

Water Entity Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor: Brady Brammer

LONG TITLE

General Description:

This bill addresses various water entities including their relationship with the Department of Natural Resources

Highlighted Provisions:

This bill:

- removes certain water agencies from a definition of an independent entity;
- modifies provisions governing the water trust for the Great Salt Lake, including expanding the duties of the Great Salt Lake Trust Council;
- requires the state water agent to coordinate with the Department of Natural Resources (department);
- moves the Great Salt Lake commissioner and the Office of the Great Salt Lake Commissioner to be within the department;
- requires the review by the Great Salt Lake Trust Council of certain expenditures of the Great Salt Lake commissioner; and
- makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63H-9-101, as enacted by Laws of Utah 2024, Chapter 370

65A-16-101, as last amended by Laws of Utah 2023, Chapter 205

65A-16-202, as last amended by Laws of Utah 2023, Chapter 205

28 **65A-16-203**, as last amended by Laws of Utah 2024, Chapter 300
 29 **65A-16-301**, as last amended by Laws of Utah 2024, Chapter 300
 30 **73-10-18**, as last amended by Laws of Utah 2024, Chapter 522
 31 **73-10g-703**, as enacted by Laws of Utah 2024, Chapter 522
 32 **73-32-101**, as enacted by Laws of Utah 2023, Chapter 205
 33 **73-32-201**, as enacted by Laws of Utah 2023, Chapter 205
 34 **73-32-202**, as enacted by Laws of Utah 2023, Chapter 205
 35 **73-32-302**, as last amended by Laws of Utah 2024, Chapter 443
 36 **73-32-303**, as last amended by Laws of Utah 2024, Chapter 25
 37 **79-2-201**, as last amended by Laws of Utah 2024, Chapter 507

38 ENACTS:

39 **65A-16-302**, Utah Code Annotated 1953
 40 **73-32-102**, Utah Code Annotated 1953

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

43 Section 1. Section **63H-9-101** is amended to read:

44 **63H-9-101 . Definitions.**

45 As used in this chapter:

- 46 (1) "Best practices toolbox" means the collection of resources for governmental entities
 47 provided on the website of the Office of the Legislative Auditor General that includes a
 48 best practice self-assessment and other resources, tools, surveys, and reports designed to
 49 help government organizations better serve the citizens of the state.
- 50 (2) "Consensus group" means the Office of Legislative Research and General Counsel, the
 51 Office of the Legislative Auditor General, and the Office of the Legislative Fiscal
 52 Analyst.
- 53 (3)(a) "Independent entity" means an entity that:
- 54 (i) has a public purpose relating to the state or its citizens;
 55 (ii) is individually created by the state;
 56 (iii) is separate from the judicial and legislative branches of state government; and
 57 (iv) is not under the direct supervisory control of the governor.
- 58 (b) "Independent entity" does not include an entity that is:
- 59 (i) a county;
 60 (ii) a municipality as defined in Section 10-1-104;
 61 (iii) an institution of higher education as defined in Section 53B-2-102;

- 62 (iv) a public school as defined in Section 53G-8-701;
- 63 (v) a special district as defined in Section 17B-1-102;
- 64 (vi) a special service district as defined in Section 17D-1-102;
- 65 (vii) created by an interlocal agreement as described in Section 11-13-203; or
- 66 (viii) an elective constitutional office, including the state auditor, the state treasurer,
- 67 and the attorney general.

68 (c) Independent entities that are subject to the provisions of this chapter include the:

