

1 **WILDLIFE SUNSET RELATED AMENDMENTS**

2 2023 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Scott D. Sandall**

5 House Sponsor: Keven J. Stratton

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to a board, committee, or council created under
10 Title 23, Wildlife Resources Code of Utah.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ makes consistent the number of names the nominating committee submits to the
- 14 governor;
- 15 ▶ removes incorrect references to boards;
- 16 ▶ clarifies orientation training language related to regional advisory councils;
- 17 ▶ extends sunset dates; and
- 18 ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **23-14-2**, as last amended by Laws of Utah 2020, Chapters 352 and 373

26 **23-14-2.5**, as last amended by Laws of Utah 2003, Chapter 36

27 **23-14-2.6**, as last amended by Laws of Utah 2010, Chapters 286 and 324

28 **63I-1-223**, as last amended by Laws of Utah 2020, Chapters 154 and 232

29 **63I-1-279**, as last amended by Laws of Utah 2022, Chapter 68

30

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

32 Section 1. Section **23-14-2** is amended to read:

33 **23-14-2. Wildlife Board -- Creation -- Membership -- Terms -- Quorum --**
34 **Meetings -- Per diem and expenses.**

35 (1) There is created a Wildlife Board which shall consist of seven members appointed
36 by the governor with the advice and consent of the Senate in accordance with Title 63G,
37 Chapter 24, Part 2, Vacancies.

38 (2) (a) In addition to the requirements of Section **79-2-203**, the members of the board
39 shall have expertise or experience in at least one of the following areas:

40 (i) wildlife management or biology;

41 (ii) habitat management, including range or aquatic;

42 (iii) business, including knowledge of private land issues; and

43 (iv) economics, including knowledge of recreational wildlife uses.

44 (b) Each of the areas of expertise under Subsection (2)(a) shall be represented by at
45 least one member of the Wildlife Board.

46 (3) (a) The governor shall select each board member from a list of nominees submitted
47 by the nominating committee pursuant to Section **23-14-2.5**.

48 (b) No more than two members shall be from a single wildlife region described in
49 Subsection **23-14-2.6(1)**.

50 (c) The governor may request an additional list of at least two nominees from the
51 nominating committee if the initial list of nominees for a given position is unacceptable.

52 (d) (i) If the governor fails to appoint a board member within 60 days after receipt of
53 the initial or additional list, the nominating committee shall make an interim appointment by
54 majority vote.

55 (ii) The interim board member shall serve until the matter is resolved by the committee
56 and the governor or until the board member is replaced pursuant to this chapter.

57 (4) (a) Except as required by Subsection (4)(b), as terms of current board members

58 expire, the governor shall appoint each new member or reappointed member to a six-year term.

59 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the
60 time of appointment or reappointment, adjust the length of terms to ensure that:

61 (i) the terms of board members are staggered so that approximately one-third of the
62 board is appointed every two years; and

63 (ii) members serving from the same region have staggered terms.

64 (c) If a vacancy occurs, the nominating committee shall submit at least two names, as
65 provided in Subsection 23-14-2.5(4), to the governor and the governor shall appoint a
66 replacement for the unexpired term.

67 (d) Board members may serve only one term unless:

68 (i) the member is among the first board members appointed to serve four years or less;

69 or

70 (ii) the member filled a vacancy under Subsection (4)(c) for four years or less.

71 (5) (a) The board shall elect a chair and a vice chair from its membership.

72 (b) Four members of the board shall constitute a quorum.

73 (c) The director of the Division of Wildlife Resources shall act as secretary to the
74 board but is not a voting member of the board.

75 (6) (a) The Wildlife Board shall hold a sufficient number of public meetings each year
76 to expeditiously conduct its business.

77 (b) Meetings may be called by the chair upon five days notice or upon shorter notice in
78 emergency situations.

79 (c) Meetings may be held at the Salt Lake City office of the Division of Wildlife
80 Resources or elsewhere as determined by the Wildlife Board.

81 (7) A member may not receive compensation or benefits for the member's service, but
82 may receive per diem and travel expenses in accordance with:

83 (a) Section 63A-3-106;

84 (b) Section 63A-3-107; and

85 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and

86 63A-3-107.

87 (8) (a) The members of the Wildlife Board shall complete an orientation course to
88 assist them in the performance of the duties of their office.

89 (b) The Department of Natural Resources shall provide the course required under
90 Subsection (8)(a).

91 (9) A member shall comply with the conflict of interest provisions described in Title
92 63G, Chapter 24, Part 3, Conflicts of Interest.

93 Section 2. Section 23-14-2.5 is amended to read:

94 **23-14-2.5. Wildlife Board Nominating Committee -- Creation -- Membership --**
95 **Terms -- Quorum.**

96 (1) There is created a Wildlife Board Nominating Committee which shall consist of 11
97 members.

98 (2) The governor shall appoint members to the nominating committee as follows:

99 (a) three members shall be appointed from a list of at least two nominees per position
100 submitted by the agriculture industry;

101 (b) three members shall be appointed from a list of at least two nominees per position
102 submitted by sportsmen groups;

103 (c) two members shall be appointed from a list of at least two nominees per position
104 submitted by nonconsumptive wildlife interests;

105 (d) one member shall be appointed from a list of at least two nominees submitted by
106 federal land management agencies;

107 (e) one local elected official shall be appointed from a list of at least two nominees
108 submitted by the Utah Association of Counties; and

109 (f) one range management specialist shall be appointed from a list of at least two
110 nominees submitted jointly by the Utah Chapter, Society of Range Management and the Utah
111 Chapter, The Wildlife Society.

