

**COOPERATIVE WILDLIFE MANAGEMENT**

**UNIT AMENDMENTS**

2005 GENERAL SESSION

STATE OF UTAH

**Sponsor: James R. Gowans**

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

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

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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

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

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

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

As used in this chapter:

(1) "Cooperative wildlife management unit" or "unit" means a generally contiguous

area of land open for hunting small game, waterfowl, cougar, turkey, or big game which is registered in accordance with this chapter and rules of the Wildlife Board.

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

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

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

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

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

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

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

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

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

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

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

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

(i) be appointed by the division; or

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

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

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

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

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

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

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

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

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

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

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

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

- (i) qualifying through a public drawing; or
- (ii) named by the cooperative wildlife management unit operator.

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

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

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

(ii) including public land is necessary to establish a readily identifiable boundary; or  
(iii) including public land is necessary to achieve cougar, turkey, or big game management objectives.

(b) If any public land is included within a cooperative wildlife management unit:

(i) the landowner association shall meet applicable federal or state land use requirements on the public land; and

(ii) the Wildlife Board shall increase the number of permits or hunting opportunities made available to the general public to reflect the proportion of public lands to private lands within the cooperative wildlife management unit.

(6) Each landowner association shall:

(a) clearly post all boundaries of the unit by displaying signs containing information prescribed by rule of the Wildlife Board at the locations specified in Subsection 23-20-14(1)(d); and

(b) provide a written copy of its guidelines to each holder of an authorization or permit.