

**Effective 5/10/2016**

## **Chapter 6 Division of Land Management**

### **79-6-101 Title.**

This chapter is known as the "Division of Land Management."

Enacted by Chapter 317, 2016 General Session

### **79-6-102 Creation of the Division of Land Management.**

- (1) There is created a Division of Land Management within the Department of Natural Resources, created in Section 79-2-201.
- (2) The division shall be staffed:
  - (a) upon the state receiving title to at least 100,000 acres of public land from the federal government pursuant to Section 63L-6-103;
  - (b) as funding is appropriated by the Legislature and allows; and
  - (c) as determined by the director of the Department of Natural Resources.
- (3) The division may sue and be sued as required to carry out the purposes of this chapter and Title 63L, Chapter 8, Utah Public Land Management Act.

Enacted by Chapter 317, 2016 General Session

### **79-6-103 Director.**

- (1) Upon the requirements described in Subsection 79-6-102(2) being fulfilled, the executive director of the Department of Natural Resources shall appoint a director of the Division of Land Management, and thereafter hire personnel to staff the division.
- (2) The director shall:
  - (a) be the executive and administrative head of the Division of Land Management;
  - (b) have demonstrated ability and experience in the administration and management of state or federal lands; and
  - (c) not hold any other public office or be involved in a political party or organization.
- (3) The director of the Division of Land Management, under administrative direction of the executive director, shall have:
  - (a) executive authority and control of the Division of Land Management; and
  - (b) authority over all personnel matters.

Enacted by Chapter 317, 2016 General Session

### **79-6-104 Public Land Management Advisory Board.**

- (1) There is created the Public Land Management Advisory Board.
- (2) The board consists of the following 11 members:
  - (a) the lieutenant governor, or the lieutenant governor's designee;
  - (b) one representative, appointed by the governor, who represents the interests of oil, gas, and mining;
  - (c) one representative, appointed by the governor, who represents the interests of agriculture;
  - (d) one representative, appointed by the governor, who represents the interests of outdoor recreation;

- (e) one representative, appointed by the governor, who represents the interests of environmental groups;
  - (f) three representatives, appointed by the governor, who represent the interests of county commissioners;
  - (g) one representative, appointed by the governor, who represents the interests of rural transportation;
  - (h) one representative, appointed by the governor, who represents the interests of wildlife management; and
  - (i) one representative, appointed by the governor, who represents the interests of forest management.
- (3)
- (a) Members shall be appointed for a term of four years.
  - (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms of the members described in Subsections (2)(b) through (i) to ensure that the terms of board members are staggered so that half of the appointed board is appointed every two years.
- (4) A member may serve more than one term.
- (5) A member shall hold office until the expiration of the member's term and until the member's successor is appointed, but not more than 90 days after the expiration of the member's term.
- (6) When a vacancy occurs in the membership for any reason, a replacement shall be appointed for the unexpired term.
- (7) The board shall elect annually a chair and a vice chair from the board's members.
- (8)
- (a) The board shall meet at least quarterly.
  - (b) Special meetings may be called by the chair upon the chair's own initiative, upon the request of the director, or upon the request of three members of the board.
  - (c) Three days' notice shall be given to each member of the board before a meeting.
- (9) Six members constitute a quorum at a meeting, and the action of a majority of members present is the action of the board.
- (10) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
- (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Enacted by Chapter 317, 2016 General Session

**79-6-105 Division of Land Management duties.**

Under the direct supervision of the executive director and in consultation with the board, the division shall manage and administer all public land, as defined in Section 63L-8-102, consistent with the procedures, policies, and directives in Title 63L, Chapter 8, Utah Public Land Management Act.

Enacted by Chapter 317, 2016 General Session