- 69 (i) Career Service Review Office created in Section 67-19a-201;
- 70 (ii) Capitol Preservation Board created in Section 63C-9-201;
- 71 [~~(iii) Colorado River Authority created in Section 63M-14-201;~~]
- 72 [~~(iv)~~] (iii) Heber Valley Historic Railroad Authority created in Section 63H-4-102;
- 73 [~~(v)~~] (iv) Military Installation Development Authority created in Section 63H-1-201;
- 74 [~~(vi) Office of the Great Salt Lake Commissioner created in Section 73-32-301;~~]
- 75 [~~(vii)~~] (v) Office of Inspector General of Medicaid Services created in Section
- 76 63A-13-201;
- 77 [~~(viii)~~] (vi) Point of the Mountain State Land Authority created in Section 11-59-201;
- 78 [~~(ix)~~] (vii) Public Service Commission created in Section 54-1-1;
- 79 [~~(x)~~] (viii) School and Institutional Trust Fund Office created in Section 53C-1-201;
- 80 [~~(xi)~~] (ix) School and Institutional Trust Lands Administration created in Section
- 81 53D-1-201;
- 82 [~~(xii)~~] (x) Utah Beef Council created in Section 4-21-103;
- 83 [~~(xiii)~~] (xi) Utah Capital Investment Corporation created in Section 63N-6-301;
- 84 [~~(xiv)~~] (xii) Utah Communications Authority created in Section 63H-7a-201;
- 85 [~~(xv)~~] (xiii) Utah Dairy Commission created in Section 4-22-103;
- 86 [~~(xvi)~~] (xiv) Utah Education and Telehealth Network created in Section 53B-17-105;
- 87 [~~(xvii)~~] (xv) Utah Housing Corporation created in Section 63H-8-201;
- 88 [~~(xviii)~~] (xvi) Utah Inland Port Authority created in Section 11-58-201;
- 89 [~~(xix)~~] (xvii) Utah Innovation Lab created in Section 63N-20-201;
- 90 [~~(xx)~~] (xviii) Utah Lake Authority created in Section 11-65-201;
- 91 [~~(xxi)~~] (xix) Utah Retirement Systems created in Section 49-11-201; and
- 92 [~~(xxii)~~] (xx) Utah State Fair Park Authority created in Section 11-68-201.

93 Section 2. Section **65A-16-101** is amended to read:

94 **65A-16-101 . Definitions.**

95 As used in this chapter:

- 96 (1) "Commissioner" means the Great Salt Lake commissioner appointed under Section
 97 73-32-201.
- 98 (2) "Conservation organization" means an institution, corporation, foundation, or
 99 association that is:
- 100 (a) private;
- 101 (b) nonprofit; and
- 102 (c) founded for the purpose of promoting conservation of natural resources.
- 103 (3) "Council" means the Great Salt Lake Advisory Council created in Section 73-32-302.
- 104 (4) "Division" means the Division of Forestry, Fire, and State Lands.
- 105 (5) "Eligible applicant" means two or more conservation organizations that submit a joint
 106 grant application to the division under Section 65A-16-201 and meet the criteria listed in
 107 Subsection 65A-16-201(3)(a).
- 108 (6) "Grant money" means money awarded to an eligible applicant pursuant to this chapter.
- 109 (7) "Grantee" means an eligible applicant that receives a grant authorized under this chapter.
- 110 (8) "Great Salt Lake watershed" means the area comprised of the Great Salt Lake, the Bear
 111 River watershed, the Jordan River watershed, the Utah Lake watershed, the Weber River
 112 watershed, and the West Desert watershed.
- 113 (9) "Program" means the Great Salt Lake Watershed Enhancement Program created under
 114 Section 65A-16-201.
- 115 (10) "Trust council" means the Great Salt Lake Trust Council created in accordance with
 116 Section 65A-16-301.

117 Section 3. Section **65A-16-202** is amended to read:

118 **65A-16-202 . Oversight.**

- 119 (1)(a) The division shall oversee whether a grantee and the water trust that the grantee
 120 establishes comply with this chapter.
- 121 (b) In overseeing a grantee under this chapter, the division shall consult with the
 122 commissioner.
- 123 (c) The trust council shall oversee expenditures of grant money in accordance with
 124 Section 65A-16-302.
- 125 (2)(a) The division, in consultation with the council and the Division of Water Quality,
 126 shall establish by rule made in accordance with Section 65A-16-102, interventions
 127 for a grantee or water trust that fails to comply with this chapter.
- 128 (b) The rules establishing interventions under Subsection (2)(a) shall include, among
 129 other actions, requiring the grantee or water trust to return unexpended grant money

130 to the division for failure to comply with this chapter.

131 (3) This section may not be construed as limiting the state auditor's enforcement authority
 132 under Section 51-2a-201.5.

