

1 **TRANSFER OF BRINE SHRIMP**
2 **CERTIFICATE OF REGISTRATION**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Thomas V. Hatch**

6 AN ACT RELATING TO FISH AND GAME; PROVIDING FOR THE TRANSFER OF A
7 BRINE SHRIMP CERTIFICATE OF REGISTRATION UNDER CERTAIN CIRCUMSTANCES.

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **23-19-1**, as last amended by Chapter 242, Laws of Utah 1998

11 *Be it enacted by the Legislature of the state of Utah:*

12 Section 1. Section **23-19-1** is amended to read:

13 **23-19-1. Possession of licenses, certificates of registration, permits, and tags required**
14 **-- Nonassignability -- Exceptions -- Free fishing day.**

15 (1) A person may not engage in hunting, trapping, fishing, or seining protected wildlife
16 or in the sale, trade, or barter of protected wildlife or their parts without first having procured the
17 necessary licenses, certificates of registration, permits, and tags as provided under this chapter and
18 having at the same time the licenses, certificates of registration, permits, and tags on his or her
19 person, except as provided under Subsection (3).

20 (2) (a) Except as provided in Subsection (2)(b) a person may not:

21 (i) lend, transfer, sell, give, or assign licenses, certificates of registration, permits, or tags
22 belonging to the person or the rights granted by licenses, certificates of registration, permits, or
23 tags; or

24 (ii) use or attempt to use a license, certificate of registration, permit, or tag of another
25 person.

26 (b) The Wildlife Board may make exceptions to the prohibitions specified in Subsection
27 (2)(a) for purposes of:

28 (i) transporting wildlife; [or]
29 (ii) taking a deer or elk for a person who is blind or a quadriplegic[-]; or
30 (iii) transferring a certificate of registration to harvest brine shrimp and brine shrimp eggs
31 to another person, if the certificate is transferred in connection with the sale or transfer of the brine
32 shrimp harvest operation or the harvesting equipment, subject to the restrictions referred to under
33 Subsection (2)(c).

34 (c) (i) A certificate of registration to harvest brine shrimp and brine shrimp eggs may not
35 be transferred without the approval of the division.

36 (ii) Application to allow the transfer of a certificate of registration to harvest brine shrimp
37 and brine shrimp eggs shall be made to the division on a form prescribed and furnished by it.

38 (iii) The division may grant a transfer of a certificate of registration to harvest brine shrimp
39 and brine shrimp eggs if the proposed transferee meets all the requirements necessary to obtain an
40 original certificate of registration.

41 (3) No license, certificate of registration, permit, or tag is required to:

42 (a) fish on a free fishing day which the Wildlife Board may establish each year under rules
43 prescribed by the board;

44 (b) fish at a private fish installation operated in accordance with Section 23-15-10; or

45 (c) hunt birds on a commercial hunting area that the owner or operator is authorized to
46 propagate, keep, and release for shooting pursuant to a certificate of registration issued under
47 Section 23-17-6.

Legislative Review Note
as of 1-26-99 3:20 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel