

RURAL PLANNING AND DEVELOPMENT

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Thomas V. Hatch

LONG TITLE

General Description:

This bill creates a number of entities to address rural planning and development issues on a statewide, coordinated basis.

Highlighted Provisions:

This bill:

- ▶ creates an Office of Rural Development within the Department of Community and Economic Development to help foster and support economic development for the benefit of rural counties and communities;

- ▶ creates a Rural Development Legislative Liaison Committee to serve as liaison between rural economic development and planning groups and state entities and recommend legislation, when appropriate, on the economic and planning interests of rural Utah;

- ▶ creates a Governor's Rural Partnership Board to develop and prepare an annual strategic plan to address rural economic development, planning, and leadership training challenges, opportunities, priorities, and objectives; and

- ▶ creates a Rural Coordinating Committee to coordinate efforts and resources and help implement the strategic plan on rural economic development, planning, and leadership training.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

- 9-16-101, Utah Code Annotated 1953
- 9-16-102, Utah Code Annotated 1953
- 9-16-103, Utah Code Annotated 1953
- 9-16-104, Utah Code Annotated 1953
- 9-16-105, Utah Code Annotated 1953
- 9-16-106, Utah Code Annotated 1953
- 36-25-101, Utah Code Annotated 1953
- 36-25-102, Utah Code Annotated 1953
- 36-25-103, Utah Code Annotated 1953
- 36-25-104, Utah Code Annotated 1953
- 63C-10-101, Utah Code Annotated 1953
- 63C-10-102, Utah Code Annotated 1953
- 63C-10-103, Utah Code Annotated 1953
- 63C-10-201, Utah Code Annotated 1953
- 63C-10-202, Utah Code Annotated 1953

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

Section 1. Section **9-16-101** is enacted to read:

CHAPTER 16. OFFICE OF RURAL DEVELOPMENT ACT

9-16-101. Title -- Definitions.

- (1) This chapter is known as the "Office of Rural Development Act."
- (2) As used in this chapter, "office" means the Office of Rural Development.

Section 2. Section **9-16-102** is enacted to read:

9-16-102. Office of Rural Development created -- Supervision by department.

- (1) There is created within the department the Office of Rural Development.
- (2) The office is under the administration and general supervision of the department.

Section 3. Section **9-16-103** is enacted to read:

9-16-103. Purpose of the office.

The office shall:

(1) foster and support economic development programs and activities for the benefit of rural counties and communities;

(2) foster and support community, county, and resource management planning programs and activities for the benefit of rural counties and communities;

(3) foster and support leadership training programs and activities for the benefit of:

(a) rural leaders in both the public and private sectors;

(b) economic development and planning personnel; and

(c) rural government officials;

(4) foster and support efforts to coordinate and focus the technical and other resources of appropriate institutions of higher education, local governments, private sector interests, associations, nonprofit organizations, federal agencies, and others, in ways that address the economic development, planning, and leadership challenges and priorities of rural Utah as identified in the strategic plan required under Subsection 63C-10-103(2);

(5) work to enhance the capacity of the office to address rural economic development, planning, and leadership training challenges and opportunities by establishing partnerships and positive working relationships with appropriate public and private sector entities, individuals, and institutions; and

(6) foster government-to-government collaboration and good working relations between state and rural government regarding economic development and planning issues.

Section 4. Section **9-16-104** is enacted to read:

9-16-104. Duties and powers.

(1) The office shall:

(a) provide, in conjunction with the Rural Coordinating Committee, staff support to the Governor's Rural Partnership board;

(b) facilitate within the department implementation of the strategic plan prepared under Subsection 63C-10-103(2);

(c) work to enhance the capacity of the office to address rural economic development, planning, and leadership training challenges and opportunities by establishing partnerships and positive working relationships with appropriate public and private sector entities, individuals, and institutions;

(d) work with the Rural Coordinating Committee to coordinate and focus available resources in ways that address the economic development, planning, and leadership training challenges and priorities in rural Utah; and

(e) in accordance with economic development and planning policies set by state government, coordinate relations between:

(i) the state;

(ii) rural governments;

(iii) other public and private groups engaged in rural economic planning and development;

and

(iv) federal agencies.

(2) (a) The office may:

(i) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, make rules necessary to carry out the duties of the office;

(ii) accept gifts, grants, devises, and property, in cash or in kind, for the benefit of rural Utah citizens; and

(iii) use those gifts, grants, devises, and property received under Subsection (2)(a)(ii) for the use and benefit of rural citizens within the state.

(b) All resources received under Subsection (2)(a)(ii) shall be deposited in the General Fund as dedicated credits to be used as directed in Subsection (2)(a)(iii).

(c) All funding for the benefit of rural Utah as defined in this section is nonlapsing.

Section 5. Section **9-16-105** is enacted to read:

9-16-105. Office director.

