

1                                   **COOPERATIVE WILDLIFE MANAGEMENT**

2   **UNIT AMENDMENTS**

3   2005 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: James R. Gowans**

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7   **LONG TITLE**

8   **General Description:**

9                   This bill amends provisions relating to cooperative wildlife management units to allow  
10 the taking of turkey.

11 **Highlighted Provisions:**

12                   This bill:

13                   ▶ amends provisions relating to cooperative wildlife management units to allow the  
14 taking of turkey.

15 **Monies Appropriated in this Bill:**

16                   None

17 **Other Special Clauses:**

18                   None

19 **Utah Code Sections Affected:**

20 AMENDS:

21                   **23-23-2**, as last amended by Chapter 94, Laws of Utah 2000

22                   **23-23-3**, as last amended by Chapter 94, Laws of Utah 2000

23                   **23-23-7**, as last amended by Chapter 160, Laws of Utah 2001

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

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

27                   **23-23-2. Definitions.**



28 As used in this chapter:

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

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

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

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

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

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

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

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

46 (4) "Cooperative wildlife management unit permit" means a permit authorizing the  
47 possessor to hunt cougar, turkey, or big game in a cooperative wildlife management unit.

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

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

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

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

54 (i) be appointed by the division; or

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

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

57 **23-23-3. Rulemaking authority of Wildlife Board.**

58 The Wildlife Board is authorized to make and enforce rules applicable to cooperative

59 wildlife management units organized for the hunting of small game, waterfowl, cougar, turkey,  
60 or big game that in its judgment are necessary to administer and enforce the provisions of this  
61 chapter.

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

63 **23-23-7. Permits -- Acreage and lands that may be included -- Posting of**  
64 **boundaries.**

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

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

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

73 (b) At least 75% of the acreage within the boundaries of each cooperative wildlife  
74 management unit organized for the hunting of small game or waterfowl shall be open to  
75 hunting by holders of valid authorizations.

76 (4) (a) The division may issue cooperative wildlife management unit permits for  
77 hunting cougar, turkey, or big game to permittees:

78 (i) qualifying through a public drawing; or

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

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

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

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

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

88 (iii) including public land is necessary to achieve cougar, turkey, or big game  
89 management objectives.

- 90 (b) If any public land is included within a cooperative wildlife management unit:  
91 (i) the landowner association shall meet applicable federal or state land use  
92 requirements on the public land; and  
93 (ii) the Wildlife Board shall increase the number of permits or hunting opportunities  
94 made available to the general public to reflect the proportion of public lands to private lands  
95 within the cooperative wildlife management unit.  
96 (6) Each landowner association shall:  
97 (a) clearly post all boundaries of the unit by displaying signs containing information  
98 prescribed by rule of the Wildlife Board at the locations specified in Subsection  
99 23-20-14(1)(d); and  
100 (b) provide a written copy of its guidelines to each holder of an authorization or permit.

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**Legislative Review Note**  
**as of 11-29-04 5:07 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0168**

Cooperative Wildlife Management Unit Amendments

13-Jan-05

2:25 PM

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

Adding turkey as a CWMU may provide some income to landowners.

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**Office of the Legislative Fiscal Analyst**