

WILDLIFE LICENSING AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Leonard M. Blackham

AN ACT RELATING TO WILDLIFE RESOURCES; INCREASING COMPENSATION FOR WILDLIFE LICENSE AGENTS; ELIMINATING THE WILDLIFE HABITAT AUTHORIZATION; INCREASING FEES FOR FISHING AND HUNTING LICENSES AND PERMITS, DEDICATED HUNTER PROGRAM CERTIFICATES OF REGISTRATION, AND WILDLIFE HERITAGE CERTIFICATES; REQUIRING A PORTION OF LICENSE, PERMIT, CERTIFICATE OF REGISTRATION, AND WILDLIFE HERITAGE CERTIFICATE FEES TO BE DEPOSITED IN THE WILDLIFE HABITAT ACCOUNT; EXPRESSING LEGISLATIVE INTENT REGARDING THE EXPENDITURE OF CERTAIN REVENUES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A COORDINATION CLAUSE.

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

AMENDS:

- 23-13-2**, as last amended by Chapter 209, Laws of Utah 1999
- 23-19-8**, as last amended by Chapter 145, Laws of Utah 1996
- 23-19-15**, as last amended by Chapter 259, Laws of Utah 1995
- 23-19-16**, as last amended by Chapters 7 and 128, Laws of Utah 1999
- 23-19-17**, as last amended by Chapter 209, Laws of Utah 1999
- 23-19-17.5**, as last amended by Chapter 259, Laws of Utah 1995
- 23-19-24**, as last amended by Chapter 209, Laws of Utah 1999
- 23-19-25**, as last amended by Chapter 209, Laws of Utah 1999
- 23-19-26**, as last amended by Chapter 209, Laws of Utah 1999
- 23-19-40**, as last amended by Chapter 7, Laws of Utah 1999
- 23-19-42**, as last amended by Chapter 128, Laws of Utah 1999
- 23-19-43**, as enacted by Chapter 259, Laws of Utah 1995
- 23-26-4**, as enacted by Chapter 267, Laws of Utah 1993
- 53-2-107**, as enacted by Chapter 281, Laws of Utah 1997

ENACTS:

23-19-47, Utah Code Annotated 1953

This act enacts uncodified material.

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

Section 1. Section **23-13-2** is amended to read:

23-13-2. Definitions.

As used in this title:

(1) "Activity regulated under this title" means any act, attempted act, or activity prohibited or regulated under any provision of Title 23 or the rules, and proclamations promulgated thereunder pertaining to protected wildlife including:

- (a) fishing;
- (b) hunting;
- (c) trapping;
- (d) taking;
- (e) permitting any dog, falcon, or other domesticated animal to take;
- (f) transporting;
- (g) possessing;
- (h) selling;
- (i) wasting;
- (j) importing;
- (k) exporting;
- (l) rearing;
- (m) keeping;
- (n) utilizing as a commercial venture; and
- (o) releasing to the wild.

(2) "Aquatic animal" has the meaning provided in Section 4-37-103.

(3) "Aquatic wildlife" means species of fish, mollusks, crustaceans, aquatic insects, or amphibians.

- (4) "Aquaculture facility" has the meaning provided in Section 4-37-103.
- (5) "Bag limit" means the maximum limit, in number or amount, of protected wildlife that one person may legally take during one day.
- (6) "Big game" means species of hoofed protected wildlife.
- (7) "Carcass" means the dead body of an animal or its parts.
- (8) "Certificate of registration" means a document issued under this title, or any rule or proclamation of the Wildlife Board granting authority to engage in activities not covered by a license, permit, or tag.
- (9) "Closed season" means the period of time during which the taking of protected wildlife is prohibited.
- (10) "Conservation officer" means a full-time, permanent employee of the Division of Wildlife Resources who is POST certified as a peace or a special function officer.
- (11) "Dedicated hunter program" means a program that provides:
- (a) expanded hunting opportunities;
 - (b) opportunities to participate in projects that are beneficial to wildlife; and
 - (c) education in hunter ethics and wildlife management principles.
- ~~[(11)]~~ (12) "Division" means the Division of Wildlife Resources.
- ~~[(12)]~~ (13) (a) "Domicile" means the place:
- (i) where an individual has a fixed permanent home and principal establishment;
 - (ii) to which the individual if absent, intends to return; and
 - (iii) in which the individual and the individual's family voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home.
- (b) To create a new domicile an individual must:
- (i) abandon the old domicile; and
 - (ii) be able to prove that a new domicile has been established.
- ~~[(13)]~~ (14) "Endangered" means wildlife designated as such pursuant to Section 3 of the federal Endangered Species Act of 1973.
- ~~[(14)]~~ (15) "Fee fishing facility" has the meaning provided in Section 4-37-103.

~~[(15)]~~ (16) "Feral" means an animal which is normally domesticated but has reverted to the wild.

~~[(16)]~~ (17) "Fishing" means to take fish or crayfish by any means.

