission when considering the  
30 granting of waivers for minimum acreage requirements  
31 for hunting preserves as provided in section 484C.5 as  
32 enacted in this Act.

33 3. The committee shall submit the recommendations  
34 required in this section to the natural resource  
35 commission by January 1, 2006.""

36 6. By renumbering as necessary.

RECEIVED FROM THE SENATE

Black co-chair  
Houser co-chair  
Dearden  
Miller

Succeeded By  
**SF** HF 206

Natural Resources

SENATE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON NATURAL  
RESOURCES AND ENVIRONMENT BILL BY  
CO-CHAIRPERSONS BLACK and HOUSER)

Passed Senate, Date \_\_\_\_\_ Passed House, 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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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 g. Deer hunting license, antlerless deer only  
25 ..... \$150.00  
26 h. Wild turkey hunting license ..... \$100.00  
27 i. Fur harvester license ..... \$200.00  
28 j. Fur dealer license ..... \$501.00  
29 k. Location permit for fur dealers ..... \$ 56.00  
30 l. Aquaculture unit license ..... \$ 56.00  
31 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 n. Trout fishing fee ..... \$ 13.00  
35 o. Game breeder license ..... \$ 26.00

1	e- p.	Taxidermy license .....	\$ 26.00
2	p- q.	Falconry license .....	\$ 26.00
3	q- r.	Wildlife habitat fee .....	\$ 8.00
4	r- s.	Migratory game bird fee .....	\$ 8.00
5	s- t.	Fishing license, three-day .....	\$ 15.50
6	t- 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- v.	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~~7~~-2003~~7~~ and ending at sunset on  
24 January 2~~7~~-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.

2

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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SENATE FILE 206

AN ACT

RELATING TO DEER POPULATION MANAGEMENT AND PROVIDING PENALTIES AND APPROPRIATIONS.

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

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

4. a. "Farm deer" means an animal belonging to the cervidae family and classified as part of the dama species of the dama genus, commonly referred to as fallow deer; part of the elaphus species of the cervus genus, commonly referred to as red deer or elk; part of the virginianus species of the odocoileus genus, commonly referred to as whitetail; part of the hemionus species of the odocoileus genus, commonly referred to as mule deer; or part of the nippon species of the cervus genus, commonly referred to as sika. ~~However, a farm deer~~

b. "Farm deer" does not include any unmarked free-ranging elk, whitetail, or mule deer. "Farm deer" also does not include preserve whitetail which are kept on a hunting preserve as provided in chapter 484C.

Sec. 2. NEW SECTION. 170.1A APPLICATION OF CHAPTER.

1. A landowner shall not keep whitetail unless the whitetail are kept as farm deer under this chapter or kept as preserve whitetail on a hunting preserve pursuant to chapter 484C.

2. This chapter authorizes the department of agriculture and land stewardship to regulate whitetail kept as farm deer. However, the department of natural resources shall regulate preserve whitetail kept on a hunting preserve pursuant to chapter 484C.

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

f. Deer hunting license, antlerless deer only, required with the purchase of an antlered or any sex deer hunting license  
 ..... \$ 100.00

f+	g.	Deer hunting license, antlerless deer only	\$	150.00
g+	h.	Wild turkey hunting license	\$	100.00
h+	i.	Fur harvester license	\$	200.00
i+	j.	Fur dealer license	\$	501.00
j+	k.	Location permit for fur dealers	\$	56.00
k+	l.	Aquaculture unit license	\$	56.00
l+	m.	Retail bait dealer license	\$	125.00

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

m+	n.	Trout fishing fee	\$	13.00
n+	o.	Game breeder license	\$	26.00
o+	p.	Taxidermy license	\$	26.00
p+	q.	Falconry license	\$	26.00
q+	r.	Wildlife habitat fee	\$	8.00
r+	s.	Migratory game bird fee	\$	8.00
s+	t.	Fishing license, three-day	\$	15.50
t+	u.	Wholesale bait dealer license	\$	250.00

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

u+ v. Fishing license, one-day ..... \$ 8.50

Sec. 4. Section 483A.8, subsections 1, 3, and 6, Code 2005, are amended to read as follows:

1. A resident hunting deer who is required to have a hunting license must have a resident hunting license in addition to the deer hunting license and must pay the wildlife habitat fee. In addition, a resident who purchases a deer hunting license shall pay a one dollar fee that shall be used and is appropriated for the purpose of deer herd population management, including assisting with the cost of processing

deer donated to the help us stop hunger program administered by the commission.

