

**WILDLIFE LICENSE FEES**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: Michael R. Styler**

AN ACT RELATING TO WILDLIFE RESOURCES; CREATING THE STATE FISH  
 HATCHERY MAINTENANCE ACCOUNT AND SPECIFYING THE CONTENTS AND  
 USE OF ACCOUNT MONIES; **h** **ALLOCATING LICENSE FEES FOR THE UPLAND GAME**  
**PROGRAM: h** PROVIDING FOR A NONRESIDENT FALCONRY  
 LICENSE; INCREASING FEES FOR FISHING, SMALL GAME, AND FALCONRY  
 LICENSES AND THE WILDLIFE HABITAT AUTHORIZATION; **h** **ELIMINATING THE**  
**COMMERCIAL BIRD AREA LICENSE FEE; h** AND PROVIDING AN  
 EFFECTIVE DATE.

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

AMENDS:

- h 23-19-17, as last amended by Chapter 259, Laws of Utah 1995**
- 23-19-24, as last amended by Chapter 131, Laws of Utah 1988**
- 23-19-25, as last amended by Chapter 131, Laws of Utah 1988**
- 23-19-26, as last amended by Chapter 76, Laws of Utah 1986 h**
- 23-19-34.5, as last amended by Chapter 76, Laws of Utah 1986**
- 23-19-40, as last amended by Chapter 259, Laws of Utah 1995**

ENACTS:

**23-15-14**, Utah Code Annotated 1953

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

Section 1. Section **23-15-14** is enacted to read:

**23-15-14. State Fish Hatchery Maintenance Account -- Contents -- Use of account monies.**

**(1) There is created a restricted account within the General Fund known as the State Fish Hatchery Maintenance Account.**

- 23           (2) The following monies shall be deposited into the account:
- 24           (a) \$2.00 of each fishing license fee or combination license fee as listed in Section
- 25 23-19-40; and
- 26           (b) interest and earnings on account monies.
- 27           (3) Money in the account shall be used by the division, after appropriation by the

1 Legislature, for major repairs or replacement of facilities and equipment at fish hatcheries owned  
2 and operated by the division for the production and distribution of fish to enhance sport fishing  
3 opportunities in the state.

3a **h Section 2. Section 23-19-17 is amended to read:**

3b **23-19-17. Combination license -- Resident 12 or older -- Use of fee.**

3c **(1) A resident 12 years of age or older, upon payment of the fee prescribed in Section 23-19-40,**  
3d **may receive a combination license to fish and to hunt for small game, cougar, and bear, as provided in**  
3e **the rules of the Wildlife Board.**

3f **(2) One dollar of [~~that fee shall be utilized~~] THE COMBINATION LICENSE FEE SHALL BE USED**  
3g **for the hunter education program in any of the following:**

- 3h **(a) instructor and student training;**
- 3i **(b) assisting local organizations with development;**
- 3j **(c) maintenance of existing facilities; or**
- 3k **(d) operation and maintenance of the hunter education program.**

3l **(3) FIFTY CENTS OF THE COMBINATION LICENSE FEE SHALL BE USED FOR THE UPLAND**  
3m **GAME PROGRAM AS FOLLOWS:**

- 3n **(a) TO ACQUIRE PEN-RAISED BIRDS; OR**
- 3o **(b) TO CAPTURE AND TRANSPLANT UPLAND GAME SPECIES.**

3p **Section 3. Section 23-19-24 is amended to read:**

3q **23-19-24. Small game hunting license -- Resident 14 or older -- Use of fee.**

3r **(1) A resident of the age of 14 years or older, upon payment of the fee prescribed in Section**  
3s **23-19-40, may receive a license to hunt small game, cougar, and bear.**

3t **(2) One dollar of [~~this fee shall be utilized~~] THE SMALL GAME HUNTING LICENSE FEE SHALL**  
3u **BE USED as provided in Section 23-19-17.**

3v **(3) FIFTY CENTS OF THE SMALL GAME HUNTING LICENSE FEE SHALL BE USED FOR THE**  
3w **UPLAND GAME PROGRAM AS FOLLOWS:**

- 3x **a) TO ACQUIRE PEN-RAISED BIRDS; OR**
- 3y **(b) TO CAPTURE AND TRANSPLANT UPLAND GAME SPECIES.**

3z **Section 4. Section 23-19-25 is amended to read:**

3aa **23-19-25. Small game hunting license -- Resident 12 or 13 -- Use of fee. h**

3ab            <sup>h</sup> (1) A resident under the age of 14 years and 12 years of age or older, upon payment of the fee  
3ac prescribed in Section 23-19-40, may receive a license to hunt small game, cougar, and bear.

3ad            (2) One dollar of [~~this fee shall be utilized~~] THE SMALL GAME HUNTING LICENSE FEE SHALL  
3ae BE USED as provided in Section 23-19-17.