~~[(17)]~~ (18) "Furbearer" means species of the Bassariscidae, Canidae, Felidae, Mustelidae, and Castoridae families, except coyote and cougar.

~~[(18)]~~ (19) "Game" means wildlife normally pursued, caught, or taken by sporting means for human use.

~~[(19)]~~ (20) (a) "Guide" means a person who receives compensation or advertises services for assisting another person to take protected wildlife.

(b) Assistance under Subsection (20)(a) includes the provision of food, shelter, or transportation, or any combination of these.

~~[(20)]~~ (21) "Guide's agent" means a person who is employed by a guide to assist another person to take protected wildlife.

~~[(21)]~~ (22) "Hunting" means to take or pursue a reptile, amphibian, bird, or mammal by any means.

~~[(22)]~~ (23) "Intimidate or harass" means to physically interfere with or impede, hinder, or diminish the efforts of an officer in the performance of the officer's duty.

~~[(23)]~~ (24) "Nonresident" means a person who does not qualify as a resident.

~~[(24)]~~ (25) "Open season" means the period of time during which protected wildlife may be legally taken.

~~[(25)]~~ (26) "Pecuniary gain" means the acquisition of money or something of monetary value.

~~[(26)]~~ (27) "Permit" means a document, including a stamp, which grants authority to engage in specified activities under this title or a rule or proclamation of the Wildlife Board.

~~[(27)]~~ (28) "Person" means an individual, association, partnership, government agency, corporation, or an agent of the foregoing.

~~[(28)]~~ (29) "Possession" means actual or constructive possession.

~~[(29)]~~ (30) "Possession limit" means the number of bag limits one individual may legally possess.

~~[(30)]~~ (31) (a) "Private fish installation" means a body of water where privately owned, protected aquatic wildlife are propagated or kept.

(b) "Private fish installation" does not include any aquaculture facility or fee fishing facility.

~~[(31)]~~ (32) "Private wildlife farm" means an enclosed place where privately owned birds or furbearers are propagated or kept and which restricts the birds or furbearers from:

(a) commingling with wild birds or furbearers; and

(b) escaping into the wild.

~~[(32)]~~ (33) "Proclamation" means the publication used to convey a statute, rule, policy, or pertinent information as it relates to wildlife.

~~[(33)]~~ (34) (a) "Protected aquatic wildlife" means aquatic wildlife as defined in Subsection (3), except as provided in Subsection (34)(b).

(b) "Protected aquatic wildlife" does not include aquatic insects.

~~[(34)]~~ (35) (a) "Protected wildlife" means wildlife as defined in Subsection (49), except as provided in Subsection (35)(b).

(b) "Protected wildlife" does not include coyote, field mouse, gopher, ground squirrel, jack rabbit, muskrat, and raccoon.

~~[(35)]~~ (36) "Released to the wild" means to turn loose from confinement.

~~[(36)]~~ (37) (a) "Resident" means a person who:

(i) has been domiciled in the state of Utah for six consecutive months immediately preceding the purchase of a license; and

(ii) does not claim residency for hunting, fishing, or trapping in any other state or country.

(b) A Utah resident retains Utah residency if that person leaves this state:

(i) to serve in the armed forces of the United States or for religious or educational purposes; and

(ii) complies with Subsection (37)(a)(ii).

(c) (i) A member of the armed forces of the United States and dependents are residents for the purposes of this chapter as of the date the member reports for duty under assigned orders in the state if the member:

(A) is not on temporary duty in this state; and

(B) complies with Subsection (37)(a)(ii).

(ii) A copy of the assignment orders must be presented to a wildlife division office to verify the member's qualification as a resident.

(d) A nonresident attending an institution of higher learning in this state as a full-time student may qualify as a resident for purposes of this chapter if the student:

(i) has been present in this state for 60 consecutive days immediately preceding the purchase of the license; and

(ii) complies with Subsection (37)(a)(ii).

(e) A Utah resident license is invalid if a resident license for hunting, fishing, or trapping is purchased in any other state or country.

(f) An absentee landowner paying property tax on land in Utah does not qualify as a resident.

~~[(37)]~~ (38) "Sell" means to offer or possess for sale, barter, exchange, or trade, or the act of selling, bartering, exchanging, or trading.

~~[(38)]~~ (39) "Small game" means species of protected wildlife:

(a) commonly pursued for sporting purposes; and

(b) not classified as big game, aquatic wildlife, or furbearers and excluding cougar and bear.

~~[(39)]~~ (40) "Spoiled" means impairment of the flesh of wildlife which renders it unfit for human consumption.

~~[(40)]~~ (41) "Spotlighting" means throwing or casting the rays of any spotlight, headlight, or other artificial light on any highway or in any field, woodland, or forest while having in possession a weapon by which protected wildlife may be killed.

~~[(41)]~~ (42) "Tag" means a card, label, or other identification device issued for attachment to the carcass of protected wildlife.

