

Senator Thomas V. Hatch proposes the following substitute bill:

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:



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 ENACTS:

31 **9-16-101**, Utah Code Annotated 1953

32 **9-16-102**, Utah Code Annotated 1953

33 **9-16-103**, Utah Code Annotated 1953

34 **9-16-104**, Utah Code Annotated 1953

35 **9-16-105**, Utah Code Annotated 1953

36 **9-16-106**, Utah Code Annotated 1953

37 **36-25-101**, Utah Code Annotated 1953

38 **36-25-102**, Utah Code Annotated 1953

39 **36-25-103**, Utah Code Annotated 1953

40 **36-25-104**, Utah Code Annotated 1953

41 **63C-10-101**, Utah Code Annotated 1953

42 **63C-10-102**, Utah Code Annotated 1953

43 **63C-10-103**, Utah Code Annotated 1953

44 **63C-10-201**, Utah Code Annotated 1953

45 **63C-10-202**, Utah Code Annotated 1953



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

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

49 **CHAPTER 16. OFFICE OF RURAL DEVELOPMENT ACT**

50 **9-16-101. Title -- Definitions.**

51 (1) This chapter is known as the "Office of Rural Development Act."

52 (2) As used in this chapter, "office" means the Office of Rural Development.

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

54 **9-16-102. Office of Rural Development created -- Supervision by department.**

55 (1) There is created within the department the Office of Rural Development.

56 (2) The office is under the administration and general supervision of the department.

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

58 **9-16-103. Purpose of the office.**

59 The office shall:

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

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

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

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

66 (b) economic development and planning personnel; and

67 (c) rural government officials;

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

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

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

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

80 **9-16-104. Duties and powers.**

81 (1) The office shall:

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

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

86 (c) work to enhance the capacity of the office to address rural economic development,
87 planning, and leadership training challenges and opportunities by establishing partnerships and

88 positive working relationships with appropriate public and private sector entities, individuals,
89 and institutions;

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

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

95 (i) the state;

96 (ii) rural governments;

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

99 (iv) federal agencies.

100 (2) (a) The office may:

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

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

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

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

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

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

111 **9-16-105. Office director.**

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

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

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

118 (4) The office director shall be a member of the Rural Coordinating Committee's

119 Steering Committee created in Subsection 63C-10-202(3).

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

121 **9-16-106. Annual report.**

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

123 (1) the department;

124 (2) the governor; and

125 (3) the Rural Development Legislative Liaison Committee created in Section
126 36-25-102.

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

128 **CHAPTER 25. RURAL DEVELOPMENT LEGISLATIVE LIAISON COMMITTEE**

129 **36-25-101. Title.**

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

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

132 **36-25-102. Rural Development Legislative Liaison Committee -- Creation --**
133 **Membership -- Chairs -- Salary -- Expenses.**

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

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

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

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

142 (3) (a) The president of the Senate shall designate a member of the Senate appointed
143 under Subsection (1)(a) as a cochair.

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

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

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

149 **36-25-103. Duties.**

150 (1) The committee shall:

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

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

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

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

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

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

163 **36-25-104. Staff support.**

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

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

167 **CHAPTER 10. STATEWIDE RURAL BOARDS AND COMMITTEES**

168 **Part 1. Governor's Rural Partnership Board**

169 **63C-10-101. Title.**

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

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

172 **63C-10-102. Governor's Rural Partnership Board -- Creation -- Membership --**
173 **Vacancies -- Chairs -- Expenses.**

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

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

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

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

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

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

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

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

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

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

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

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

198 (i) three individuals selected by the Steering Committee of the Rural Coordinating
199 Committee; and