133 Section 4. Section **65A-16-203** is amended to read:

134 **65A-16-203 . Grantee requirements.**

135 (1) A grantee that receives grant money under this chapter shall:

136 ~~[(1)]~~ (a) comply with Section 51-2a-201.5, Title 63G, Chapter 6b, State Grants, and other
 137 applicable laws, regulations, ordinances, or rules; and

138 ~~[(2)]~~ (b) use grant money to:

139 (i) ~~[-]~~ carry out the objectives of Subsection 65A-16-201(1), subject to approval by the
 140 trust council in accordance with Section 65A-16-302; and~~[-to]~~

141 (ii) ~~[-]~~ operate the water trust in a manner required by Section 65A-16-301~~[-, provided~~
 142 ~~that this-]~~ .

143 (2) This chapter may not be construed as limiting the grantee's ability to obtain funding
 144 from other public and private sources to assist in the establishment, operation, and
 145 administration of the water trust.

146 Section 5. Section **65A-16-301** is amended to read:

147 **65A-16-301 . Water trust -- Powers and duties -- Advisory councils.**

148 (1) The grantee under this chapter shall establish a water trust that:

149 (a) is organized:

150 (i) as a private nonprofit organization; or

151 (ii) as an agreement between two or more conservation organizations; and

152 (b) complies with this section.

153 (2) A water trust created under this section shall:

154 (a) use a fiduciary to hold and administer grant money appropriated under this chapter;

155 (b) subject to Subsection (6):

156 (i) register with the lieutenant governor as a limited purpose entity pursuant to
 157 Section 51-2a-201.5;

158 (ii) file with the state auditor on or before June 30 of each year the accounting report
 159 that:

160 (A) satisfies Subsection 51-2a-201.5(2);

161 (B) includes an itemized accounting of the in-kind contributions and other
 162 monetary contributions described in Subsection (4); and

163 (C) includes an itemized accounting of the costs incurred under Subsection (3)(a);

- 164 (iii) provide a copy of the accounting report described in Subsection (2)(b)(ii) to:
- 165 (A) the division;
- 166 (B) the commissioner;
- 167 (C) the Division of Water Quality;
- 168 (D) the council; and
- 169 (E) the Natural Resources, Agriculture, and Environment Quality Appropriations
- 170 Subcommittee;
- 171 (iv) file with the division on or before January 31 of each year a report that satisfies
- 172 the requirements of Subsection 51-2a-201.5(4); and
- 173 (v) provide a copy of the report described in Subsection (2)(b)(iv) to:
- 174 (A) the Division of Water Quality;
- 175 (B) the council; and
- 176 (C) the Natural Resources, Agriculture, and Environment Quality Appropriations
- 177 Subcommittee; and
- 178 (c) comply with applicable laws, regulations, ordinances, and rules.
- 179 (3) A water trust established by a grantee under this section:
- 180 (a) may use grant money for costs to establish, operate, or administer the water trust,
- 181 including the hiring of staff or contractors;
- 182 (b) shall use no less than 25% of the grant money to protect and restore wetlands and
- 183 habitats in the Great Salt Lake's surrounding ecosystem to benefit the hydrology of
- 184 the Great Salt Lake; and
- 185 (c) may invest grant money the water trust receives under this chapter or any private
- 186 money the water trust may receive, except that the water trust shall:
- 187 (i) invest and account for grant money and private money separately; and
- 188 (ii) use the earnings received from the investment of grant money to carry out the
- 189 purposes described in Subsection 65A-16-201(1).
- 190 (4) The water trust shall provide a significant match of in-kind contributions or other
- 191 monetary contributions to support the water trust's operations and for the purposes
- 192 described in Subsection 65A-16-201(1).
- 193 (5)(a) A water trust established under this section shall create and consult with one or
- 194 more advisory councils on matters related to the mission and objectives of the water
- 195 trust.
- 196 (b) ~~[At least one]~~ One of the advisory councils shall be known as the "Great Salt Lake
- 197 Trust Council" and consist of ~~[nine]~~ 10 members~~[-with]~~ :

- 198 (i) the commissioner or the commissioner's designee; and
- 199 (ii) a representative from the following:
- 200 [~~i~~] (A) agriculture;
- 201 [~~ii~~] (B) a private land owner adjacent to the Great Salt Lake;
- 202 [~~iii~~] (C) a conservation organization dedicated to the preservation of migratory
- 203 waterfowl;
- 204 [~~iv~~] (D) a conservation organization dedicated to the protection of non-game
- 205 avian species;
- 206 [~~v~~] (E) another conservation organization working on Great Salt Lake issues;
- 207 [~~vi~~] (F) aquaculture;
- 208 [~~vii~~] (G) mineral extraction;
- 209 [~~viii~~] (H) a water conservancy district; and
- 210 [~~ix~~] (I) wastewater treatment facilities.

