

MULE DEER PROTECTION ACT

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ralph Okerlund

House Sponsor: _____

LONG TITLE

General Description:

This bill enacts the Mule Deer Protection Act.

Highlighted Provisions:

This bill:

- ▶ enacts Title 23, Chapter 30, Mule Deer Protection Act;
- ▶ creates the Mule Deer Protection Account;
- ▶ grants rulemaking authority to the Division of Wildlife Resources to establish and administer programs that reduce and control the coyote population generally and in areas where mule deer predation occurs;
- ▶ requires the Division of Wildlife Resources to coordinate with government entities and state entities in establishing and administering programs that reduce and control the coyote population;
- ▶ permits the Division of Wildlife Resources to contract with a vendor to reduce and control the coyote population in areas where mule deer predation occurs;
- ▶ permits the Division of Wildlife Resources to prepare and distribute training materials related to mule deer protection; and
- ▶ authorizes the Division of Wildlife Resources to establish and collect fees under programs that control and reduce the coyote population.

Money Appropriated in this Bill:

This bill appropriates:



59 (a) to reduce predatory animal numbers in a general area where mule deer predation
60 occurs; and

61 (b) that focuses on specific locations and certain times.

62 Section 3. Section **23-30-103** is enacted to read:

63 **23-30-103. Mule Deer Protection Account -- Contents -- Use of funds.**

64 (1) There is created a restricted account within the General Fund known as the "Mule
65 Deer Protection Restricted Account."

66 (a) The restricted account shall consist of:

67 (i) appropriations made by the Legislature;

68 (ii) grants or donations from:

69 (A) the federal government;

70 (B) a state agency;

71 (C) a local government; or

72 (D) a person; and

73 (iii) revenue from fees collected under Section 23-30-105.

74 (b) The division shall:

75 (i) administer the restricted account; and

76 (ii) deposit interest earned on the account into the General Fund.

77 (c) Funds deposited in the restricted account shall be non-lapsing.

78 (d) Grants and donations of money deposited into the restricted account under

79 Subsection (1)(a)(ii) may be expended without being appropriated by the Legislature.

80 (2) The division may expend money in the restricted account on:

81 (a) a program established by rule under Subsection 23-30-104(1)(a);

82 (b) a contract for targeted predator control described in Subsection 23-30-104(2)(a);

83 (c) predator control education and training related to mule deer protection described in

84 Subsection 23-30-104(2)(b); and

85 (d) administration costs incurred to carry out the requirements of this chapter.

86 Section 4. Section **23-30-104** is enacted to read:

87 **23-30-104. Predator control.**

88 (1) The division shall:

89 (a) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative

90 Rulemaking Act, to establish and administer programs to accomplish targeted predator control
91 or general predator control, including programs that offer incentives or compensation to
92 participants who remove a predatory animal that is detrimental to mule deer production;

93 (b) coordinate with federal, state, and local governments, and private persons to
94 accomplish the purposes of this chapter; and

95 (c) coordinate with the Department of Agriculture and Food and the Agriculture and
96 Wildlife Damage Prevention Board created in Section 4-23-4 to:

97 (i) minimize unnecessary duplication of predator control efforts; and

98 (ii) prevent interference between predator control programs administered under Title 4,
99 Chapter 23, Agricultural and Wildlife Damage Prevention Act, and this chapter.

100 (2) The division may:

101 (a) contract with a vendor that offers targeted predator control services; and

102 (b) prepare and distribute educational and training materials related to mule deer
103 protection.

104 Section 5. Section **23-30-105** is enacted to read:

105 **23-30-105. Division authorized to establish and collect fees.**

106 (1) The division may, in accordance with Section 63J-1-504, establish and collect fees
107 for participation in a program established under Subsection 23-30-104(1)(a).

108 (2) Fees collected under Subsection (1) shall be:

109 (a) deposited into the Mule Deer Protection Restricted Account established in Section
110 23-30-103; and

111 (b) expended in accordance with the requirements of Section 23-30-103.

112 Section 6. **Appropriation.**

113 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
114 following sums of money are appropriated from resources not otherwise appropriated, or
115 reduced from amounts previously appropriated, out of the funds or accounts indicated for the
116 fiscal year beginning July 1, 2012, and ending June 30, 2013. These are additions to any
117 amounts previously appropriated for fiscal year 2013.

118 To Mule Deer Protection - General Fund Restricted Account

119 From General Fund, ongoing

\$500,000

120 Schedule of programs:

121	<u>Division of Wildlife Resources - Wildlife Section</u>	<u>\$500,000</u>
122	<u>To Agriculture and Wildlife Damage Prevention - General Fund Restricted Account</u>	
123	<u>From General Fund, ongoing</u>	<u>\$250,000</u>
124	<u>Schedule of programs:</u>	
125	<u>Department of Agriculture and Food Predatory</u>	
126	<u>Animal Control</u>	<u>\$250,000</u>

Legislative Review Note
as of 2-28-12 8:09 AM

Office of Legislative Research and General Counsel