~~[(42)]~~ (43) "Take" means to:

(a) hunt, pursue, harass, catch, capture, possess, angle, seine, trap, or kill any protected wildlife; or

(b) attempt any action referred to in Subsection (43)(a).

[(43)] (44) "Threatened" means wildlife designated as such pursuant to Section 3 of the federal Endangered Species Act of 1973.

[(44)] (45) "Trapping" means taking protected wildlife with a trapping device.

[(45)] (46) "Trophy animal" means an animal described as follows:

- (a) deer - any buck with an outside antler measurement of 24 inches or greater;
- (b) elk - any bull with six points on at least one side;
- (c) bighorn, desert, or rocky mountain sheep - any ram with a curl exceeding half curl;
- (d) moose - any bull;
- (e) mountain goat - any male or female;
- (f) pronghorn antelope - any buck with horns exceeding 14 inches; or
- (g) bison - any bull.

[(46)] (47) "Waste" means to abandon protected wildlife or to allow protected wildlife to spoil or to be used in a manner not normally associated with its beneficial use.

[(47)] (48) "Water pollution" means the introduction of matter or thermal energy to waters within this state which:

- (a) exceeds state water quality standards; or
- (b) could be harmful to protected wildlife.

[(48)] (49) "Wildlife" means:

- (a) crustaceans, including brine shrimp and crayfish;
- (b) mollusks; and
- (c) vertebrate animals living in nature, except feral animals.

Section 2. Section **23-19-8** is amended to read:

23-19-8. Signature on documents -- Considered under oath -- Prohibition on use of unsigned documents.

(1) A person's signature on a license, permit, tag, or certificate of registration[~~-, or habitat authorization~~] is certification of that person's eligibility to use the license, permit, tag, or certificate of registration[~~-, or habitat authorization~~] for the purpose intended by this title.

(2) The signature need not be notarized but shall be considered to be made under oath.

(3) A person may not use an unsigned license, permit, tag, or certificate of registration~~[, or habitat authorization]~~.

Section 3. Section **23-19-15** is amended to read:

23-19-15. License agents -- Authority -- Bond -- Compensation -- Violations.

(1) The director of the division may designate wildlife license agents to sell licenses, permits, and tags.

(2) Wildlife license agents may:

(a) sell licenses, permits, and tags to all eligible applicants, except those licenses, permits, and tags specified in Subsection 23-19-16(2) which may be sold only by the division; and

(b) collect a fee for each license, permit, or tag sold.

(3) A wildlife license agent shall receive ~~[4% of the total revenue the wildlife license agent collects from the sale of wildlife licenses, permits, and tags]~~:

(a) for any wildlife license, permit, or tag having a fee of \$10 or less, 50 cents for each wildlife license, permit, or tag sold; and

(b) for any wildlife license, permit, or tag having a fee greater than \$10, 5% of the fee.

(4) The division may require wildlife license agents to obtain a bond in a reasonable amount.

(5) (a) On or before the 10th day of each month, each wildlife license agent shall:

(i) report all sales to the division; and

(ii) submit all of the fees obtained from the sale of licenses, permits, and tags less the remuneration provided in Subsection (3).

(b) If a wildlife license agent fails to pay the amount due, the division may assess a penalty of 20% of the amount due. All delinquent payments shall bear interest at the rate of 1% per month. If the amount due is not paid because of bad faith or fraud, the division shall assess a penalty of 100% of the total amount due together with interest.

(c) All fees, except the remuneration provided in Subsection (3), shall:

(i) be kept separate and apart from the private funds of the wildlife license agents; and

(ii) belong to the state of Utah.

(6) A wildlife license agent may not intentionally:

- (a) misdate a license, permit, or tag; or
- (b) issue a license to any person until that person furnishes proof of having passed a division approved hunter education course as provided in Section 23-19-11.

(7) Violation of any provision of this section is a class B misdemeanor and may be cause for revocation of the wildlife license agent authorization.

Section 4. Section **23-19-16** is amended to read:

23-19-16. Licenses obtained from agents of division.

(1) Licenses provided for in Sections 23-19-17 through 23-19-27 [~~and 23-19-42~~] may be obtained from the division or one of its authorized wildlife license agents.

(2) Licenses provided for in Sections 23-19-17.5, 23-19-34.7, and 23-19-36 may be obtained only from the division.

Section 5. Section **23-19-17** is amended to read:

23-19-17. Fishing and hunting license -- Resident 12 or older -- Use of fee.

(1) A resident 12 years of age or older, upon payment of the fee prescribed in Section 23-19-40, may receive a combination license to fish and to hunt for small game as provided in the rules of the Wildlife Board.

(2) One dollar of the combination license fee shall be used for the hunter education program in any of the following:

- (a) instructor and student training;
- (b) assisting local organizations with development;
- (c) maintenance of existing facilities; or
- (d) operation and maintenance of the hunter education program.