211 (6) The duties of the water trust under Subsection (2)(b) apply to the water trust
 212 notwithstanding whether the holdings, revenues, or expenditures of the water trust
 213 include grant money or other money from the state.

214 Section 6. Section **65A-16-302** is enacted to read:

215 **65A-16-302 . Coordination -- Great Salt Lake Trust Council powers and duties.**

- 216 (1) The commissioner shall coordinate with the water trust concerning projects designed to
 217 meet the objectives of Subsection 65A-16-201(1) or to acquire or lease water or water
 218 rights for the Great Salt Lake.
- 219 (2) The trust council shall set a threshold for expenditures above which the trust council
 220 shall review and may approve an expenditure by the grantee or the water trust of grant
 221 money if the trust council finds that the expenditure meets the purposes described in
 222 Subsection 65A-16-201(1).
- 223 (3) In accordance with Subsection 73-32-202(3), the trust council shall review the
 224 expenditure of money by the commissioner for a project designed to acquire or lease
 225 water or water rights for the Great Salt Lake and may make recommendations regarding
 226 the expenditure.
- 227 (4) By no later than July 1, 2025, the division, in cooperation with the grantee, shall modify
 228 the Great Salt Lake Watershed Enhancement Trust Grant Agreement, signed January 1,
 229 2023, to comply with the requirements imposed under this section and Section
 230 65A-16-301.

231 Section 7. Section **73-10-18** is amended to read:

232 **73-10-18 . Division of Water Resources -- Creation -- Power and authority.**

233 (1) There is created the Division of Water Resources, which shall be within the Department
 234 of Natural Resources under the administration and general supervision of the executive
 235 director of the Department of Natural Resources and under the policy direction of the
 236 Board of Water Resources.

237 (2) Except for the waters of the Colorado River system that are governed by Title 63M,
 238 Chapter 14, Colorado River Authority of Utah Act, or state representation under the
 239 Bear River Compact or Columbia Interstate Compact, the Division of Water Resources
 240 shall:

241 (a) be the water resource authority for the state; and

242 (b) assume all of the functions, powers, duties, rights, and responsibilities of the Utah
 243 water and power board except those which are delegated to the board by this act and
 244 is vested with such other functions, powers, duties, rights and responsibilities as
 245 provided in this act and other law.

246 (3) Notwithstanding Subsection (2), the Utah water agent, appointed under Section
 247 73-10g-702, has authority over out-of-state negotiations related to water importation in
 248 accordance with [~~Chapter 10g, Part 6, Utah Water Agent~~] Chapter 10g, Part 7, Utah
 249 Water Agent, except when limited by Section 73-10g-703.

250 Section 8. Section **73-10g-703** is amended to read:

251 **73-10g-703 . Powers and duties of water agent.**

252 (1)(a) Subject to Subsection (1)(b) and in consultation with the speaker of the House of
 253 Representatives, president of the Senate, and governor, the water agent shall explore
 254 and negotiate with officials of other states, tribes, and other government entities
 255 regarding possible water importation projects, including:

256 (i) for the citizens of Utah, representing the state concerning waters of out-of-state
 257 rivers, lakes, and other sources of supply of waters except when representation is
 258 otherwise provided in statute;

259 (ii) identifying potential out-of-state water resources;

260 (iii) working with the council and division to match the water resources described in
 261 Subsection (1)(a)(ii) to needs identified by the council or division;

262 (iv) establishing a strategy to designate what out-of-state water resources to pursue
 263 and how to execute that strategy;

264 (v) negotiating directly with out-of-state partners to execute the strategy described in
 265 Subsection (1)(a)(iv);

