

INSECT CONTROL ON FEDERAL LANDS

2002 GENERAL SESSION

STATE OF UTAH

**Sponsor: Stephen H. Urquhart**

**This act modifies the Agriculture Code to allow the commissioner of agriculture to declare an insect infestation emergency on federal lands and direct emergency measures to alleviate the situation.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**4-35-4**, as enacted by Chapter 133, Laws of Utah 1985

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

Section 1. Section **4-35-4** is amended to read:

**4-35-4. Commissioner to declare emergency -- Powers of commissioner in emergency.**

(1) (a) The commissioner<sub>2</sub> with the consent of the governor<sub>2</sub> may declare that an insect infestation emergency situation exists which jeopardizes property and resources, and designate the area or areas affected.

(b) The area referred to in Subsection (1)(a) may include federal lands, after notification of the appropriate federal land manager.

(2) The commissioner is authorized<sub>2</sub> subject to the requirements of Section 4-35-5<sub>2</sub> to direct all emergency measures the commission considers necessary to alleviate the emergency condition. The commissioner shall:

- (a) utilize equipment, supplies, facilities, personnel, and other available resources;
- (b) enter into contracts for the acquisition, rental, or hire of equipment, services, materials, and supplies;
- (c) accept assistance, services, and facilities offered by federal and local governmental units or private agencies; and
- (d) accept on behalf of the state the provisions and benefits of acts of Congress designated to provide assistance.