

## SB0245S01 compared with SB0245

~~{deleted text}~~ shows text that was in SB0245 but was deleted in SB0245S01.

inserted text shows text that was not in SB0245 but was inserted into SB0245S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Senator Ralph Okerlund proposes the following substitute bill:

### MULE DEER PROTECTION ACT

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

House Sponsor: \_\_\_\_\_

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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}~~ Board to establish ~~{and administer}~~ 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 ~~{establishing and}~~

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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;
- ▶ permits the Division of Wildlife Resources to prepare and distribute training materials related to mule deer protection;
- ▶ authorizes the Wildlife Board to establish fees under programs that control and reduce the coyote population; and
- ▶ authorizes the Division of Wildlife Resources to ~~establish and~~ collect fees established by the Wildlife Board under programs that control and reduce the coyote population.

### 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;
- ▶ to the Division of Wildlife Resources - Wildlife Section, as an ongoing appropriation:
  - from the General Fund ~~{, \$500,000, subject to intent language stating that the appropriation is nonlapsing}~~ Restricted - Mule Deer Protection Account, \$500,000;
- ▶ to the General Fund Restricted - Agriculture and Wildlife Damage Prevention Account, as an ongoing appropriation:
  - from the General Fund, \$250,000; and
- ▶ to the Department of Agriculture and Food - Predatory Animal Control, as an ongoing appropriation:
  - from the General Fund ~~{, \$250,000, subject to intent language stating that the appropriation is nonlapsing}~~ Restricted - Agriculture and Wildlife Damage Prevention Account, as an ongoing appropriation, \$250,000.

### Other Special Clauses:

None

### Utah Code Sections Affected:

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ENACTS:

**23-30-101**, Utah Code Annotated 1953

**23-30-102**, Utah Code Annotated 1953

**23-30-103**, Utah Code Annotated 1953

**23-30-104**, Utah Code Annotated 1953

**23-30-105**, Utah Code Annotated 1953

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

Section 1. Section **23-30-101** is enacted to read:

### **CHAPTER 30. MULE DEER PROTECTION ACT**

#### **23-30-101. Title.**

This chapter is known as the "Mule Deer Protection Act."

Section 2. Section **23-30-102** is enacted to read:

#### **23-30-102. Definitions.**

As used in this chapter:

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

(2) "Predatory animal" means a coyote.

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

(a) to reduce predatory animal numbers in ~~fa general}an~~ area where mule deer predation occurs; and

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

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

#### **23-30-103. Mule Deer Protection Account -- Contents -- Use of ~~funds}Funds.~~**

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

(a) The restricted account shall consist of:

(i) appropriations made by the Legislature;

(ii) grants or donations from:

(A) the federal government;

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(B) a state agency;

(C) a local government; or

(D) a person; and

(iii) revenue from fees collected under Section 23-30-105.

(b) The division shall ~~};~~

~~—— (i) } administer the restricted account ~~}; and~~~~

~~—— (ii) deposit interest earned on the account into the General Fund.~~

~~—— (c) Funds deposited in the restricted account shall be non-lapsing.~~

~~—— (d) Grants and donations of money deposited into the restricted account under Subsection (1)(a)(ii) may be expended without being appropriated by the Legislature.~~

~~—— (2) The ~~};~~~~

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

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

(b) a contract for targeted predator control described in Subsection 23-30-104~~(2)3~~(a);

(c) predator control education and training related to mule deer protection described in Subsection 23-30-104~~(2)3~~(b); and

(d) administration costs incurred to carry out the requirements of this chapter.

Section 4. Section **23-30-104** is enacted to read:

**23-30-104. ~~{ Predator} Predatory animal control.~~**

(1) The ~~{division} Wildlife Board~~ shall ~~};~~

~~—— (a) } make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish ~~{ and administer} programs to accomplish targeted predator control or general predator control, including programs that offer incentives or compensation to participants who remove a predatory animal that is detrimental to mule deer production ~~};~~.~~~~

(2) The division shall:

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

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

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

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- (i) minimize unnecessary duplication of predator control efforts; and
- (ii) prevent interference between predator control programs administered under Title 4, Chapter 23, Agricultural and Wildlife Damage Prevention Act, and this chapter.

~~(2)~~3) The division may:

- (a) contract with a vendor that offers targeted predator control services; and
- (b) prepare and distribute educational and training materials related to mule deer protection.

Section 5. Section **23-30-105** is enacted to read:

**23-30-105.** ~~{ Division authorized}~~ **Authorization** to establish and collect fees.

(1) (a) The ~~{division}~~ **Wildlife Board** may, in accordance with Section 63J-1-504, establish ~~{and collect}~~ fees for participation in a program established under Subsection 23-30-104(1) ~~{(a)}~~.

**(b) The division shall collect a fee established under Subsection (1).**

(2) Fees collected under Subsection (1) shall be:

(a) deposited into the Mule Deer Protection Restricted Account established in Section 23-30-103; and

(b) expended in accordance with the requirements of Section 23-30-103.

Section 6. **Appropriation.**

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

To ~~{ Mule Deer Protection -}~~ General Fund Restricted - **Mule Deer Protection** Account

From General Fund ~~{, ongoing}~~ **\$500,000**

Schedule of ~~{programs}~~

~~{~~ **Programs:**

**Mule Deer Protection Account** **\$500,000**

To **Department of Natural Resources - Division of Wildlife Resources** ~~{ - Wildlife Section~~ **\$500,000**

To **Agriculture and Wildlife Damage Prevention** ~~{~~

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From General Fund Restricted ~~Account~~

From General Fund, ongoing \$250,000

~~Schedule of programs:~~

~~- Mule Deer Protection Account \$500,000~~

Schedule of Programs:

Wildlife Section \$500,000

To General Fund Restricted - Agriculture and Wildlife Damage Prevention Account

From General Fund \$250,000

Schedule of programs:

Agriculture and Wildlife Damage

Prevention Account \$250,000

To Department of Agriculture and Food ~~{Predatory~~

~~Animal Control \$250,000~~

Legislative Review Note

~~as of 2-28-12 8:09 AM~~

Office of Legislative Research and General Counsel ~~;-~~ Predatory Animal Control

From General Fund Restricted -

Agriculture and Wildlife Damage Prevention Account \$250,000

Schedule of programs:

Predatory Animal Control \$250,000