- 266 (vi) represent the state in interstate conferences between the state and one or more
267 sister states held for the purpose of entering into compacts between such states for
268 the division of the waters of interstate rivers, lakes, or other sources of water
269 supply, and to represent the state upon commissions or other governing bodies
270 provided for by any compacts that have been or may be entered into between the
271 state and one or more sister states, except that a compact is not binding on the
272 state until the compact is ratified and approved by the Legislature and the
273 legislatures of other states that are parties to the compact;
- 274 (vii) recommending to the Legislature and to the council actions that may assist in the
275 development of, strategies for, and execution of water importation projects; and
276 (viii) annually reporting findings and recommendations to:
- 277 (A) the governor;
278 (B) the president of the Senate;
279 (C) the speaker of the House of Representatives;
280 (D) the Legislative Water Development Commission created in Section 73-27-102;
281 (E) the Natural Resources, Agriculture, and Environment Interim Committee; and
282 (F) the Board of Water Resources created in Section 73-10-1.5.
- 283 (b) The water agent may not act under this section in relation to interests governed by
284 interstate compacts in which Utah is a party, such as the 1922 and 1948 Colorado
285 River Compacts and the 1980 Amended Bear River Compact.
- 286 (2) The water agent shall consult and work with the council, state entities, the Colorado
287 River Authority of Utah, and other bodies established by the state for interstate water
288 negotiations.
- 289 (3) Subject to Title 63G, Chapter 2, Government Records Access and Management Act,
290 upon request of the water agent, a state or local entity shall provide to the water agent a
291 document, report, or information available within the state or local entity.
- 292 (4) The water agent may negotiate with tribes in accordance with this section, except to the
293 extent that the water at issue comes from the Colorado River.
- 294 (5) This chapter may not be interpreted to override, substitute, or modify a water right
295 within the state or the role and authority of the state engineer.
- 296 (6) In implementing this part, the water agent shall at least monthly coordinate with and
297 receive input from the relevant divisions within the Department of Natural Resources
298 regarding the water agent's activities.
- 299 Section 9. Section **73-32-101** is amended to read:

300 **73-32-101 . Definitions.**

301 As used in this chapter:

- 302 (1) "Account" means the Great Salt Lake Account created in Section 73-32-304.
- 303 (2) "Commissioner" means the Great Salt Lake commissioner appointed under Section
304 73-32-201.
- 305 (3) "Council" means the Great Salt Lake Advisory Council created in Section 73-32-302.
- 306 (4) "Department" means the Department of Natural Resources.
- 307 (5) "Executive director" means the executive director of the department.
- 308 ~~(5)~~ (6) "Office" means the Office of the Great Salt Lake Commissioner created in Section
309 73-32-301.
- 310 ~~(6)~~ (7) "State agency" means a department, division, board, council, committee, institution,
311 office, bureau, or other similar administrative unit of the executive branch of state
312 government.
- 313 ~~(7)~~ (8) "Strategic plan" means the plan prepared by the commissioner under Sections
314 73-32-202 and 73-32-204.

315 Section 10. Section **73-32-102** is enacted to read:316 **73-32-102 . Transition to department.**

- 317 (1) The commissioner shall cooperate with the department to transition, to the extent
318 consistent with this chapter, the commissioner's functions as a part of the department.
- 319 (2) The department shall succeed to any contract in which the commissioner is a party.

320 Section 11. Section **73-32-201** is amended to read:321 **73-32-201 . Great Salt Lake commissioner appointment.**

- 322 (1)(a) The governor shall appoint a Great Salt Lake commissioner with the advice and
323 consent of the Senate. The commissioner shall serve within the department and report
324 to the executive director.
- 325 (b) Before the governor appoints the commissioner under this section, the governor shall
326 consult with the speaker of the House of Representatives and the president of the
327 Senate concerning the selection of potential candidates for the position of
328 commissioner.
- 329 (2) The commissioner shall serve a term of six years and may be appointed to more than
330 one term, but shall be subject to removal at the pleasure of the governor.
- 331 (3) The governor shall establish the commissioner's compensation within the salary range
332 fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