(3) (a) Fifty cents of the combination license fee shall be used for the upland game program as follows:

- ~~[(a)]~~ (i) to acquire pen-raised birds; or
- ~~[(b)]~~ (ii) to capture and transplant upland game species.

(b) The combination license fee revenue designated for the upland game program by Subsection (3)(a) is in addition to any combination license fee revenue that may be used for the

upland game program as provided by Sections 23-19-43 and 23-19-47.

Section 6. Section **23-19-17.5** is amended to read:

23-19-17.5. Lifetime hunting and fishing licenses.

(1) Lifetime licensees born after December 31, 1965, must be certified under Section 23-19-11 before engaging in hunting.

(2) A lifetime license shall remain valid if the residency of the lifetime licensee changes to another state or country.

(3) (a) A lifetime license may be used in lieu of an annual [~~wildlife habitat,~~] small game~~[-and]~~ or fishing license.

(b) Each year, a lifetime licensee is entitled to receive without charge a permit and tag of the lifetime licensee's choice for one of the following general season deer hunts:

- (i) archery;
- (ii) rifle; or
- (iii) muzzleloader.

(c) A lifetime licensee is subject to each requirement for special hunting and fishing permits and tags, except as provided in Subsection (3)(b).

(4) The Wildlife Board may adopt rules necessary to carry out the provisions of this section.

Section 7. Section **23-19-24** is amended to read:

23-19-24. Small game hunting license -- Resident 14 or older -- Use of fee.

(1) A resident 14 years of age or older, upon payment of the fee prescribed in Section 23-19-40, may receive a license to hunt small game.

(2) One dollar of the small game hunting license fee shall be used for the hunter education program.

(3) (a) Fifty cents of the small game hunting license fee shall be used for the upland game program as follows:

- ~~[(a)]~~ (i) to acquire pen-raised birds; or
- ~~[(b)]~~ (ii) to capture and transplant upland game species.

(b) The small game license fee revenue designated for the upland game program by

Subsection (3)(a) is in addition to any small game license fee revenue that may be used for the upland game program as provided by Sections 23-19-43 and 23-19-47.

Section 8. Section **23-19-25** is amended to read:

23-19-25. Small game hunting license -- Resident 12 or 13 -- Use of fee.

(1) A resident under the age of 14 years and 12 years of age or older, upon payment of the fee prescribed in Section 23-19-40, may receive a license to hunt small game.

(2) One dollar of the small game hunting license fee shall be used for the hunter education program.

(3) (a) Fifty cents of the small game hunting license fee shall be used for the upland game program as follows:

~~[(a)]~~ (i) to acquire pen-raised birds; or

~~[(b)]~~ (ii) to capture and transplant upland game species.

(b) The small game license fee revenue designated for the upland game program by

Subsection (3)(a) is in addition to any small game license fee revenue that may be used for the upland game program as provided by Sections 23-19-43 and 23-19-47.

Section 9. Section **23-19-26** is amended to read:

23-19-26. Small game hunting license -- Nonresident 12 or older -- Use of fee.

(1) A nonresident 12 years of age or older, upon payment of the fee prescribed in Section 23-19-40, may receive a license to hunt small game.

(2) (a) Fifty cents of the small game hunting license fee shall be used for the upland game program as follows:

~~[(a)]~~ (i) to acquire pen-raised birds; or

~~[(b)]~~ (ii) to capture and transplant upland game species.

(b) The small game license fee revenue designated for the upland game program by

Subsection (2)(a) is in addition to any small game license fee revenue that may be used for the upland game program as provided by Sections 23-19-43 and 23-19-47.

Section 10. Section **23-19-40** is amended to read:

23-19-40. Fees for licenses.

(1) Residents and nonresidents may engage in hunting, fishing, trapping, bird hunting in commercial areas, and falconry upon obtaining a license through the payment of one or more of the following applicable fees:

WILDLIFE LICENSE FEE SCHEDULE

Type of License	Age and Time	Fee
RESIDENT		
Combination	12 years or older	[\$28.00] <u>\$31.75</u>
Fishing	Under 65 (Season)	[20.00] <u>23.75</u>
	65 years or older (Season)	[9.00] <u>13.75</u>
	Any age (1-day)	[6.00] <u>6.75</u>
	Any age (7-day)	[11.00] <u>14.75</u>
Small Game	12-13 years	[7.00] <u>10.75</u>
	14 years or older	[13.00] <u>16.75</u>
Furbearer	Any age	[25.00] <u>29.00</u>
[Wildlife Habitat]	[14 years or older]	[5.75]
NONRESIDENT		
Fishing	Any age (Season)	[42.00] <u>45.75</u>
	Any age (1-day)	[7.00] <u>7.75</u>
	Any age (7-day)	[17.00] <u>20.75</u>
Small Game	12 years or older	[41.00] <u>44.75</u>
Furbearer	Any age	[150.00] <u>154.00</u>
Falconry	14 years or older	15.00
	(5-day)	
[Wildlife Habitat]	[14 years or older]	[5.75]

(2) Statewide fish stamps or fees may not be imposed without legislative approval.