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

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

c. The commission shall annually limit to eight six thousand five-hundred-licenses the number of nonresidents allowed to have antlered or any sex deer hunting licenses. Of the first six thousand nonresident antlered or any sex deer licenses issued, not more than thirty-five percent of the licenses shall be bow season licenses and, after, After the first six thousand antlered or any sex nonresident deer licenses have been issued, all additional licenses shall be issued for antlerless deer only. The commission shall annually determine the number of nonresident antlerless deer only deer hunting licenses that will be available for issuance.

d. The commission shall allocate the all nonresident deer hunting licenses issued among the zones based on the populations of deer. However, a nonresident applicant may request one or more hunting zones, in order of preference, in which the applicant wishes to hunt. If the request cannot be fulfilled, the applicable fees shall be returned to the applicant. A nonresident applying for a deer hunting license must exhibit proof of having successfully completed a hunter

safety and ethics education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

6. The commission shall provide by rule for the annual issuance to a nonresident of a nonresident antlerless deer hunting license that is valid for use only during the period beginning on December 24, 2003, and ending at sunset on January 27, 2004 of the following year, and costs fifty dollars. A nonresident hunting deer with a license issued under this subsection shall be otherwise qualified to hunt deer in this state and shall have a nonresident hunting license, and pay the wildlife habitat fee, and pay the one dollar fee for the purpose of deer herd population management as provided in subsection 3. Pursuant to this subsection, the commission shall make available for issuance only the remaining nonresident antlerless deer hunting licenses allocated under subsection 3 that have not yet been issued for the 2003--2004 current year's nonresident antlerless deer hunting seasons.

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

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

- a. The county where the deer was taken.
- b. The season during which the deer was taken.
- c. The sex of the deer taken.
- d. The age of the deer taken.

- e. The type of weapon used.
  - f. The hunting license number of the hunter.
  - g. The number of days the hunter hunted.
  - h. The total number of deer taken by the hunter.
2. The deer harvest reporting system established by the

commission shall utilize and is limited to utilizing one or more of the following methods of reporting deer taken by hunters:

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

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

(2) "Farm unit" means all parcels of land ~~not necessarily~~ which are certified by the commission pursuant to rule as meeting all of the following requirements:

- (a) Are in tracts of two or more contiguous, acres.
- (b) which are Are operated as a unit for agricultural purposes and which are.
- (c) Are under the lawful control of the owner or the tenant.

Sec. 7. Section 483A.24, subsection 2, paragraph b, Code 2005, is amended to read as follows:

b. Upon written application on forms furnished by the department, the department shall issue annually without fee ~~one deer or one wild turkey license, or both,~~ to the owner of a farm unit or to a member of the owner's family, but not to both, and to the tenant or to a member of the tenant's family, but not to both. ~~The deer hunting license or wild turkey hunting license issued shall be valid only on the farm unit for which an applicant qualifies pursuant to this subsection and shall be equivalent to the least restrictive license issued under section 481A.38. The owner or the tenant need not reside on the farm unit to qualify for a free license to~~

~~hunt on that farm unit. A free deer hunting license issued pursuant to this subsection shall be valid during all shotgun deer seasons.~~

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

NEW PARAGRAPH. c. Upon written application on forms furnished by the department, the department shall issue annually without fee two deer hunting licenses, one antlered or any sex deer hunting license and one antlerless deer only deer hunting license, to the owner of a farm unit or a member of the owner's family, but only a total of two licenses for both, and to the tenant of a farm unit or a member of the tenant's family, but only a total of two licenses for both. The deer hunting licenses issued shall be valid only for use on the farm unit for which the applicant applies pursuant to this paragraph. The owner or the tenant need not reside on the farm unit to qualify for the free deer hunting licenses to hunt on that farm unit. The free deer hunting licenses issued pursuant to this paragraph shall be valid and may be used during any shotgun deer season. The licenses may be used to harvest deer in two different seasons. In addition, a person who receives a free deer hunting license pursuant to this paragraph shall pay a one dollar fee for each license that shall be used and is appropriated for the purpose of assisting with the cost of processing deer donated to the help us stop hunger program administered by the commission.

Sec. 9. Section 483A.24, subsection 2, paragraphs c and d, Code 2005, are amended to read as follows:

~~e. d.~~ In addition to the free deer hunting ~~license~~ licenses received pursuant to paragraph "c", an owner of a farm unit or a member of the owner's family and the tenant or a member of the tenant's family may purchase a deer hunting license for any option offered to paying deer hunting licensees. An owner of a farm unit or a member of the owner's family and the tenant or a member of the tenant's family may

also purchase two additional antlerless deer hunting licenses which are valid only on the farm unit for a fee of ten dollars each.

