

1 **COOPERATIVE WILDLIFE MANAGEMENT**

2 **UNIT PURPOSES**

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Bradley T. Johnson**

6 AN ACT RELATING TO WILDLIFE RESOURCES; ALLOWING COOPERATIVE WILDLIFE
7 MANAGEMENT UNITS TO BE ORGANIZED FOR THE PURPOSE OF HUNTING COUGAR.

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

9 AMENDS:

10 **23-23-2**, as last amended by Chapters 140 and 282, Laws of Utah 1998

11 **23-23-3**, as last amended by Chapter 258, Laws of Utah 1997

12 **23-23-7**, as last amended by Chapter 258, Laws of Utah 1997

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

14 Section 1. Section **23-23-2** is amended to read:

15 **23-23-2. Definitions.**

16 As used in this chapter:

17 (1) "Cooperative wildlife management unit" or "unit" means a generally contiguous area
18 of land open for hunting small game, waterfowl, cougar, or big game which is registered in
19 accordance with this chapter and rules of the Wildlife Board.

20 (2) (a) "Cooperative wildlife management unit agent" means a person appointed by a
21 landowner, landowner association, or landowner association operator to perform the functions
22 described in Section 23-23-9.

23 (b) For purposes of this chapter, a cooperative wildlife management unit agent may not:

24 (i) be appointed by the division or the state;

25 (ii) be an employee or agent of the division;

26 (iii) receive compensation from the division or the state to act as a cooperative wildlife
27 management unit agent; or

28 (iv) act as a peace officer or perform any duties of a peace officer without qualifying as
29 a peace officer under Title 53, Chapter 13, Peace Officer Classifications.

30 (3) "Cooperative wildlife management unit authorization" means a card, label, ticket, or
31 other identifying document authorizing the possessor to hunt small game or waterfowl in a
32 cooperative wildlife management unit.

33 (4) "Cooperative wildlife management unit permit" means a permit authorizing the
34 possessor to hunt cougar or big game in a cooperative wildlife management unit.

35 (5) "Division" means the Division of Wildlife Resources.

36 (6) "Landowner association" means a landowner or an organization of owners of private
37 lands who operates a cooperative wildlife management unit.

38 (7) (a) "Landowner association operator" means a person designated by a landowner
39 association to operate the cooperative wildlife management unit.

40 (b) For purposes of this chapter, a landowner association operator may not:

41 (i) be appointed by the division; or

42 (ii) be an employee or agent of the division.

43 Section 2. Section **23-23-3** is amended to read:

44 **23-23-3. Rulemaking authority of Wildlife Board.**

45 The Wildlife Board is authorized to make and enforce rules applicable to cooperative
46 wildlife management units organized for the hunting of small game, waterfowl, cougar, or big
47 game that in its judgment are necessary to administer and enforce the provisions of this chapter.

48 Section 3. Section **23-23-7** is amended to read:

49 **23-23-7. Permits -- Acreage and lands that may be included -- Posting of boundaries.**

50 (1) The division shall provide cooperative wildlife management unit authorizations for
51 hunting small game or waterfowl to the cooperative wildlife management unit, free of charge.

52 (2) At least 50% of the cooperative wildlife management unit authorizations for hunting
53 small game or waterfowl provided to a cooperative wildlife management unit shall be offered for
54 sale to the general public at the times and places designated on the application for a certificate of
55 registration.

56 (3) (a) Cooperative wildlife management units organized for hunting small game or
57 waterfowl shall consist of private land.

58 (b) At least 75% of the acreage within the boundaries of each cooperative wildlife

59 management unit organized for the hunting of small game or waterfowl shall be open to hunting
60 by holders of valid authorizations.

61 (4) (a) The division may issue cooperative wildlife management unit permits for hunting
62 cougar or big game to permittees:

63 (i) qualifying through a public drawing; or

64 (ii) named by the cooperative wildlife management unit operator.

65 (b) The Wildlife Board may specify by rule those persons who are eligible to draw a
66 cooperative wildlife management unit permit in a public drawing.

67 (5) (a) Cooperative wildlife management units organized for hunting cougar or big game
68 shall consist of private land to the extent practicable. Public land may be included within a
69 cooperative wildlife management unit if:

70 (i) the public land is completely surrounded by private land or is otherwise inaccessible
71 to the general public;

72 (ii) including public land is necessary to establish a readily identifiable boundary; or

73 (iii) including public land is necessary to achieve cougar or big game management
74 objectives.

75 (b) If any public land is included within a cooperative wildlife management unit:

76 (i) the landowner association shall meet applicable federal or state land use requirements
77 on the public land; and

78 (ii) the Wildlife Board shall increase the number of permits or hunting opportunities made
79 available to the general public to reflect the proportion of public lands to private lands within the
80 cooperative wildlife management unit.

81 (6) Each landowner association shall:

82 (a) clearly post all boundaries of the unit and all corners, roads, trails, gates, and
83 rights-of-way entering the unit with signs provided by the division; and

84 (b) provide a written copy of its guidelines to each holder of an authorization or permit.

Legislative Review Note
as of 12-1-99 8:25 AM

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

Office of Legislative Research and General Counsel