Section 11. Section **23-19-42** is amended to read:

23-19-42. Search and rescue surcharge.

~~[(1) (a) A person 14 years of age or older must purchase an annual wildlife habitat authorization before purchasing a wildlife heritage certificate or any license or permit required by this title, except:]~~

~~[(i) those licenses provided for in Sections 23-19-17.5, 23-19-34.7, and 23-19-36;]~~

~~[(ii) reciprocal fishing stamps; and]~~

~~[(iii) one day fishing licenses.]~~

~~[(b) A person 13 years of age may purchase a wildlife habitat authorization for the purpose of purchasing a big game permit if that person's 14th birthday falls within the calendar year for which the permit is issued.]~~

~~[(2) A person must purchase only one wildlife habitat authorization each year regardless of the number of licenses or permits purchased during that year.]~~

~~[(3)(a)] (1) In addition to the fees imposed under this chapter, there is imposed a 25 cent surcharge on each ~~[annual wildlife habitat authorization]~~ fishing, small game, or combination license listed in Section 23-19-40.~~

~~[(b)] (2) This surcharge shall be deposited in the General Fund as a dedicated credit for the Search and Rescue Financial Assistance Program created under Section 53-2-107.~~

Section 12. Section **23-19-43** is amended to read:

23-19-43. Wildlife Habitat Account -- Contents -- Use of fund monies.

(1) There is created a restricted account within the General Fund known as the Wildlife Habitat Account.

(2) The contents of the account shall consist of:

(a) revenue from the sale of ~~[wildlife habitat authorization;]~~ licenses, permits, stamps, certificates of registration, and Wildlife Heritage certificates as provided in Section 23-19-47;

(b) money donated to the division for a purpose specified in Subsection (6); and

~~[(b) the balance of any money remaining in the Big Game Habitat Account upon its closure;]~~

~~[(c) the balance of any money remaining in the Upland Game Account upon its closure;]~~

~~[(d) any money deposited as dedicated credits for the waterfowl program; and]~~

~~[(e)]~~ (c) interest and earnings on account monies.

(3) Revenue from the sale of [~~wildlife habitat authorizations~~] licenses, permits, stamps, certificates of registration, and Wildlife Heritage certificates that is deposited to the account pursuant to Section 23-19-47 shall be used by the division, after appropriation by the Legislature, as provided in Subsections (4) through (6).

(4) (a) Each year up to \$70,000 or 4% of the annual deposits to the account, whichever amount is greater, shall be allocated for the development, restoration, and preservation of wetlands that are beneficial to waterfowl.

(b) Up to 20% of the money allocated to waterfowl projects may be appropriated by the Legislature for use by a nonprofit conservation organization for wetland development projects within the state that benefit waterfowl.

(5) (a) Each year up to \$230,000 or 12% of the annual deposits to the account, whichever amount is greater, shall be allocated to upland game projects as follows:

(i) the control of predators;

(ii) the development, improvement, restoration, or maintenance of critical habitat through the establishment of landowner incentives, cooperative programs, or other means;

(iii) the acquisition or preservation of critical habitat;

(iv) landowner habitat education and assistance programs;

(v) public access to private lands; and

(vi) upland game transplant and reintroduction programs.

(b) As used in this section "upland game" means pheasant, quail, chukar, partridge, sage grouse, sharp-tailed grouse, Hungarian partridge, ruffed grouse, blue grouse, ptarmigan, mourning dove, band-tailed pigeon, turkey, cottontail rabbit, or snowshoe hare.

(c) Monies allocated to upland game may not be used for the acquisition, development, improvement, restoration, or maintenance of habitat within commercial hunting areas.

(d) No more than 5% of the monies allocated to upland game may be used for landowner habitat education programs.

(e) The monies allocated to upland game shall be used for programs and activities relating to upland game species based generally upon the proportion of average annual hunter participation

for each species.

(f) Projects for which free public access is assured shall receive first priority for funding from monies allocated to upland game.

(g) Projects for which public access is assured shall receive second priority for funding from monies allocated to upland game.

(6) The remaining money in the account shall be used for the following purposes:

(a) the enhancement, acquisition, preservation, protection, and management of aquatic and terrestrial wildlife habitat; and

(b) to improve access for fishing and hunting.

(7) The division shall seek the advice and recommendations of the Habitat Council, created by the division, regarding the expenditure of account monies.

(8) Donations of money deposited into the account and interest earned on that money shall be expended:

(a) as directed by the donor; and

(b) without being appropriated by the Legislature.

Section 13. Section **23-19-47** is enacted to read:

23-19-47. Portion of revenue from license, permit, stamp, certificate of registration, and Wildlife Heritage certificate fees deposited in Wildlife Habitat Account.

(1) Fifty cents of the fee charged for any of the following licenses or stamps shall be deposited in the Wildlife Habitat Account created in Section 23-19-43:

(a) a one-day fishing license; or

(b) a one-day fishing stamp.

