

Representative Karianne Lisonbee proposes the following substitute bill:

ANTELOPE ISLAND STATE PARK FUNDING AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses funding for Antelope Island State Park.

Highlighted Provisions:

This bill:

- ▶ creates the Antelope Island State Park Improvement Restricted Account;
- ▶ states that some proceeds from a big game hunting permit or tag distributed for a hunt on Antelope Island State Park shall be deposited into the Antelope Island State Park Improvement Restricted Account;
- ▶ directs money from the purchase, trade, sale, or disposal of buffalo on Antelope Island State Park to the Antelope Island State Park Improvement Restricted Account;
- ▶ provides for sunset review; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



26 AMENDS:

27 **23-19-22**, as last amended by Laws of Utah 2016, Chapter 258

28 **63I-1-263**, as last amended by Laws of Utah 2016, Chapters 65, 136, 156, 322, and 408

29 **63J-1-602.5**, as last amended by Laws of Utah 2016, Chapter 177

30 **79-4-402**, as renumbered and amended by Laws of Utah 2009, Chapter 344

31 **79-4-1001**, as last amended by Laws of Utah 2010, Chapter 391

32 ENACTS:

33 **63I-1-222**, Utah Code Annotated 1953

34 **63I-1-279**, Utah Code Annotated 1953

35 **79-4-1002**, Utah Code Annotated 1953



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

38 Section 1. Section **23-19-22** is amended to read:

39 **23-19-22. Big game hunting permit.**

40 (1) A person who is at least 12 years old, upon paying the big game hunting permit fee
41 established by the Wildlife Board, paying the fee established by Subsection (4), and possessing
42 a valid hunting or combination license, may apply for or obtain a permit to hunt big game as
43 provided by rules and proclamations of the Wildlife Board.

44 (2) (a) A person who is 11 years old may apply for or obtain a big game hunting permit
45 consistent with the requirements of Subsection (1) if that person's 12th birthday falls within the
46 calendar year for which the permit is issued.

47 (b) A person may not use a permit to hunt big game before the person's 12th birthday.

48 (3) One dollar of each big game permit fee collected from a resident shall be used for
49 the hunter education program as provided in Section **23-19-17**.

50 (4) There is established a fee in the amount of \$5 added to each permit under this
51 section to be deposited in the Predator Control Restricted Account.

52 (5) (a) Except as provided in Subsection (5)(c), the division shall ensure that the
53 proceeds from a marketed big game hunting permit distributed for a hunt on Antelope Island
54 State Park be deposited in the Antelope Island State Park Improvement Restricted Account
55 created in Section **79-4-1002**.

56 (b) "Marketed big game hunting permit" means a buck deer or Rocky Mountain

57 bighorn sheep hunting permit:

58 (i) issued for Antelope Island State Park; and

59 (ii) awarded through the division to the highest bidder for purposes of generating
60 revenue for funding habitat projects and wildlife management activities on Antelope Island

61 State Park consistent with Subsection [79-4-1002\(4\)\(a\)](#).

62 (c) The division:

63 (i) may not deposit into the Antelope Island State Park Improvement Restricted
64 Account license and permit fees assessed on marketed big game permits issued for Antelope
65 Island State Park, and shall retain these funds for deposit into the Wildlife Resources Restricted
66 Account; and

67 (ii) may retain 10% of the proceeds, excluding license and permit fees, generated from
68 the sale of marketed big game permits issued for Antelope Island State Park to cover
69 administrative costs associated with marketing and distributing the permits.

70 Section 2. Section **63I-1-222** is enacted to read:

71 **63I-1-222. Repeal dates, Title 22.**

72 Subsection [23-19-22\(5\)](#) is repealed on January 1, 2021.

73 Section 3. Section **63I-1-263** is amended to read:

74 **63I-1-263. Repeal dates, Titles 63A to 63N.**

75 (1) Subsection [63A-5-104\(4\)\(h\)](#) is repealed on July 1, 2024.

76 (2) Section [63A-5-603](#), State Facility Energy Efficiency Fund, is repealed July 1, 2023.

77 (3) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
78 1, 2018.

79 (4) Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is
80 repealed November 30, 2019.

81 (5) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1,
82 2020.

83 (6) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
84 repealed July 1, 2021.

85 (7) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
86 2020.

