



UTAH STATE SENATE

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February 13, 2004

Mr. President:

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **2nd Sub. H.B. 206, CONSTITUTIONAL DEFENSE COUNCIL AMENDMENTS**, by Representative M. Noel, with the following amendments:

1. Page 5, Lines 138 through 143

House Floor Amendments

2-9-2004

138 ~~[[(7) (a) At least ¹¹ [14] 10 ¹¹ calendar days before the state submits final draft documents~~
138a ~~relating~~
139 ~~to land use plans to any federal land management agency, the governor shall make those~~
140 ~~documents available to any member of the Constitutional Defense Council ¹¹ AND ANY COUNTY ¹¹~~
140a ~~who requests them.~~
141 ~~(b) Members may make recommendations to the governor or the governor's designee~~
142 ~~about changes to be made to the documents before they are submitted to the federal land~~
143 ~~management agency.]]~~

(7) (a) At least 20 calendar days before the state submits comments on the draft environmental impact statement or environmental assessment for a proposed land management plan of any federal land management agency, the governor shall make those documents available to:

(i) members of the council; and

(ii) any county executive, county council member, or county commissioner of a county that is covered by the management plan and that has established formal cooperating agency status with the relevant federal land management agency regarding the proposed plan.

(b) (i) Council members or local government officials receiving the documents may make

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recommendations to the governor or the governor's designee concerning changes to the documents before they are submitted to the federal land management agency.

(ii) Council members or local government officials shall submit recommendations to the governor or the governor's designee no later than 10 calendar days after receiving the documents under Section (7) (a).

(c) Documents transmitted or received under this Section (7) are drafts and are protected records pursuant to Subsection 63-2-304(22).

2. Page 6, Lines 160 through 167

House Floor Amendments

2-9-2004

160 (5) The Legislature may annually appropriate monies from the Constitutional Defense
161 Restricted Account to one or more of the following:
162 (a) the Constitutional Defense Council to carry out its duties in Section 63C-4-102;
163 (b) the Office of the Governor , to be used only for the purpose of asserting, defending, or litigating
state
164 and local government rights under R.S. 2477, in accordance with a plan developed and
165 approved as provided in Section 63C-4-104; ~~[[or]]~~
166 (c) a county or association of counties to assist counties, consistent with the purposes
167 of the council, in pursuing issues affecting the counties ~~[[or]]~~ or

(d) the Office of the Attorney General, to be used only for public lands counsel and assistance and litigation to the state or local governments including asserting, defending, or litigating state and local government rights under R.S. 2477 in accordance with a plan developed and approved as provided in Section 63c-4-104.

Respectfully,

Carlene M. Walker
Committee Chair

Voting: 5-0-2

3 HB0206.SCI.WPD north/RCN JLF/JQC 2/13/04 4:07 pm

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