(2) Three dollars and fifty cents of the fee charged for any of the following licenses or permits shall be deposited in the Wildlife Habitat Account created in Section 23-19-43:

(a) a fishing license, except any one-day fishing license;

(b) a small game license;

(c) a combination license;

(d) a furbearer license; or

(e) a fishing permit, except any fish stamp.

(3) Four dollars and seventy-five cents of the fee charged for any of the following certificates of registration, permits, or Wildlife Heritage certificates shall be deposited in the Wildlife Habitat Account created in Section 23-19-43:

(a) a certificate of registration for the dedicated hunter program, except a certificate of registration issued to a lifetime licensee;

(b) a big game permit;

(c) a bear permit;

(d) a cougar permit;

(e) a turkey permit;

(f) a muskrat permit; or

(g) a Wildlife Heritage certificate.

Section 14. Section **23-26-4** is amended to read:

23-26-4. Wildlife Heritage certificate -- Benefits -- Use of revenue.

(1) (a) A resident or nonresident, 12 years of age or older, upon payment of [~~\$15~~] \$20, may receive a Wildlife Heritage certificate.

(b) A resident or nonresident, under 12 years of age, upon payment of [~~\$5~~] \$10, may receive a Wildlife Heritage certificate.

(2) The Wildlife Heritage certificate allows the holder to receive the benefits and participate in the activities of the Wildlife Heritage program as determined by the Wildlife Board and the division.

(3) Revenue from the sale of Wildlife Heritage certificates shall be used for activities and projects that fulfill the program's purposes as specified in Section 23-26-2, including:

(a) information and education;

(b) the establishment and enhancement of nonconsumptive wildlife management areas that are managed consistent with Section 23-14-18;

(c) wildlife and ecosystem research; and

(d) administration, development, and promotion of the program.

(4) Revenue from the sale of Wildlife Heritage certificates may be used for emergency feeding

of wildlife.

Section 15. Section **53-2-107** is amended to read:

53-2-107. Search and Rescue Financial Assistance Program -- Uses -- Rulemaking -- Distribution.

(1) "Reimbursable expenses," as used in this section, means those reasonable costs incidental to search and rescue activities, not including any salary or overtime paid to any person on a regular or permanent payroll, including permanent part-time employees, of any agency or political subdivision of the state, including:

- (a) rental for fixed wing aircraft, helicopters, snowmobiles, boats, and generators;
- (b) replacement and upgrade of search and rescue equipment;
- (c) training of search and rescue volunteers; and
- (d) any other equipment or expenses necessary or appropriate for conducting search and

rescue activities.

(2) There is created the Search and Rescue Financial Assistance Program within the division.

(3) (a) The program shall be funded from the following revenue sources:

- (i) any voluntary contributions to the state received for search and rescue operations;
- (ii) monies received by the state under [~~Subsection~~] Section 23-19-42[~~(3)~~] and Section

41-22-34; and

- (iii) appropriations made to the program by the Legislature.

(b) All funding for the program shall be nonlapsing.

(4) The director shall use the monies to reimburse counties for all or a portion of each county's reimbursable expenses for search and rescue operations subject to:

- (a) the approval of the Search and Rescue Advisory Board as provided in Section 53-2-104;
- (b) monies available in the program; and
- (c) rules made under Subsection (7).

(5) Program monies may not be used to reimburse for any paid personnel costs or paid man hours spent in emergency response and search and rescue related activities.

(6) The Legislature finds that these funds are for a general and statewide public purpose.

(7) The division, with the approval of the Search and Rescue Advisory Board, shall make rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, consistent with this act, establishing:

- (a) the costs that qualify as reimbursable expenses;
- (b) the procedures of agencies to submit expenses and be reimbursed; and
- (c) a formula to govern the distribution of available monies between counties based on:
 - (i) the total qualifying expenses submitted;
 - (ii) the number of search and rescue incidents per county population;
 - (iii) the number of victims that reside outside the county; and
 - (iv) the number of volunteer hours spent in each county in emergency response and search and rescue related activities per county population.

Section 16. **Fee schedule.**

(1) The following fees for certificates of registration, Wildlife Heritage certificates, permits, tags, and stamps issued by the Division of Wildlife Resources shall be in effect from January 1, 2001 through December 31, 2001.

