

WATERFOWL STAMP IMPLEMENTATION

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen D. Clark

Senate Sponsor: _____

LONG TITLE

General Description:

This bill establishes a waterfowl stamp and provides for its implementation.

Highlighted Provisions:

This bill:

- ▶ requires a person hunting waterfowl to obtain a waterfowl stamp;
- ▶ authorizes the Wildlife Board to establish a fee for the waterfowl stamp;
- ▶ creates a Waterfowl Stamp Account, which is a restricted account;
- ▶ establishes the uses of the account monies; and
- ▶ creates a Waterfowl Stamp Advisory Council.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

23-19-48, Utah Code Annotated 1953

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

Section 1. Section **23-19-48** is enacted to read:

23-19-48. Waterfowl stamp required -- Account -- Advisory council.



(1) While hunting waterfowl, a person who is at least 16 years old shall possess a current waterfowl stamp with the person's signature in ink across the face of the waterfowl stamp.

(2) (a) By following the procedures and requirements of Section 63-38-3.2, the Wildlife Board shall establish a fee of at least \$10 for the waterfowl stamp.

(b) The division shall establish the form of the waterfowl stamp.

(3) (a) There is created within the General Fund a restricted account known as the Waterfowl Stamp Account.

(b) The account consists of:

(i) waterfowl stamp fees collected under this section;

(ii) monies donated to the Wildlife Board for purposes specified in Subsection (4); and

(iii) interest on account monies.

(4) (a) Upon appropriation by the Legislature, the Wildlife Board may use monies from the account to:

(i) control nonnative wetland vegetation;

(ii) improve or acquire waterfowl habitat;

(iii) conduct waterfowl research;

(iv) acquire public access to private land for waterfowl hunting; and

(v) control predators in waterfowl management areas.

(b) Notwithstanding Subsection (4)(a), the Wildlife Board may expend donations as directed by the donor without appropriation by the Legislature.

(c) The Wildlife Board may not use monies from the Waterfowl Stamp Account to replace existing operational waterfowl program funding.

(d) The Wildlife Board shall provide an annual report of all account expenditures and make the report available to the public.

(5) (a) There is created a Waterfowl Stamp Advisory Council.

(b) The executive director shall appoint the following members from nominations made by waterfowl organizations:

(i) three waterfowl hunters; and

(ii) two division employees.

(c) Except as provided by Subsection (5)(d), each member shall serve a four-year term.

59 (d) The executive director shall, at the time of appointment or reappointment, adjust
60 the term length to ensure that approximately half of the members are appointed every two
61 years.

62 (e) When a vacancy occurs in the membership, the executive director shall appoint a
63 replacement for the unexpired term.

64 (f) Council members who are not division employees may not receive compensation or
65 benefits for their services.

66 (g) The Waterfowl Stamp Advisory Council shall submit recommendations to the
67 Wildlife Board about the expenditure of account monies.

Legislative Review Note

as of 1-24-06 6:19 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

Fiscal Note
Bill Number HB0336

Waterfowl Stamp Implementation*03-Feb-06**12:56 PM*

State Impact

This bill is anticipated to generate \$190,300 of restricted revenues per year.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
Restricted Funds	\$190,300	\$190,300	\$190,300	\$190,300
TOTAL	\$190,300	\$190,300	\$190,300	\$190,300

Individual and Business Impact

This funding may assist private landowners and/or hunting clubs with wetlands improvements.

Office of the Legislative Fiscal Analyst