



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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March 3, 2009

Mr. President:

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. H.B. 164, MIGRATORY BIRD PRODUCTION AREAS**, by Representative C. Oda, with the following amendments:

1. *Page 9, Lines 243 through 244:*

243 (a) remove land from a migratory bird production area {~~-, if removal of the land~~
would
244 not result in a migratory bird production area of less than 300 contiguous acres} ;
or

2. *Page 9, Lines 252 through 256:*

252 (c) if land is being added to the migratory bird production area, an affidavit
signed by the owner or owners {~~:-~~
253 ~~—(i) indicating that the land is removed from the migratory bird production area;~~
or
254 ~~—(ii)—~~ indicating that the land {~~:-~~
255 ~~—(A) is added to the migratory bird production area; and~~
256 ~~—(B)—~~ meets the description provided in Subsection 23-28-201(1)(b)(iii).

3. *Page 9, Line 259:*

259 migratory bird production area is located. =
(4) If removing land from a migratory bird production area results in a

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migratory bird production area of less than 300 contiguous acres:

- (a) the migratory bird production area ceases to exist; and
- (b) the landowner shall:
 - (i) notify each landowner within the former migratory bird production area; and
 - (ii) file the revision notice required by this section for the entire migratory bird production area.

1. Page 11, Line 322:

322 Notwithstanding Title 78B, Chapter 6, Part 5, Eminent Domain and except as
provided by Subsection (2), the state, a state

2. Page 11, Line 325:

325 ~~{(1)}~~ (a) the condemnation does not have an unreasonable adverse effect
upon the migratory

3. Page 11, Line 327:

327 ~~{(2)}~~ (b) there is no reasonable and prudent alternative to the condemnation.
(2) Real property within a migratory bird production area may be condemned
in accordance with Title 78B, Chapter 6, Part 5, Eminent Domain, for an
international airport:
(a) located within a county of the first class; and
(b) that has a United States customs office on its premises.

Respectfully,

Dennis E. Stowell
Committee Chair

Voting: 5-0-1

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