(1) The executive director of the department shall appoint the director of the office with the approval of the governor.

(2) The office director shall be a person knowledgeable in the field of rural economic development and planning and experienced in administration.

(3) Upon change of the executive director of the department, the office director may not be dismissed without cause for at least 180 days.

(4) The office director shall be a member of the Rural Coordinating Committee's Steering Committee created in Subsection 63C-10-202(3).

Section 6. Section **9-16-106** is enacted to read:

9-16-106. Annual report.

The office shall submit an annual report of its operations and recommendations to:

(1) the department;

(2) the governor; and

(3) the Rural Development Legislative Liaison Committee created in Section 36-25-102.

Section 7. Section **36-25-101** is enacted to read:

CHAPTER 25. RURAL DEVELOPMENT LEGISLATIVE LIAISON COMMITTEE

36-25-101. Title.

This chapter is known as the "Rural Development Legislative Liaison Committee."

Section 8. Section **36-25-102** is enacted to read:

36-25-102. Rural Development Legislative Liaison Committee -- Creation --

Membership -- Chairs -- Salary -- Expenses.

(1) There is created the Rural Development Legislative Liaison Committee composed of 11 members as follows:

(a) four members of the Senate appointed by the president of the Senate, no more than two of whom shall be from the same political party; and

(b) seven members from the House of Representatives appointed by the speaker of the House of Representatives, no more than four of whom shall be from the same political party.

(2) Senators and representatives from nonrural legislative districts may be considered for membership on the committee.

(3) (a) The president of the Senate shall designate a member of the Senate appointed

under Subsection (1)(a) as a cochair.

(b) The speaker of the House of Representatives shall designate a member of the House of Representatives appointed under Subsection (1)(b) as a cochair of the committee.

(4) Salaries and expenses of the members of the committee shall be paid in accordance with Section 36-2-2 and Joint Rule 15.03.

Section 9. Section **36-25-103** is enacted to read:

36-25-103. Duties.

(1) The committee shall:

(a) serve as a liaison between the Governor's Rural Partnership Board, the Utah Rural Development Council, rural economic development and planning groups, and the Legislature;

(b) recommend legislation for each annual general session of the Legislature if the committee determines that modifications to current law are in the best interest of the state and the economic and planning interests of rural Utah;

(c) review the operations of the Office of Rural Development and other state agencies involved in rural economic development and planning; and

(d) help sponsor meetings and other opportunities for discussion with and between rural economic development and planning interests.

(2) In conducting its business, the committee shall comply with the rules of legislative interim committees.

Section 10. Section **36-25-104** is enacted to read:

36-25-104. Staff support.

The Office of Legislative Research and General Counsel shall provide staff support to the committee.

Section 11. Section **63C-10-101** is enacted to read:

CHAPTER 10. STATEWIDE RURAL BOARDS AND COMMITTEES

Part 1. Governor's Rural Partnership Board

63C-10-101. Title.

This chapter is known as "Statewide Rural Boards and Committees."

Section 12. Section **63C-10-102** is enacted to read:

63C-10-102. Governor's Rural Partnership Board -- Creation -- Membership -- Vacancies -- Chairs -- Expenses.

(1) There is created the Governor's Rural Partnership Board composed of 11 members as follows:

(a) the governor or the governor's designee;

(b) a rural member of the Utah Association of Counties' Board of Directors, appointed by the association's board;

(c) a rural member of the Utah League of Cities and Towns' Board of Directors, appointed by the league's board;

(d) the vice president of Utah State University's Extension Services or the vice president's designee;

(e) the president of Southern Utah University or the president's designee;

(f) the chair of the Utah Rural Development Council; and

(g) five rural members appointed by the governor, at least one of which shall be a representative from a rural private business.

(2) (a) Except as required by Subsection (2)(b), board members identified in Subsections (1)(b), (c), and (g) shall be appointed for four-year terms.

(b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the time of appointment or reappointment for members appointed under Subsection (1)(g), adjust the length of terms to ensure that the terms of these members are staggered so that approximately half of these five members are appointed every two years.

(c) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term in the same manner as the vacated member was chosen.

(d) Once initial board appointments are made pursuant to Subsection (1)(g), recommendations for filling vacancies for any reason of those five board positions shall be made to the governor from a nominating committee consisting of:

(i) three individuals selected by the Steering Committee of the Rural Coordinating

Committee; and

(ii) three individuals selected by the Governor's Rural Partnership Board from the Utah Rural Development Council membership.

(3) (a) The governor or the governor's designee shall serve as cochair of the board.

(b) The chair of the Utah Rural Development Council shall serve as cochair of the board.

(4) The board shall meet at the call of the cochairs, but at least semiannually.

(5) (a) A majority of the members of the board constitute a quorum.

(b) The action of a majority of a quorum constitutes the action of the board.