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

Sec. 10. Section 483A.24, subsection 2, Code 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. A deer hunting license or wild turkey hunting license issued pursuant to this subsection shall be attested by the signature of the person to whom the license is issued and shall contain a statement in substantially the following form:

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

A person who makes a false attestation as described in this paragraph is guilty of a simple misdemeanor. In addition, the person's hunting license shall be revoked and the person shall not be issued a hunting license for a period of one year.

Sec. 11. NEW SECTION. 483A.24B SPECIAL DEER HUNTS.

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

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

3. Prior to December 15, a resident may obtain up to three paid antlerless only deer hunting licenses for the special season regardless of how many paid or free gun or bow deer

hunting licenses the person may have already obtained. Beginning December 15, a resident or nonresident may purchase an unlimited number of antlerless only deer hunting licenses for the special season.

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

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

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

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

Sec. 12. NEW SECTION. 483A.24C DEER DEPREDATION MANAGEMENT AGREEMENTS -- PERMITS.

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

Sec. 13. Section 484B.3, Code 2005, is amended to read as follows:

484B.3 AUTHORITY OF THE DIRECTOR.

1. The director shall develop, administer, and enforce hunting preserve programs and requirements within the state which implement the provisions of this chapter and the rules adopted by the commission pursuant to this chapter.

2. The chapter does not apply to keeping farm deer as ~~defined in section 170-i~~ as regulated by the department of

agriculture and land stewardship pursuant to chapter 170 or to preserve whitetail kept on a hunting preserve as regulated by the department of natural resources pursuant to chapter 484C.

Sec. 14. NEW SECTION. 484C.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Commission" means the natural resource commission as created pursuant to section 455A.6.
2. "Department" means the department of natural resources as created pursuant to section 455A.2.
3. "Documented event" includes but is not limited to the birth, death, harvest, transfer for consideration, or release of preserve whitetail.
4. "Fence" means a boundary fence which encloses preserve whitetail within a landowner's property as required to be constructed and maintained pursuant to this chapter.
5. "Hunting preserve" means land where a landowner keeps preserve whitetail as part of a business, if the business's purpose is to provide persons with the opportunity to hunt the preserve whitetail.
6. "Landowner" means a person who holds an interest in land, including a titleholder.
7. "Preserve whitetail" means whitetail kept on a hunting preserve.
8. "Whitetail" means an animal belonging to the cervidae family and classified as part of the virginianus species of the odocolleus genus.

Sec. 15. NEW SECTION. 484C.2 APPLICATION OF CHAPTER.

1. A landowner shall not keep whitetail unless the whitetail are kept as preserve whitetail pursuant to this chapter or as farm deer pursuant to chapter 170.
2. This chapter authorizes the department of natural resources to regulate preserve whitetail. However, the department of agriculture and land stewardship shall regulate whitetail kept as farm deer pursuant to chapter 170.

Sec. 16. NEW SECTION. 484C.3 RULES.

The department shall adopt rules pursuant to chapter 17A as necessary to administer this chapter.

Sec. 17. NEW SECTION. 484C.4 DEPARTMENTAL PROGRAMS AND REQUIREMENTS.

The department shall develop, administer, and enforce hunting preserve programs and requirements, which implement the provisions of this chapter and rules adopted by the department pursuant to section 484C.3, regarding fencing, recordkeeping, reporting, and the tagging, transportation, testing, and monitoring for disease of preserve whitetail.

Sec. 18. NEW SECTION. 484C.5 MINIMUM ENCLOSED ACREAGE -- EXCEPTIONS.

A hunting preserve must include at least three hundred twenty contiguous acres which are enclosed by a fence certified pursuant to section 484C.6. However, the hunting preserve may include a fewer number of enclosed acres if any of the following applies:

1. The commission grants a waiver for the hunting preserve according to terms and conditions required by the commission. The hunting preserve must include at least one hundred sixty contiguous acres.
2. a. The hunting preserve was operated as a business on January 1, 2005.  
b. If the hunting preserve operated as a business on January 1, 2005, the landowner or the landowner's successor in interest may sell or otherwise transfer ownership of the hunting preserve to another person who may continue to operate the hunting preserve in the same manner as the landowner. However, this paragraph shall not apply if the owner of the hunting preserve or any successor in interest fails to register with the department as provided in section 484C.7 for three or more consecutive years.
3. a. The hunting preserve was not operated as a business on January 1, 2005, and all of the following apply:

(1) The hunting preserve has at least one hundred contiguous acres.