Certificate of Registration

<u>Resident Dedicated Hunter, 2 Yr. (14-17)</u>	<u>\$70.00</u>
<u>Resident Dedicated Hunter, 3Yr. (14-17)</u>	<u>105.00</u>
<u>Resident Dedicated Hunter, 2 Yr. (18+)</u>	<u>120.00</u>
<u>Resident Dedicated Hunter, 3 Yr. (18+)</u>	<u>180.00</u>
<u>Nonresident Dedicated Hunter, 2 Yr. (14-17)</u>	<u>416.00</u>
<u>Nonresident Dedicated Hunter, 3 Yr. (14-17)</u>	<u>634.00</u>
<u>Nonresident Dedicated Hunter, 2 Yr. (18+)</u>	<u>566.00</u>
<u>Nonresident Dedicated Hunter, 3 Yr. (18+)</u>	<u>867.00</u>
<u>Lifetime License Dedicated Hunter, 2 Yr. (14-17)</u>	<u>25.00</u>
<u>Lifetime License Dedicated Hunter, 3 Yr. (14-17)</u>	<u>37.50</u>
<u>Lifetime License Dedicated Hunter, 2 Yr. (18+)</u>	<u>50.00</u>
<u>Lifetime License Dedicated Hunter, 3 Yr. (18+)</u>	<u>75.00</u>

Wildlife Heritage Certificate

<u>Juvenile (Under 12)</u>	<u>\$10.00</u>
<u>Adult (12+)</u>	<u>20.00</u>

Deer Permits / Tags

<u>Resident General Season Deer</u>	<u>\$35.00</u>
<u>Nonresident General Season Deer</u>	<u>208.00</u>
<u>Resident Antlerless Deer</u>	<u>20.00</u>
<u>Nonresident Antlerless Deer</u>	<u>83.00</u>
<u>Resident Two-Doe Antlerless</u>	<u>35.00</u>
<u>Nonresident Two-Doe Antlerless</u>	<u>161.00</u>
<u>Resident Depredation</u>	<u>20.00</u>

Landowners Depredation / Mitigation

<u>Deer</u>	<u>\$25.00</u>
<u>Elk</u>	<u>60.00</u>
<u>Pronghorn</u>	<u>25.00</u>

Fishing Permits / Stamps

<u>Two-Pole</u>	<u>\$14.00</u>
<u>Set-Line</u>	<u>14.00</u>
<u>Wyoming Flaming Gorge</u>	<u>10.00</u>
<u>Arizona Lake Powell</u>	<u>8.00</u>
<u>Nonresident 1-Day Fishing</u>	<u>6.00</u>

Big Game Permits / Tags

<u>Deer</u>	
<u>Resident Limited Entry</u>	<u>\$48.00</u>
<u>Nonresident Limited Entry</u>	<u>408.00</u>
<u>Resident High Country Buck Deer</u>	<u>43.00</u>
<u>Nonresident High Country Buck Deer</u>	<u>258.00</u>
<u>Resident Premium Limited Entry Deer</u>	<u>133.00</u>

<u>Nonresident Premium Limited Entry Deer</u>	<u>508.00</u>
<u>Resident CWMU Buck Deer</u>	<u>35.00</u>
<u>Nonresident CWMU Buck Deer</u>	<u>208.00</u>
<u>Resident CWMU Limited Entry Deer</u>	<u>48.00</u>
<u>Nonresident CWMU Limited Entry Deer</u>	<u>408.00</u>
<u>Resident CWMU Premium Limited Entry Deer</u>	<u>133.00</u>
<u>Nonresident CWMU Premium Limited Entry Deer</u>	<u>508.00</u>
<u>Resident CWMU Antlerless Deer</u>	<u>20.00</u>
<u>Nonresident CWMU Antlerless Deer</u>	<u>83.00</u>
<u>Resident CWMU Two-Doe Antlerless Deer</u>	<u>35.00</u>
<u>Nonresident CWMU Two-Doe Antlerless Deer</u>	<u>161.00</u>

Elk

<u>Resident Archery</u>	<u>\$60.00</u>
<u>Resident General Bull</u>	<u>60.00</u>
<u>Resident Limited Entry Bull</u>	<u>180.00</u>
<u>Resident Control</u>	<u>60.00</u>
<u>Resident Depredation</u>	<u>60.00</u>
<u>Resident Muzzleloader Hunter Choice</u>	<u>60.00</u>
<u>Resident Limited Entry Archery Bull Auxiliary</u>	<u>20.00</u>
<u>Resident CWMU Any Bull</u>	<u>180.00</u>
<u>Resident CWMU Spike Bull</u>	<u>60.00</u>
<u>Resident CWMU Antlerless</u>	<u>60.00</u>
<u>Nonresident Archery</u>	<u>333.00</u>
<u>Nonresident General Bull</u>	<u>333.00</u>
<u>Nonresident Limited Entry Bull</u>	<u>483.00</u>
<u>Nonresident Control</u>	<u>208.00</u>
<u>Nonresident Muzzleloader Hunter Choice</u>	<u>333.00</u>
<u>Nonresident Archery Bull Auxiliary</u>	<u>20.00</u>