(6) Members receive no compensation or benefits for their services on the board.

Section 13. Section **63C-10-103** is enacted to read:

63C-10-103. Duties.

The board shall:

(1) serve as an advisory board to the governor on rural economic and planning issues;

(2) prepare an annual strategic plan that:

(a) identifies rural economic development, planning, and leadership training challenges, opportunities, priorities, and objectives; and

(b) includes a work plan for accomplishing the objectives referred to in Subsection (2)(a);

(3) solicit input from, and work collaboratively with, the Utah Rural Development Council and the Rural Coordinating Committee in the development of the strategic plan referred to in Subsection (2);

(4) present the strategic plan to the Utah Rural Development Council membership for approval and adoption;

(5) work with the Rural Coordinating Committee to:

(a) coordinate and focus available resources in ways that effectively address the economic development, planning, and leadership training challenges and priorities; and

(b) give direction and oversight to the Rural Coordinating Committee's programs and activities;

(6) oversee the implementation of the strategic plan created under Subsection (2); and

(7) make recommendations on economic planning and development in the state's rural areas and related issues to the Legislature through the Rural Development Legislative Liaison Committee established in Section 36-25-102.

Section 14. Section **63C-10-201** is enacted to read:

Part 2. Rural Coordinating Committee

63C-10-201. Rural Coordinating Committee -- Creation -- Membership -- Chair -- Vacancies -- Quorum -- Expenses.

(1) There is created the Rural Coordinating Committee consisting of the following 13 members:

(a) the director of the Office of Rural Development;

(b) the vice president for Utah State University Extension Services or the vice president's designee;

(c) the director of the Utah Rural Development Council;

(d) the director of the Utah Center for Rural Life;

(e) the executive director of the Utah Association of Counties or the executive director's designee;

(f) the executive director of the Utah League of Cities and Towns or the executive director's designee;

(g) a director of a rural Association of Counties or the director's designee;

(h) a representative from the Department of Natural Resources appointed by the department;

(i) a representative from the Department of Agriculture and Food appointed by the department;

(j) the State Planning Coordinator;

(k) a representative from the Department of Workforce Services appointed by the department;

(l) a member of the State Board of Education, appointed by the board; and

(m) a member of the State Board of Regents, appointed by the board.

(2) (a) The director of the Office of Rural Development shall serve as committee cochair.

(b) The committee shall elect one of its other members to serve as cochair for a two-year term.

(3) (a) A member who is not serving ex officio shall be appointed for a four-year term and may be reappointed to subsequent terms.

(b) When a vacancy occurs in the membership of those appointed to four-year terms under Subsection (3)(a), the replacement shall be appointed for the unexpired term.

(4) The committee shall meet at the call of the chairs, but at least once a year.

(5) (a) A majority of the members of the committee constitute a quorum.

(b) The action of a majority of a quorum constitutes the action of the committee.

(6) Committee members receive no compensation for their service on the committee.

Section 15. Section **63C-10-202** is enacted to read:

63C-10-202. Duties -- Rural Coordinating Committee Steering Committee.

(1) The committee shall:

(a) coordinate efforts and available resources of appropriate state and federal agencies, institutions of higher education, local governments, private sector interests, associations, nonprofit organizations, and other entities in ways that address the economic development, planning, and leadership and training challenges and priorities of rural Utah as identified in the strategic plan prepared by the Governor's Rural Partnership Board; and

(b) assist the Governor's Rural Partnership Board in the implementation of its strategic plan.

(2) The committee may:

(a) solicit the participation of appropriate federal agencies such as the USDA/Rural Development, the Small Business Administration, and Resource Coordination and Development Council directors to assist it in fulfilling its duties under Subsection (1); and

(b) invite participation from other appropriate entities, departments, agencies, nonprofit organizations, and associations that can assist in the implementation of the strategic plan prepared by the Governor's Rural Partnership Board.

(3) (a) The committee shall have a steering committee comprised of committee members identified in Subsections 63C-10-201(1)(a), (b), (c), and (d).

(b) The steering committee:

(i) shall:

(A) provide, in coordination and cooperation with the Office of Rural Development, staff support to the Governor's Rural Partnership board;

(B) call meetings and set agendas for, and otherwise be responsible to conduct the business of the Rural Coordinating Committee;

(C) assist, as able, the Governor's Rural Partnership Board in the development and implementation of its strategic plan;

(D) work with the other members of the Rural Coordinating Committee to coordinate efforts and focus available resources in ways that address the economic development, planning, and leadership training challenges and priorities of rural Utah as identified in the strategic plan; and

(E) select three members to the nominating committee as required under Subsection 63C-10-102(2)(d)(i); and

(ii) may:

(A) invite participation from other committee members in steering committee meetings, as appropriate; and

(B) hire or designate an executive director for the committee.