(2) The hunting preserve's fence is certified by the department not later than September 1, 2005.

b. If the hunting preserve complies with paragraph "a", the landowner or the landowner's successor in interest may sell or otherwise transfer ownership of the hunting preserve to another person who may continue to operate the hunting preserve in the same manner as the landowner. However, this paragraph shall not apply if the owner of the hunting preserve or any successor in interest fails to register with the department as provided in section 484C.7 for three or more consecutive years.

Sec. 19. NEW SECTION. 484C.6 FENCING -- CERTIFICATION.

1. A fence required to enclose preserve whitetail under section 484C.5 must be constructed and maintained as prescribed by rules adopted by the department and as certified by the department. The fence shall be constructed and maintained to ensure that the preserve whitetail are kept in the enclosure and all other whitetail are excluded from the enclosure.

2. A fence that was certified by the department of agriculture and land stewardship pursuant to chapter 170 prior to the effective date of this Act shall be certified by the department of natural resources.

3. A fence shall be at least eight feet in height above ground level. The enclosure shall be posted with signs as prescribed by rules adopted by the department.

4. The department may require that the fence be inspected and approved by the department prior to certification. The department shall periodically inspect the fence at any reasonable time by appointment or by providing the landowner with at least forty-eight hours' notice.

Sec. 20. NEW SECTION. 484C.7 REGISTRATION AND FEE.

A landowner who keeps preserve whitetail shall annually register the landowner's hunting preserve with the department by June 30. The landowner shall pay the department a registration fee. The amount of the registration fee shall not exceed three hundred fifty dollars per fiscal year. The fee shall be deposited into the state fish and game protection fund.

Sec. 21. NEW SECTION. 484C.8 REQUIREMENTS FOR RELEASING WHITETAIL -- PROPERTY INTERESTS.

A person shall not release whitetail kept as preserve whitetail onto land unless the landowner complies with all of the following:

1. The landowner must notify the department at least thirty days prior to first releasing the preserve whitetail on the land. The notice shall be provided in a manner required by the department. The notice must at least provide all of the following:

a. A statement verifying that the fence which encloses the land is certified by the department pursuant to section 484C.6.

b. The landowner's name.

c. The location of the land enclosed by the fence.

2. The landowner shall cooperate with the department to remove any whitetail from the enclosed land. However, after the thirtieth day following receipt of the notice, the state shall relinquish its property interest in any remaining whitetail that the landowner and the department were unable to remove from the enclosed land. Any remaining whitetail existing at that time on the enclosed land, and any progeny of the whitetail, shall become preserve whitetail and property of the landowner.

3. A hunting preserve may include whitetail which were regulated as farm deer by the department of agriculture and land stewardship pursuant to chapter 170 and transported to the hunting preserve. The whitetail shall be considered farm

deer until released onto the hunting preserve. Once released onto the hunting preserve, the whitetail and its progeny become preserve whitetail and are subject to regulation by the department of natural resources.

Sec. 22. NEW SECTION. 484C.9 DOCUMENTATION -- INSPECTIONS.

1. The department shall prepare forms for documents, including records and reports, and provide such forms to landowners in order to comply with this section. The department shall provide procedures for the receipt, filing, processing, and return of documents in an electronic format. The department shall provide for the authentication of the documents that may include electronic signatures as provided in chapter 554D. However, this subsection does not require a landowner to complete or receive a document in an electronic format.

2. A landowner who operates a hunting preserve shall do all of the following:

a. Keep records as required by the department. The records shall be open for inspection at any reasonable time by the department.

b. File an annual report with the department on or before June 30. The report shall describe the hunting preserve operations during the preceding twelve months. The original report shall be forwarded to the department and a copy shall be retained in the hunting preserve's file for three years from the date of expiration of the landowner's last registration as provided in section 484C.7.

c. Keep a record of a documented event as required by the department. The record of the documented event shall be entered in the annual report required in this section. The record of the documented event shall be maintained by the landowner and submitted to the department. The entry of the documented event shall be made within twenty-four hours after its occurrence as prescribed by departmental rule.

Sec. 23. NEW SECTION. 484C.10 TAKING PRESERVE WHITETAIL -- TRANSPORTATION TAGS.

The department shall provide transportation tags to a landowner for use in identifying the carcass of preserve whitetail.

1. The tags shall be used to designate all preserve whitetail taken by persons on the hunting preserve. A person taking the preserve whitetail shall tag the preserve whitetail in accordance with the rules adopted by the department.

2. The preserve whitetail taken on a hunting preserve shall be tagged prior to being removed from the hunting preserve.

3. A tag shall remain attached to the carcass of the dead preserve whitetail until processed for consumption. The person taking the preserve whitetail shall be provided with a bill of sale by the landowner. The bill of sale shall remain in the possession of the person taking the preserve whitetail.