333 Section 12. Section **73-32-202** is amended to read:

334 **73-32-202 . Duties and authorizations of the commissioner.**

- 335 (1) The commissioner, under the administrative oversight of the executive director, shall:
- 336 (a) subject to Section 73-32-204, prepare an approved strategic plan for the long-term
- 337 health of the Great Salt Lake and update the strategic plan regularly;
- 338 (b) oversee the execution of the strategic plan by other state agencies as provided in
- 339 Section 73-32-203;
- 340 (c) maintain information that measures Great Salt Lake levels, salinity, and overall
- 341 health;
- 342 (d) meet regularly with the executive director [~~of the department~~]and with the executive
- 343 director of the Department of Environmental Quality;
- 344 (e) consult with the Division of Forestry, Fire, and State Lands regarding Title 65A,
- 345 Chapter 16, Great Salt Lake Watershed Enhancement Program;
- 346 (f) monitor the integrated water assessment conducted under Chapter 10g, Part 4, Great
- 347 Salt Lake Watershed Integrated Water Assessment;
- 348 (g) inform the governor, the president of the Senate, and the speaker of the House of
- 349 Representatives, at least annually, about the status of the strategic plan and the
- 350 progress regarding implementation of the strategic plan;
- 351 (h) at least annually report to the Executive Appropriations Committee regarding the
- 352 expenditure of money under this chapter;
- 353 (i) work cooperatively with and receive input and recommendations from the Great Salt
- 354 Lake Trust Council created under Section 65A-16-301 in accordance with Section
- 355 65A-16-302;
- 356 [(+) (j)] coordinate and work collaboratively with water conservancy districts that serve
- 357 water users within the Great Salt Lake watershed; and
- 358 [(+) (k)] annually report to the Natural Resources, Agriculture, and Environment Interim
- 359 Committee regarding the activities of the commissioner.
- 360 (2) The commissioner may:
- 361 (a) access information from other state or federal agencies related to the Great Salt Lake;
- 362 (b) develop cooperative agreements between the state, political subdivisions, and
- 363 agencies of the federal government for involvement in the strategic plan;
- 364 (c) produce research, documents, maps, studies, analysis, or other information that
- 365 supports the strategic plan for the Great Salt Lake;
- 366 (d) facilitate and coordinate the exchange of information, comments, and
- 367 recommendations on Great Salt Lake policies between and among:

- 368 (i) state agencies;
 369 (ii) political subdivisions;
 370 (iii) institutions of higher education that conduct research relevant to the Great Salt
 371 Lake;
 372 (iv) nonprofit entities; and
 373 (v) private business;
 374 (e) communicate with the Great Salt Lake Watershed Council created under Chapter
 375 10g, Part 3, Watershed Councils Act; and
 376 (f) perform other duties that the commissioner considers necessary or expedient to carry
 377 out the purposes of this chapter.

378 (3)(a) The commissioner may not expend money for the purpose of acquiring or leasing
 379 water or water rights without first obtaining a review and recommendations regarding
 380 the expenditure from the Great Salt Lake Trust Council created in accordance with
 381 Section 65A-16-301.

382 (b) The Great Salt Lake Trust Council shall review an expenditure described in
 383 Subsection (3)(a) and may make a favorable recommendation if the Great Salt Lake
 384 Trust Council finds that the expenditure is consistent with:
 385 (i) the strategic plan; and
 386 (ii) activities of the water trust created in Title 65A, Chapter 16, Great Salt Lake
 387 Watershed Enhancement Program.

388 [~~3~~] (4) In fulfilling the duties under this chapter, the commissioner shall consult and
 389 coordinate, as necessary, with:

- 390 (a) divisions within the department;
 391 (b) the Department of Agriculture and Food;
 392 (c) the Department of Environmental Quality;
 393 (d) other applicable state agencies;
 394 (e) political subdivisions of the state;
 395 (f) federal agencies;
 396 (g) elected officials; and
 397 (h) local tribal officials.

398 Section 13. Section **73-32-302** is amended to read:

399 **73-32-302 . Advisory council created -- Staffing -- Per diem and travel expenses --**
 400 **Annual conflict of interest disclosure statement -- Exception -- Penalties.**

401 (1) There is created an advisory council known as the "Great Salt Lake Advisory Council"