112 (3) Each wildlife region described in Subsection 23-14-2.6(1) shall be represented by at
113 least one member and no wildlife region may be represented by more than three members.

114 (4) The nominating committee shall nominate at least two, but not more than four,
115 candidates for each position or vacancy which occurs on the board.

116 (5) (a) Except as required by Subsection (5)(b), as terms of current [board] members
117 expire, the governor shall appoint each new or reappointed member to a four-year term.

118 (b) Notwithstanding the requirements of Subsection (5)(a), the governor shall, at the
119 time of appointment or reappointment, adjust the length of terms to ensure that:

120 (i) the terms of [board] members are staggered so that approximately half of the
121 [board] nominating committee is appointed every two years; and

122 (ii) members from the same wildlife region serve staggered terms.

123 (c) If a vacancy occurs for any reason, the governor shall appoint a replacement in the
124 same manner that the position was originally filled to serve the remainder of the unexpired
125 term.

126 (6) The nominating committee shall select a chair and vice chair from its membership.

127 (7) Six members shall constitute a quorum.

128 Section 3. Section **23-14-2.6** is amended to read:

129 **23-14-2.6. Regional advisory councils -- Creation -- Membership -- Duties -- Per**
130 **diem and expenses.**

131 (1) There are created five regional advisory councils which shall consist of 12 to 15
132 members each from the wildlife region whose boundaries are established for administrative
133 purposes by the division.

134 (2) The members shall include individuals who represent the following groups and
135 interests:

136 (a) agriculture;

137 (b) sportsmen;

138 (c) nonconsumptive wildlife;

139 (d) locally elected public officials;

140 (e) federal land agencies; and

141 (f) the public at large.

142 (3) The executive director of the Department of Natural Resources, in consultation
143 with the director of the Division of Wildlife Resources, shall select the members from a list of
144 nominees submitted by the respective interest group or agency.

145 (4) The councils shall:

146 (a) hear broad input, including recommendations, biological data, and information
147 regarding the effects of wildlife;

148 (b) gather information from staff, the public, and government agencies; and

149 (c) make recommendations to the Wildlife Board in an advisory capacity.

150 (5) (a) Except as required by Subsection (5)(b), each member shall serve a four-year
151 term.

152 (b) Notwithstanding the requirements of Subsection (5)(a), the executive director shall,
153 at the time of appointment or reappointment, adjust the length of terms to ensure that the terms
154 of council members are staggered so that approximately half of the council is appointed every
155 two years.

156 (6) When a vacancy occurs in the membership for any reason, the replacement shall be
157 appointed for the unexpired term.

158 (7) The councils shall determine:

159 (a) the time and place of meetings; and

160 (b) any other procedural matter not specified in this chapter.

161 (8) Members of the councils shall complete an orientation course [~~as provided~~]
162 described in Subsection [23-14-2\(8\)](#).

163 (9) A member may not receive compensation or benefits for the member's service, but
164 may receive per diem and travel expenses in accordance with:

165 (a) Section [63A-3-106](#);

166 (b) Section [63A-3-107](#); and

167 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
168 [63A-3-107](#).

169 Section 4. Section **63I-1-223** is amended to read:

170 **63I-1-223. Repeal dates: Title 23.**

171 (1) Section [23-14-2.5](#), which creates the Wildlife Board Nominating Committee, is
172 repealed July 1, [~~2023~~] 2028.

173 (2) Section [23-14-2.6](#), which creates regional advisory councils for the Wildlife Board,
174 is repealed July 1, [~~2023~~] 2028.

175 Section 5. Section **63I-1-279** is amended to read:

176 **63I-1-279. Repeal dates: Title 79.**

177 (1) Subsection [79-2-201\(2\)\(p\)](#), related to the Heritage Trees Advisory Committee, is
178 repealed July 1, 2026.

179 (2) Subsection [79-2-201\(2\)\(q\)](#), related to the Utah Outdoor Recreation Infrastructure
180 Advisory Committee, is repealed July 1, 2027.

181 (3) Subsection [79-2-201\(2\)\(r\)\(i\)](#), related to an advisory council created by the Division
182 of Outdoor Recreation to advise on boating policies, is repealed July 1, 2024.

183 (4) Subsection [79-2-201\(2\)\(s\)](#), related to the Wildlife Board Nominating Committee, is
184 repealed July 1, [~~2023~~] 2028.

185 (5) Subsection [79-2-201\(2\)\(t\)](#), related to regional advisory councils for the Wildlife
186 Board, is repealed July 1, [~~2023~~] 2028.

187 (6) Section [79-7-206](#), creating the Utah Outdoor Recreation Infrastructure Advisory
188 Committee, is repealed July 1, 2027.

189 (7) Title 79, Chapter 8, Part 4, Outdoor Recreational Infrastructure Grant Program, is
190 repealed January 1, 2028.