<u>Nonresident CWMU Any Bull</u>	<u>483.00</u>
<u>Nonresident CWMU Spike Bull</u>	<u>333.00</u>
<u>Nonresident CWMU Antlerless</u>	<u>208.00</u>
<u>Antelope</u>	
<u>Resident Limited Buck</u>	<u>\$50.00</u>
<u>Nonresident Limited Buck</u>	<u>233.00</u>
<u>Resident Limited Doe</u>	<u>20.00</u>
<u>Resident Depredation</u>	<u>15.00</u>
<u>Nonresident Limited Doe</u>	<u>135.00</u>
<u>Resident Archery Buck</u>	<u>50.00</u>
<u>Nonresident Archery Buck</u>	<u>233.00</u>
<u>Resident CWMU Buck</u>	<u>50.00</u>
<u>Nonresident CWMU Buck</u>	<u>233.00</u>
<u>Resident CWMU Doe</u>	<u>20.00</u>
<u>Nonresident CWMU Doe</u>	<u>135.00</u>
<u>Moose</u>	
<u>Resident Bull</u>	<u>\$308.00</u>
<u>Resident Antlerless</u>	<u>208.00</u>
<u>Resident CWMU Bull</u>	<u>308.00</u>
<u>Resident CWMU Antlerless</u>	<u>208.00</u>
<u>Nonresident Bull</u>	<u>1,008.00</u>
<u>Nonresident Antlerless</u>	<u>708.00</u>
<u>Nonresident CWMU Bull</u>	<u>1,008.00</u>
<u>Nonresident CWMU Antlerless</u>	<u>708.00</u>
<u>Bison</u>	
<u>Resident</u>	<u>\$408.00</u>
<u>Nonresident</u>	<u>1,008.00</u>
<u>Resident Antelope Island</u>	<u>1,105.00</u>

<u>Nonresident Antelope Island</u>	<u>2,605.00</u>
<u>Bighorn Sheep</u>	
<u>Resident Desert Bighorn</u>	<u>\$508.00</u>
<u>Resident Rocky Mountain Bighorn</u>	<u>508.00</u>
<u>Nonresident Desert Bighorn</u>	<u>1,008.00</u>
<u>Nonresident Rocky Mountain Bighorn</u>	<u>1,008.00</u>
<u>Rocky Mountain Goat</u>	
<u>Resident Rocky Mountain</u>	<u>\$408.00</u>
<u>Nonresident Rocky Mountain</u>	<u>1,008.00</u>
<u>Cougar / Bear Permit</u>	
<u>Resident Cougar</u>	<u>\$58.00</u>
<u>Resident Bear</u>	<u>83.00</u>
<u>Resident Bear (Archery-Bait)</u>	<u>83.00</u>
<u>Resident Cougar Pursuit</u>	<u>30.00</u>
<u>Resident Bear Pursuit</u>	<u>30.00</u>
<u>Nonresident Cougar Pursuit</u>	<u>30.00</u>
<u>Nonresident Bear Pursuit</u>	<u>30.00</u>
<u>Cougar or Bear Damage</u>	<u>30.00</u>
<u>Nonresident Cougar</u>	<u>258.00</u>
<u>Nonresident Bear</u>	<u>308.00</u>
<u>Nonresident Bear (Archery-Bait)</u>	<u>308.00</u>
<u>Muskrats</u>	
<u>Over 1000 anticipated</u>	<u>\$155.00</u>
<u>500 - 1000 anticipated</u>	<u>105.00</u>
<u>100 - 500 anticipated</u>	<u>55.00</u>
<u>Less than 100 anticipated</u>	<u>30.00</u>
<u>Turkey</u>	
<u>Resident Limited Entry</u>	<u>\$30.00</u>

Nonresident Limited Entry 55.00

Sportsman Permits

The successful applicants will pay the fee associated with the resident fee for that particular species.

Resident Bull Moose \$308.00

Resident Hunter's Choice Bison 408.00

Resident Desert Bighorn Ram 508.00

Resident Bull Elk 135.00

Resident Buck Deer 133.00

Resident Buck Pronghorn 50.00

Falconry Permits

Resident Capture - Apprentice Class \$25.00

Resident Capture - General Class 45.00

Resident Capture - Master Class 45.00

Nonresident Capture - General Class 110.00

Nonresident Capture - Master Class 110.00

(2) It is the intent of the Legislature that a portion of the revenue from elk permit fees be used for temporary winter feeding of elk in emergency situations to prevent or reduce:

(a) damage by elk to agricultural crops and rangelands; and

(b) highway accidents caused by elk.

Section 17. Effective date.

This act takes effect on January 1, 2001.

Section 18. Coordination clause.

(1) If this bill and S.B. 1, Appropriations Act, both pass, it is the intent of the Legislature that the certificate of registration, Wildlife Heritage certificate, permit, tag, and stamp fees listed in Section 16 of this bill supercede the corresponding certificate of registration, Wildlife Heritage certificate, permit, tag, and stamp fees listed in S.B. 1, Appropriations Act.

(2) If this bill and S.B. 62, Wildlife Resources Code - Application to Indians, both pass, it

is the intent of the Legislature that S.B. 62, Wildlife Resources Code - Application to Indians be amended as follows:

Page 2, Line 34:

After "obtaining a" delete "wildlife habitat authorization,"