

88 (3) Any vacancy shall be filled in the same manner under this section as the
89 appointment of the member whose vacancy is being filled.

90 (4) Each member of the authority shall serve until a successor is duly appointed and
91 qualified.

92 (5) A member may not receive compensation for service on the authority.

93 (6) A majority of members present at a meeting constitutes a quorum.

94 (7) An authority member appointed before the effective date of this section may not
95 continue to serve on the authority unless the member is reappointed on or after the effective
96 date of this section as provided in Subsection (2).

97 Section 3. Section **63C-13-104.3** is enacted to read:

98 **63C-13-104.3. Authority duties and responsibilities.**

99 (1) The authority shall:

100 (a) consult with the division in formulating a request for proposals under Subsection
101 (1)(b):

102 (b) with the approval of the director of the division and the written approval of the
103 governor, and in accordance with Title 63G, Chapter 6a, Utah Procurement Code, issue a
104 request for proposals inviting persons to submit proposals on a new prison development
105 project, former prison land development project, or master development project;

106 (c) provide a process for persons to submit proposals and for the authority to receive
107 proposals;

107a **H→ (d) hold at least one public hearing in the municipality within which the former prison**
107b **is located to receive public comment on proposals on a former prison land development**
107c **project;**

107d **(e) hold at least one public hearing in each location where a new prison is proposed to**
107e **be located under proposals on a new prison development project;**

108 ~~[(d)]~~ **(f) ←H** evaluate the proposals that are submitted;

109 **H→ [(e)] (g) ←H** in evaluating and making a decision on proposals, give additional
109a weight to a

110 proposal that contemplates using contractors, material providers, and laborers from within the
111 state;

112 **H→ [(f)] (h) ←H** decide whether to recommend that one of the proposals or a
112a combination of

113 proposals for a new prison development project, former prison land development project, or
114 master development project be accepted and that a contract be awarded to the person or persons
115 who submitted the proposal or combination of proposals; and

116 **H→ [(g)] (i) ←H** if the authority decides to recommend a proposal or combination of
116a proposals for

117 awarding a contract for a new prison development project, former prison land development

118 project, or master development project to the person or persons who submitted the proposal or

119 combination of proposals, submit its written recommendation to the governor and the
 120 Legislative Management Committee.

121 (2) The authority may appoint one or more subcommittees of its members to act on
 122 matters within the authority's duties and responsibilities, but any action of a subcommittee is
 123 subject to the authority's approval.

124 Section 4. Section **63C-13-104.7** is enacted to read:

125 **63C-13-104.7. Request for proposals process.**

126 (1) The authority shall hold its first meeting to initiate the process of formulating a
 127 request for proposals no later than:

128 (a) April 15, 2013, if this section takes effect on or before March 25, 2013; or

129 (b) June 15, 2013, if this section takes effect after March 25, 2013.

130 (2) (a) In a request for proposals under Subsection 63C-13-104.3(1)(b), the authority
 131 shall request offerors to include a proposed conceptual plan.

132 (b) A conceptual plan included in a proposal may incorporate some or all of the
 133 features of a general plan described in Title 10, Chapter 9a, Part 4, General Plan.

134 (c) A proposed conceptual plan included in a proposal submitted under this part is a
 135 public record.

136 (3) (a) A request for proposals for a new prison development project:

137 (i) may include a request for prison programming proposals; and

138 (ii) ~~H→ [shall] may not ←H~~ allow an offeror to include, as part of the proposal, the
 138a ~~H→ private ←H~~ operation of the new
 139 prison.

140 (b) A person submitting a proposal for a new prison development project may include,
 141 as part of the proposal ~~H→ [:]~~

142 ~~[(i)] , ←H prison programming proposals ~~H→ [:]~~ .~~

143 ~~[(ii) the operation of a new prison; or~~

144 ~~[(iii) prison programming proposals and the operation of a new prison.]~~

144a **(c) A person submitting a proposal for a new prison development project may not**
 144b **include a proposal that the new prison be privately operated. ←H**

145 (4) A proposal submitted in response to a request for proposals under Subsection
 146 63C-13-104.3(1)(b) shall identify and quantify sources of funds that the proposal relies on for
 147 its financial feasibility, including identifying and quantifying which of the following possible
 148 sources of funds the proposal relies on:

149 (a) money derived from the sale of the former prison land;