4. Preserve whitetail tags issued to a hunting preserve are not transferable.

Sec. 24. NEW SECTION. 484C.11 TAKING PRESERVE WHITETAIL -- PROCESSING.

If preserve whitetail have been taken, the harvested preserve whitetail may be processed by the hunting preserve as prescribed by rules adopted by the department. The rules shall provide for the marking and shipment of meat.

Sec. 25. NEW SECTION. 484C.12 HEALTH REQUIREMENTS -- CHRONIC WASTING DISEASE.

1. Preserve whitetail that are purchased, propagated, confined, released, or sold by a hunting preserve shall be free of diseases considered reportable for wildlife, poultry, or livestock. The department may provide for the quarantine of diseased preserve whitetail that threaten the health of animal populations.

2. The landowner, or the landowner's veterinarian, and an epidemiologist designated by the department shall develop a

plan for eradicating a reportable disease among the preserved whitetail population. The plan shall be designed to reduce and then eliminate the reportable disease, and to prevent the spread of the disease to other animals. The plan must be developed and signed within sixty days after a determination that the preserved whitetail population is affected with the disease. The plan must address population management and adhere to rules adopted by the department. The plan must be formalized as a memorandum of agreement executed by the landowner or landowner's veterinarian and the epidemiologist. The plan must be approved by the department.

Sec. 26. NEW SECTION. 484C.13 PENALTIES.

1. A person who violates a provision of this chapter or a rule adopted pursuant to this chapter is guilty of a simple misdemeanor.
2. A landowner who keeps preserve whitetail and who fails to register with the department as required in section 484C.7 is subject to a civil penalty of not more than two thousand five hundred dollars. The civil penalty shall be deposited in the state fish and game protection fund.
3. The department may suspend or revoke a fence certification issued pursuant to section 484C.6 if the department determines that a landowner has done any of the following:
  - a. Provided false information to the department in an application for fence certification pursuant to section 484C.6.
  - b. Failed to provide access to the department for an inspection as provided in this chapter.
  - c. Failed to maintain adequate records or to submit timely reports as provided in section 484C.9.
  - d. Failed to maintain a fence enclosing the land where preserve whitetail are kept as required by this chapter. The department shall not suspend or revoke a certification, if the landowner remedies each item as provided in a notice of

deficiency delivered to the landowner by the department. The remedies shall be completed within seven days from receipt of the notice. The notice shall be hand delivered or sent by certified mail.

Sec. 27. Section 483A.24A, Code 2005, is repealed.

Sec. 28. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP AND DEPARTMENT OF NATURAL RESOURCES -- JOINT STUDY AND RECOMMENDATIONS.

1. The department of agriculture and land stewardship and the department of natural resources shall conduct a joint study to consider issues relating to keeping of whitetail farm deer pursuant to Code chapter 170 and keeping preserve whitetail as part of a hunting preserve pursuant to Code chapter 484C as enacted by this Act. As part of the study, the departments shall consider all of the following:

- a. The fair and effective regulation of whitetail farm deer and preserve whitetail by the departments.
- b. Threats to whitetail farm deer, preserve whitetail, and state-owned whitetail caused by potential outbreaks of infectious diseases including but not limited to chronic wasting disease, and methods to cooperate in monitoring and controlling infectious diseases and obtaining federal moneys necessary to provide for the prevention and suppression of infectious diseases.

2. The departments shall jointly report the results of the study, including findings and recommendations, to the government oversight committees by November 2005 as required by the committees.

Sec. 29. DEPARTMENT OF NATURAL RESOURCES AND HUNTING PRESERVE INDUSTRY -- JOINT STUDY AND RECOMMENDATIONS.

1. A preserve whitetail committee is established. The committee shall be composed of the following:

- a. Not more than five persons appointed by the governor who shall be members of the Iowa whitetail deer association.

b. Not more than five persons appointed by the director of the department of natural resources who shall be knowledgeable regarding hunting preserves.

2. The committee shall develop recommendations for industry standards and guidelines to be used by the natural resource commission when considering the granting of waivers for minimum acreage requirements for hunting preserves as provided in section 484C.5 as enacted in this Act.

3. The committee shall submit the recommendations required in this section to the natural resource commission by January 1, 2006.

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JOHN P. KIBBIE  
President of the Senate

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CHRISTOPHER C. RANTS  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 206, Eighty-first General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved \_\_\_\_\_, 2005

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THOMAS J. VILSACK  
Governor