3af            (3) FIFTY CENTS OF THE SMALL GAME HUNTING LICENSE FEE SHALL BE USED FOR THE  
3ag UPLAND GAME PROGRAM AS FOLLOWS:

3ah            (a) TO ACQUIRE PEN-RAISED BIRDS; OR

3ai            (b) TO CAPTURE AND TRANSPLANT UPLAND GAME SPECIES.

3aj            Section 5. Section 23-19-26 is amended to read:

3ak            23-19-26. Small game hunting license -- Nonresident 12 or older -- Use of fee.

3al            (1) A nonresident 12 years of age or older, upon payment of the fee prescribed in Section  
3am 23-19-40, may receive a license to hunt small game, cougar, and bear.

3an            (2) FIFTY CENTS OF THE SMALL GAME HUNTING LICENSE FEE SHALL BE USED FOR THE  
3ao UPLAND GAME PROGRAM AS FOLLOWS:

3ap            (a) TO ACQUIRE PEN-RAISED BIRDS; OR

3aq            (b) TO CAPTURE AND TRANSPLANT UPLAND GAME SPECIES. <sup>h</sup>

4            Section <sup>h</sup> [~~2~~] 6 <sup>h</sup> . Section 23-19-34.5 is amended to read:

5            23-19-34.5. Falconry license -- Residents and nonresidents 14 or older may obtain  
6 license -- License for falconry meet for nonresidents -- Wildlife Board approval required for  
7 falconry meet -- Small game license required for protected game.

8            (1) Any resident or nonresident, 14 years of age or older, upon paying the fee prescribed  
9 in Section 23-19-40, may receive a license to hold falcons and engage in the sport of falconry on  
10 nongame wildlife species. [~~Nonresidents~~]

11            (2) A nonresident entering Utah to participate in the sport of falconry at an organized meet  
12 shall obtain a license as provided in Section 23-19-34.7, unless the person has a license authorized  
13 under Subsection (1).

14            (3) Organizers of a falconry meet must apply to and receive approval from the Wildlife  
15 Board in order to conduct an organized falconry meet [~~for which such nonresident licenses may~~  
16 ~~be issued. Nonresidents in Utah for falconry activities other than a meet may be exempted from~~

17 the provisions of this section as determined by the Wildlife Board].

18 (4) (a) Any person engaging in the sport of falconry on protected small game species shall  
19 possess, in addition to the falconry license, a license for taking small game.

20 (b) Any nonresident who has been issued a license pursuant to Section 23-19-34.7 is not  
21 required to possess a small game license in order to take small game during the five-day period  
22 of [his] the license.

23 Section ~~h~~ [3] ~~7~~ ~~h~~ . Section **23-19-40** is amended to read:

24 **23-19-40. Fees for licenses.**

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

28 WILDLIFE LICENSE FEE SCHEDULE

29	Type of License	Age and Time	Fee
30	RESIDENT		
31	Combination	12 years or older	\$ [25.00] <u>28.00</u>

**H.B. 45**

**01-06-98 5:42 PM**

1	Fishing	Under 65 (Season)	[18.00] <u>20.00</u>
2		65 years or older	[9.00] <u>10.00</u>
3		(Season)	
4		Any age (1-day)	[4.00] <u>6.00</u>
5		Any age (7-day)	[9.00] <u>11.00</u>
6	Small Game	12-13 years	[6.00] <u>7.00</u>
7		14 years or older	[12.00] <u>13.00</u>
8	Furbearer	Any age	25.00
9	Falconry	14 years or older	[10.00] <u>15.00</u>
10	<del>h [Commercial Bird Area</del>	<del>12 years or older</del>	<del>5.00] h</del>
11	Wildlife Habitat	14 years or older	h [5.00] <u>5.75 h</u>

12 **NONRESIDENT**

13	Fishing	Any age (Season)	[40.00] <u>42.00</u>
14		Any age (1-day)	[5.00] <u>7.00</u>
15		Any age (7-day)	[15.00] <u>17.00</u>
16	Small Game	12 years or older	[40.00] <u>41.00</u>
17	Furbearer	Any age	150.00
18	Falconry	14 years or older	[10.00] <u>20.00</u>
19	<u>Falconry Meet</u>	<u>14 years or older</u>	<u>15.00</u>
20		(5-day)	
21	<del>h [Commercial Bird Area</del>	<del>12 years or older</del>	<del>5.00] h</del>
22	Wildlife Habitat	14 years or older	[5.00] <u>5.75</u>

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

24 Section 4. **Effective date.**

25 This act takes effect on January 1, 1999.

lilac-January 27, 1998

**Legislative Review Note**  
**as of 12-19-97 1:26 PM**

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

**Office of Legislative Research and General Counsel**