

**MULE DEER PROTECTION ACT**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

House Sponsor: Kay L. McIff

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**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 programs that reduce and control the coyote population generally and in areas where mule deer predation occurs;
  - ▶ requires the Division of Wildlife Resources to:
    - administer programs that reduce and control the coyote population; and
    - coordinate with government entities and state entities in 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; and
  - ▶ permits the Division of Wildlife Resources to prepare and distribute training materials related to mule deer protection.

**Money Appropriated in this Bill:**

This bill appropriates:

- ▶ to the General Fund Restricted - Mule Deer Protection Account, as an ongoing appropriation:
  - from the General Fund, \$500,000;



58 As used in this chapter:

59 (1) "General predator control" means a predatory animal removal effort by the division  
60 to reduce predatory animal numbers for the benefit of mule deer.

61 (2) "Predatory animal" means a coyote.

62 (3) "Targeted predator control" means a predatory animal removal effort by the  
63 division:

64 (a) to reduce predatory animal numbers in an area where mule deer predation occurs;  
65 and

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

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

68 **23-30-103. Mule Deer Protection Account -- Contents -- Use of Funds.**

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

71 (a) The restricted account shall consist of:

72 (i) appropriations made by the Legislature; and

73 (ii) grants or donations from:

74 (A) the federal government;

75 (B) a state agency;

76 (C) a local government; or

77 (D) a person.

78 (b) The division shall administer the restricted account.

79 (2) Subject to appropriation, the division may expend money in the restricted account  
80 on:

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

82 (b) a contract for targeted predator control described in Subsection 23-30-104(3)(a);

83 (c) predator control education and training related to mule deer protection described in  
84 Subsection 23-30-104(3)(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. Rulemaking authority, coordination, and administration for predator**  
88 **control.**

89 (1) The division may make rules, in accordance with Title 63G, Chapter 3, Utah  
90 Administrative Rulemaking Act, to establish 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 (2) The division shall:

94 (a) administer a program established under Subsection (1);

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

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

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

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

102 (3) The division may:

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

104 (b) prepare and distribute educational and training materials related to mule deer  
105 protection.

106 Section 5. **Appropriation.**

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

112 To General Fund Restricted - Mule Deer Protection Account

113 From General Fund

\$500,000

114                    Schedule of Programs:

115                    Mule Deer Protection Account                    \$500,000

116                    To Department of Natural Resources - Division of Wildlife Resources

117                    From General Fund Restricted - Mule Deer Protection Account                    \$500,000

118                    Schedule of Programs:

119                    Wildlife Section                    \$500,000

120                    The Legislature intends that, under Section 63J-1-603 of the Utah Code, the

121 appropriation from the Mule Deer Protection Account to the Division of Wildlife Resources

122 not lapse at the close of fiscal year 2013.

123                    To General Fund Restricted - Agriculture and Wildlife Damage Prevention Account

124                    From General Fund                    \$250,000

125                    Schedule of programs:

126                    Agriculture and Wildlife Damage

127                    Prevention Account                    \$250,000

128                    To Department of Agriculture and Food - Predatory Animal Control

129                    From General Fund Restricted -

130                    Agriculture and Wildlife Damage Prevention Account                    \$250,000

131                    Schedule of programs:

132                    Predatory Animal Control                    \$250,000

133                    The Legislature intends that, under Section 63J-1-603 of the Utah Code, the

134 appropriation from the Agriculture and Wildlife Damage Prevention Account to the

135 Department of Agriculture and Food not lapse at the close of fiscal year 2013.