- 402 consisting of 11 members listed in Subsection (2).
- 403 (2)(a) The governor shall appoint the following members, with the advice and consent of
404 the Senate:
- 405 (i) one representative of industry representing the extractive industry;
 - 406 (ii) one representative of industry representing aquaculture;
 - 407 (iii) one representative of conservation interests;
 - 408 (iv) one representative of a migratory bird protection area as defined in Section
409 23A-13-101;
 - 410 (v) one representative who is an elected official from municipal government, or the
411 elected official's designee;
 - 412 (vi) five representatives who are elected officials from county government, or the
413 elected official's designee, one each representing:
 - 414 (A) Box Elder County;
 - 415 (B) Davis County;
 - 416 (C) Salt Lake County;
 - 417 (D) Tooele County; and
 - 418 (E) Weber County; and
 - 419 (vii) one representative of a publicly owned treatment works.
- 420 (3)(a) Except as required by Subsection (3)(b), each member shall serve a four-year term.
- 421 (b) Notwithstanding Subsection (3)(a), at the time of appointment or reappointment, the
422 governor shall adjust the length of terms of voting members to ensure that the terms
423 of council members are staggered so that approximately half of the council is
424 appointed every two years.
 - 425 (c) When a vacancy occurs in the membership for any reason, the governor shall appoint
426 a replacement for the unexpired term with the advice and consent of the Senate.
 - 427 (d) A member shall hold office until the member's successor is appointed and qualified.
- 428 (4) The council shall determine:
- 429 (a) the time and place of meetings; and
 - 430 (b) any other procedural matter not specified in this chapter.
- 431 (5)(a) Attendance of six members at a meeting of the council constitutes a quorum.
- 432 (b) A vote of the majority of the members present at a meeting when a quorum is present
433 constitutes an action of the council.
- 434 (6) A member may not receive compensation or benefits for the member's service, but may
435 receive per diem and travel expenses in accordance with:

- 436 (a) Section 63A-3-106;
437 (b) Section 63A-3-107; and
438 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
439 63A-3-107.
- 440 (7) The ~~[office, the]~~department[;] and the Department of Environmental Quality shall
441 coordinate and provide necessary staff assistance to the council.
- 442 (8) Except as provided in Subsection (14), a council member shall, no sooner than January
443 1 and no later than January 31 of each year during which the council member holds
444 office on the council:
- 445 (a) prepare a written conflict of interest disclosure statement that contains a response to
446 each item of information described in Subsection 20A-11-1604(6); and
447 (b) submit the written disclosure statement to the administrator or clerk of the council.
- 448 (9)(a) No later than 10 business days after the date on which the council member
449 submits the written disclosure statement described in Subsection (8) to the
450 administrator or clerk of the council, the administrator or clerk shall:
- 451 (i) post an electronic copy of the written disclosure statement on the council's
452 website; and
453 (ii) provide the lieutenant governor with a link to the electronic posting described in
454 Subsection (9)(a)(i).
- 455 (b) The administrator or clerk of the council shall ensure that the council member's
456 written disclosure statement remains posted on the council's website until the council
457 member leaves office.
- 458 (10) The administrator or clerk of the council shall take the action described in Subsection
459 (11) if:
- 460 (a) a council member fails to timely file the written disclosure statement described in
461 Subsection (8); or
462 (b) a submitted written disclosure statement does not comply with the requirements of
463 Subsection 20A-11-1604(6).
- 464 (11) If a circumstance described in Subsection (10) occurs, the administrator or clerk of the
465 council shall, within five days after the day on which the administrator or clerk
466 determines that a violation occurred, notify the council member of the violation and
467 direct the council member to submit an amended written disclosure statement correcting
468 the problem.
- 469 (12)(a) It is unlawful for a council member to fail to submit or amend a written

- 470 disclosure statement within seven days after the day on which the council member
471 receives the notice described in Subsection (11).
- 472 (b) A council member who violates Subsection (12)(a) is guilty of a class B
473 misdemeanor.
- 474 (c) The administrator or clerk of the council shall report a violation of Subsection (12)(a)
475 to the attorney general.
- 476 (d) In addition to the criminal penalty described in Subsection (12)(b), the administrator
477 or clerk of the council shall impose a civil fine of \$100 against a council member
478 who violates Subsection (12)(a).
- 479 (13) The administrator or clerk of the council shall deposit a fine collected under this
480 section into the council's account to pay for the costs of administering this section.
- 481 (14) For an individual appointed to the council under Subsection (2)(a)(v) or (vi):
- 482 (a) Subsection (8) does not apply; and
- 483 (b) the administrator or clerk of the council shall, instead:
- 484 (i) post an electronic link on the council's website to the written disclosure statement
485 the council member made in the council member's capacity as an elected officer of:
- 486 (A) a county, under Section 17-16a-13; or
487 (B) a municipality, under Section 10-3-1313; and
- 488 (ii) provide the lieutenant governor with a link to the electronic posting described in
489 Subsection (14)(b)(i).
- 490 Section 14. Section **73-32-303** is amended to read:
- 491 **73-32-303 . Duties of the council.**
- 492 (1)(a) The council shall advise the persons listed in Subsection (1)(b) on the sustainable
493 use, protection, and development of the Great Salt Lake in terms of balancing:
- 494 (i) sustainable use;
- 495 (ii) environmental health; and
- 496 (iii) reasonable access for existing and future development.
- 497 (b) The council shall advise, as provided in Subsection (1)(a):
- 498 (i) the governor;
- 499 (ii) the [~~Department of Natural Resources~~] department;
- 500 (iii) the Department of Environmental Quality; and
- 501 (iv) the commissioner.
- 502 (2) The council shall assist the Division of Forestry, Fire, and State Lands in the Division of
503 Forestry, Fire, and State Land's responsibilities for the Great Salt Lake described in