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

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

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

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

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

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

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

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

210 **63C-10-103. Duties.**

211 The board shall:

- 212 (1) serve as an advisory board to the governor on rural economic and planning issues;
213 (2) prepare an annual strategic plan that:
214 (a) identifies rural economic development, planning, and leadership training
215 challenges, opportunities, priorities, and objectives; and
216 (b) includes a work plan for accomplishing the objectives referred to in Subsection
217 (1)(a)(i);
218 (3) solicit input from, and work collaboratively with, the Utah Rural Development
219 Council and the Rural Coordinating Committee in the development of the strategic plan
220 referred to in Subsection (2);
221 (4) present the strategic plan to the Utah Rural Development Council membership for
222 approval and adoption;
223 (5) work with the Rural Coordinating Committee to:
224 (a) coordinate and focus available resources in ways that effectively address the
225 economic development, planning, and leadership training challenges and priorities; and
226 (b) give direction and oversight to the Rural Coordinating Committee's programs and
227 activities;
228 (6) oversee the implementation of the strategic plan created under Subsection (2); and
229 (7) make recommendations on economic planning and development in the state's rural
230 areas and related issues to the Legislature through the Rural Development Legislative Liaison
231 Committee established in Section 36-25-102.

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

233 **Part 2. Rural Coordinating Committee**

234 **63C-10-201. Rural Coordinating Committee -- Creation -- Membership -- Chair --**
235 **Vacancies -- Quorum -- Expenses.**

- 236 (1) There is created the Rural Coordinating Committee consisting of the following 13
237 members:
238 (a) the director of the Office of Rural Development;
239 (b) the vice president for Utah State University Extension Services or the vice
240 president's designee;
241 (c) the director of the Utah Rural Development Council;
242 (d) the director of the Utah Center for Rural Life;

- 243 (e) the executive director of the Utah Association of Counties or the executive
244 director's designee;
- 245 (f) the executive director of the Utah League of Cities and Towns or the executive
246 director's designee;
- 247 (g) a director of a rural Association of Counties or the director's designee;
- 248 (h) a representative from the Department of Natural Resources appointed by the
249 department;
- 250 (i) a representative from the Department of Agriculture and Food appointed by the
251 department;
- 252 (j) the State Planning Coordinator;
- 253 (k) a representative from the Department of Workforce Services appointed by the
254 department;
- 255 (l) a member of the State Board of Education, appointed by the board; and
- 256 (m) a member of the State Board of Regents, appointed by the board.
- 257 (2) (a) The director of the Office of Rural Development shall serve as committee
258 cochair.
- 259 (b) The committee shall elect one of its other members to serve as cochair for a
260 two-year term.
- 261 (3) (a) A member who is not serving ex officio shall be appointed for a four-year term
262 and may be reappointed to subsequent terms.
- 263 (b) When a vacancy occurs in the membership of those appointed to four-year terms
264 under Subsection (3)(a), the replacement shall be appointed for the unexpired term.
- 265 (4) The committee shall meet at the call of the chairs, but at least once a year.
- 266 (5) (a) A majority of the members of the committee constitute a quorum.
- 267 (b) The action of a majority of a quorum constitutes the action of the committee.
- 268 (6) Committee members receive no compensation for their service on the committee.
- 269 Section 15. Section **63C-10-202** is enacted to read:
- 270 **63C-10-202. Duties -- Rural Coordinating Committee Steering Committee.**
- 271 (1) The committee shall:
- 272 (a) coordinate efforts and available resources of appropriate state and federal agencies,
273 institutions of higher education, local governments, private sector interests, associations,

274 nonprofit organizations, and other entities in ways that address the economic development,
275 planning, and leadership and training challenges and priorities of rural Utah as identified in the
276 strategic plan prepared by the Governor's Rural Partnership Board; and

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

279 (2) The committee may:

280 (a) solicit the participation of appropriate federal agencies such as the USDA/Rural
281 Development, the Small Business Administration, and Resource Coordination and

282 Development Council directors to assist it in fulfilling its duties under Subsection (1); and

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

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

288 (b) The steering committee:

289 (i) shall:

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

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

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

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

300 (E) select three members to the nominating committee as required under Subsection
301 63C-10-102(2)(d)(i); and

302 (ii) may:

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

305

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