87 (8) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

88 (9) On July 1, 2025:

89 (a) in Subsection 17-27a-404(3)(c)(ii), the language that states "the Resource
90 Development Coordinating Committee," is repealed;

91 (b) Subsection 23-14-21(2)(c) is amended to read "(c) provide notification of proposed
92 sites for the transplant of species to local government officials having jurisdiction over areas
93 that may be affected by a transplant.";

94 (c) in Subsection 23-14-21(3), the language that states "and the Resource Development
95 Coordinating Committee" is repealed;

96 (d) in Subsection 23-21-2.3(1), the language that states "the Resource Development
97 Coordinating Committee created in Section 63J-4-501 and" is repealed;

98 (e) in Subsection 23-21-2.3(2), the language that states "the Resource Development
99 Coordinating Committee and" is repealed;

100 (f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered
101 accordingly;

102 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;

103 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the
104 word "and" is inserted immediately after the semicolon;

105 (i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);

106 (j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;
107 and

108 (k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are
109 renumbered accordingly.

110 (10) (a) Subsection 63J-1-602.5(15) is repealed on January 1, 2021.

111 (b) When repealing Subsection 63J-1-602.5(15), the Office of Legislative Research and
112 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
113 necessary changes in subsection numbering and cross references.

114 ~~(10)~~ (11) The Crime Victim Reparations and Assistance Board, created in Section
115 63M-7-504, is repealed July 1, 2017.

116 ~~(11)~~ (12) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,
117 2017.

118 ~~(12)~~ (13) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2018.

119 ~~[(13)]~~ (14) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,
120 is repealed January 1, 2021.

121 (b) Subject to Subsection ~~[(13)]~~ (14)(c), Sections 59-7-610 and 59-10-1007 regarding
122 tax credits for certain persons in recycling market development zones, are repealed for taxable
123 years beginning on or after January 1, 2021.

124 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

125 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
126 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

127 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
128 the expenditure is made on or after January 1, 2021.

129 (d) Notwithstanding Subsections ~~[(13)]~~ (14)(b) and (c), a person may carry forward a
130 tax credit in accordance with Section 59-7-610 or 59-10-1007 if:

131 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

132 (ii) (A) for the purchase price of machinery or equipment described in Section
133 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,
134 2020; or

135 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
136 expenditure is made on or before December 31, 2020.

137 ~~[(14)]~~ (15) Section 63N-2-512 is repealed on July 1, 2021.

138 ~~[(15)]~~ (16) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
139 January 1, 2021.

140 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
141 calendar years beginning on or after January 1, 2021.

142 (c) Notwithstanding Subsection ~~[(15)]~~ (16)(b), an entity may carry forward a tax credit
143 in accordance with Section 59-9-107 if:

144 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
145 31, 2020; and

146 (ii) the qualified equity investment that is the basis of the tax credit is certified under
147 Section 63N-2-603 on or before December 31, 2023.

148 ~~[(16)]~~ (17) Title 63N, Chapter 12, Part 3, Utah Broadband Outreach Center, is repealed
149 July 1, 2018.

150 Section 4. Section **63I-1-279** is enacted to read:

151 **63I-1-279. Repeal dates, Title 79.**

152 (1) Subsection [79-4-1001\(2\)\(b\)\(i\)](#), the language reading "until July 1, 2017," is
153 repealed January 1, 2020.

154 (2) (a) Subsection [79-4-1001\(2\)\(b\)\(ii\)](#) is repealed January 1, 2021.

155 (b) When repealing Subsection [79-4-1001\(2\)\(b\)\(ii\)](#), the Office of Legislative Research
156 and General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#), make
157 necessary changes in subsection numbering and cross references.

158 (3) Section [79-4-1002](#) is repealed January 1, 2021.

159 Section 5. Section **63J-1-602.5** is amended to read:

160 **63J-1-602.5. List of nonlapsing funds and accounts -- Title 64 and thereafter.**

161 (1) Funds collected by the housing of state probationary inmates or state parole
162 inmates, as provided in Subsection [64-13e-104\(2\)](#).

163 (2) Certain forestry and fire control funds utilized by the Division of Forestry, Fire, and
164 State Lands, as provided in Section [65A-8-103](#).

165 (3) The Department of Human Resource Management user training program, as
166 provided in Section [67-19-6](#).

167 (4) Funds for the University of Utah Poison Control Center program, as provided in
168 Section [69-2-5.5](#).

169 (5) The Traffic Noise Abatement Program created in Section [72-6-112](#).

170 (6) Certain funds received by the Office of the State Engineer for well drilling fines or
171 bonds, as provided in Section [73-3-25](#).