- 504 Sections 65A-17-201 and 65A-17-202.
- 505 (3) The council:
- 506 (a) may recommend appointments to the Great Salt Lake technical team created by the
- 507 Division of Forestry, Fire, and State Lands; and
- 508 (b) shall receive and use technical support from the Great Salt Lake technical team.
- 509 (4) The council shall assist the department, the Department of Environmental Quality, and
- 510 their applicable boards in accomplishing their responsibilities for the Great Salt Lake.
- 511 (5) The council shall report annually to the Natural Resources, Agriculture, and
- 512 Environmental Quality Appropriations Subcommittee on the council's activities.
- 513 Section 15. Section **79-2-201** is amended to read:
- 514 **79-2-201 . Department of Natural Resources created.**
- 515 (1) There is created the Department of Natural Resources.
- 516 (2) The department comprises the following:
- 517 (a) Board of Water Resources, created in Section 73-10-1.5;
- 518 (b) Board of Oil, Gas, and Mining, created in Section 40-6-4;
- 519 (c) Office of Energy Development, created in Section 79-6-401;
- 520 (d) Wildlife Board, created in Section 23A-2-301;
- 521 (e) Board of the Utah Geological Survey, created in Section 79-3-301;
- 522 (f) Water Development Coordinating Council, created in Section 73-10c-3;
- 523 (g) Division of Water Rights, created in Section 73-2-1.1;
- 524 (h) Division of Water Resources, created in Section 73-10-18;
- 525 (i) Division of Forestry, Fire, and State Lands, created in Section 65A-1-4;
- 526 (j) Division of Oil, Gas, and Mining, created in Section 40-6-15;
- 527 (k) Division of State Parks, created in Section 79-4-201;
- 528 (l) Division of Outdoor Recreation, created in Section 79-7-201;
- 529 (m) Division of Wildlife Resources, created in Section 23A-2-201;
- 530 (n) Utah Geological Survey, created in Section 79-3-201;
- 531 (o) Utah Outdoor Recreation Infrastructure Advisory Committee, created in Section
- 532 79-7-206;
- 533 (p)(i) an advisory council that includes in the advisory council's duties advising on
- 534 state boating policy, authorized by Section 73-18-3.5; or
- 535 (ii) an advisory council that includes in the advisory council's duties advising on
- 536 off-highway vehicle use, authorized by Section 41-22-10;
- 537 (q) Wildlife Board Nominating Committee, created in Section 23A-2-302;

- 538 (r) Wildlife Regional Advisory Councils, created in Section 23A-2-303;
- 539 (s) Utah Watersheds Council, created in Section 73-10g-304;
- 540 (t) Utah Natural Resources Legacy Fund Board, created in Section 23A-3-305;~~and~~
- 541 (u) Public Lands Policy Coordinating Office created in Section 63L-11-201[.]; and
- 542 (v) the Great Salt Lake commissioner, appointed under Section 73-32-201, and the
- 543 Office of the Great Salt Lake Commissioner, created in Section 73-32-301.

544 [~~(3) The department shall provide office space, furnishings, and supplies to the Great Salt~~
545 ~~Lake commissioner appointed under Section 73-32-201, the Office of the Great Salt~~
546 ~~Lake Commissioner created in Section 73-32-301, and support staff for the Office of the~~
547 ~~Great Salt Lake Commissioner.]~~

548 Section 16. **Effective Date.**

549 This bill takes effect on July 1, 2025.