

Iowa Department of Natural Resources
Natural Resource Commission

ITEM

16

DECISION

TOPIC

Chapter 106, Deer Hunting by Residents NOIA

The Commission is requested to approve this Notice to amend Chapter 106, Deer Hunting by Residents.

The proposed amendment allows this Chapter to conform to Iowa Code section 483A.C which was modified by Senate File 187. Iowa Code specifies that a nonambulatory person who is a resident may be issued one any sex deer license which is valid and may be used to hunt deer with a shotgun or muzzleloading rifle during any established deer season. This license is in addition to any other deer license for which the person is eligible. The person must purchase this deer license and is required to have a hunting license but is not required to pay the habitat fee. The new law requires the Commission to adopt rules to implement the new code section. The proposed amendment also updates the implementation paragraph.

Dr. Dale Garner, Wildlife Bureau Chief
Conservation and Recreation Division
July 9, 2009

Attached: Chapter 106, Deer Hunting by Residents NOIA Rule

NATURAL RESOURCE COMMISSION [571]

Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 106, "Deer Hunting by Residents," Iowa Administrative Code.

The proposed amendments allow this Chapter to conform to Iowa Code section 483A.C which was modified by Senate File 187. Iowa Code specifies that a nonambulatory person who is a resident may be issued one any sex deer license which is valid and may be used to hunt deer with a shotgun or muzzleloading rifle during any established deer season. This license is in addition to any other deer license for which the person is eligible. The person must purchase this deer license and is required to have a hunting license but is not required to pay the habitat fee. The new law requires the Commission to adopt rules to implement the new code section.

Any interested person may make written suggestions or comments on the proposed amendments on or before August 18, 2009. Such written materials should be directed to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally

should contact the Bureau at (515)281-5918 or at the Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing on August 18, 2009, at 10 a.m. in the Fourth Floor East Conference Room of the Wallace State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should inform the Department of Natural Resources of specific needs.

These amendments are intended to implement Iowa Code sections 483A.8C, 481A.38, 481A.39, 481A.48, 483A.24, 483A.24B, and 483A.24C.

The following amendments are proposed.

ITEM 1. Amend rule 571—106.1 by adopting the following **new** subrule:

106.1(9) Nonambulatory deer hunting licenses. The commission shall issue licenses in conformance with Iowa Code section 483A.8C. A person applying for this license must provide a completed form obtained from the department of natural resources. The application shall be certified by the applicant's attending physician with an original signature and declare that the applicant is nonambulatory using the criteria listed in Iowa Code 483A.8C. A medical statement from the applicant's attending physician specifying criteria met shall be on 8 inch by 11 ½ inch letterhead stationary. The attending physician shall be a currently practicing doctor of medicine, doctor of osteopathy, physician's assistant or nurse practitioner.

ITEM 2. Amend 571—Chapter 106, implementation paragraph, as follows:

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.24, 483A.24B, ~~and~~ 483A.24C, and 483A.8C.

Date

Richard A. Leopold, Director

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