172 (7) Certain money appropriated from the Water Resources Conservation and
173 Development Fund, as provided in Section [73-23-2](#).

174 (8) Certain funds appropriated for compensation for special prosecutors, as provided in
175 Section [77-10a-19](#).

176 (9) Funds donated or paid to a juvenile court by private sources, as provided in
177 Subsection [78A-6-203\(1\)\(c\)](#).

178 (10) A state rehabilitative employment program, as provided in Section [78A-6-210](#).

179 (11) Fees for certificate of admission created under Section [78A-9-102](#).

180 (12) The money for the Utah Geological Survey, as provided in Section [79-3-401](#).

181 (13) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades State
182 Park, Jordan River State Park, and Green River State Park, as provided under Section
183 79-4-403.

184 (14) Certain funds received by the Division of Parks and Recreation from the sale or
185 disposal of buffalo, as provided under Section 79-4-1001.

186 (15) Appropriations from the Antelope Island State Park Improvement Restricted
187 Account created in Section 79-4-1002.

188 ~~[(15)]~~ (16) The Bonneville Shoreline Trail Program created under Section 79-5-503.

189 ~~[(16)]~~ (17) Funds appropriated and collected for adoption document access as provided
190 in Sections 78B-6-141, 78B-6-144, and 78B-6-144.5.

191 ~~[(17)]~~ (18) Funds appropriated and collected for indigent defense as provided in Title
192 77, Chapter 32, Part 8, Utah Indigent Defense Commission.

193 Section 6. Section 79-4-402 is amended to read:

194 **79-4-402. State Park Fees Restricted Account.**

195 (1) There is created within the General Fund a restricted account known as the State
196 Park Fees Restricted Account.

197 (2) (a) Except as provided in Subsection (2)(b), the account shall consist of revenue
198 from:

199 (i) all charges allowed under Section 79-4-203; and

200 ~~[(ii) proceeds from the sale or disposal of buffalo under Subsection 79-4-1001(2)(b);~~

201 ~~and]~~

202 ~~[(iii)]~~ (ii) civil damages collected under Section 76-6-206.2.

203 (b) The account shall not include revenue the division receives under Section 79-4-403
204 and Subsection 79-4-1001(2)(a) or (b).

205 (3) The division shall use funds in this account for the purposes described in Section
206 79-4-203.

207 Section 7. Section 79-4-1001 is amended to read:

208 **79-4-1001. Purchase, trade, sale, or disposal of buffalo -- Proceeds.**

209 (1) In accordance with a plan, approved by the board, to manage buffalo herds on
210 Antelope Island, the division may purchase, trade, sell, or dispose of buffalo obtained from
211 Antelope Island through:

- 212 (a) competitive bidding; or
- 213 (b) a means as established by rule.
- 214 (2) Proceeds received from the sale or disposal of buffalo under this section shall be
- 215 deposited as follows:
 - 216 (a) the first \$75,000 shall accrue to the division for the management of Antelope Island
 - 217 buffalo herds as dedicated credits; and
 - 218 (b) proceeds in excess of \$75,000 shall be deposited:
 - 219 (i) in the State Park Fees Restricted Account created under Section [79-4-402](#)[-] until
 - 220 July 1, 2017; and
 - 221 (ii) after July 1, 2017, in the Antelope Island State Park Improvement Restricted
 - 222 Account created under Section [79-4-1002](#).
- 223 Section 8. Section **79-4-1002** is enacted to read:
- 224 **79-4-1002. Antelope Island State Park Improvement Restricted Account.**
- 225 (1) There is created within the General Fund a restricted account known as the
- 226 "Antelope Island State Park Improvement Restricted Account."
- 227 (2) The account shall consist of:
 - 228 (a) deposits made as described in Sections [23-19-22](#) and [79-4-1001](#); and
 - 229 (b) interest on the account.
- 230 (3) Money in the account is nonlapsing.
- 231 (4) Subject to appropriation, the division shall use money in the account as follows:
 - 232 (a) money deposited into the account pursuant to Section [23-19-22](#) shall be used on
 - 233 Antelope Island State Park to finance:
 - 234 (i) wildlife transplants; and
 - 235 (ii) other wildlife management activities; and
 - 236 (b) money deposited into the account pursuant to Section [79-4-1001](#) shall be used to
 - 237 finance:
 - 238 (i) capital improvement projects on Antelope Island State Park, as needed; and
 - 239 (ii) habitat restoration on Antelope Island State Park, as needed.