

1 **GREAT SALT LAKE ADVISORY COUNCIL**

2 2010 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Ben C. Ferry**

5 Senate Sponsor: Peter C. Knudson

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts the Great Salt Lake Advisory Council Act to create the Great Salt Lake
10 Advisory Council and address related issues.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ creates the Great Salt Lake Advisory Council;
- 15 ▶ requires designated departments to provide staffing; and
- 16 ▶ outlines the duties of the council.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 **ENACTS:**

23 **73-29-101**, Utah Code Annotated 1953

24 **73-29-102**, Utah Code Annotated 1953

25 **73-29-201**, Utah Code Annotated 1953

26 **73-29-202**, Utah Code Annotated 1953



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

29 Section 1. Section **73-29-101** is enacted to read:

30 **CHAPTER 29. GREAT SALT LAKE ADVISORY COUNCIL ACT**

31 **Part 1. General Provisions**

32 **73-29-101. Title.**

33 This chapter is known as the "Great Salt Lake Advisory Council Act."

34 Section 2. Section **73-29-102** is enacted to read:

35 **73-29-102. Definitions.**

36 As used in this chapter, "council" means the Great Salt Lake Advisory Council created
37 in Section 73-29-201.

38 Section 3. Section **73-29-201** is enacted to read:

39 **Part 2. Advisory Council Organization and Duties**

40 **73-29-201. Advisory council created -- Staffing.**

41 (1) There is created an advisory council known as the "Great Salt Lake Advisory
42 Council" consisting of 11 members listed in Subsection (2).

43 (2) (a) The governor shall appoint the following members, with the consent of the
44 Senate:

45 (i) one representative of industry representing the extractive industry;

46 (ii) one representative of industry representing aquaculture;

47 (iii) one representative of conservation interests;

48 (iv) one representative of ~~Ŝ→ [recreation for sportsmen]~~ a migratory bird protection area
48a as defined in Section 23-28-102 ~~←Ŝ~~ ;

49 (v) one representative ~~Ĥ→~~ who is an elected ~~Ŝ→~~ [representative] official ~~←Ŝ~~ ~~←Ĥ~~ from
49a1 municipal

49a government ~~Ĥ→~~ , or the elected official's designee ~~←Ĥ~~ ;

50 (vi) five representatives who are elected officials from county government, or the
51 elected official's designee, one each representing:

52 (A) Box Elder County;

53 (B) Davis County;

54 (C) Salt Lake County;

55 (D) Tooele County; and

56 (E) Weber County; and

57 (vii) one representative of a publicly owned treatment works.

58 (3) (a) Except as required by Subsection (3)(b), each member shall serve a four-year

59 term.

60 (b) Notwithstanding Subsection (3)(a), at the time of appointment or reappointment,
61 the governor shall adjust the length of terms of voting members to ensure that the terms of
62 council members are staggered so that approximately half of the council is appointed every two
63 years.

64 (c) When a vacancy occurs in the membership for any reason, the governor shall
65 appoint a replacement for the unexpired term with the consent of the Senate.

66 (d) A member shall hold office until the member's successor is appointed and qualified.

67 (4) The council shall determine:

68 (a) the time and place of meetings; and

69 (b) any other procedural matter not specified in this chapter.

70 (5) (a) Attendance of six members at a meeting of the council constitutes a quorum.

71 (b) A vote of the majority of the members present at a meeting when a quorum is
72 present constitutes an action of the council.

73 (6) (a) (i) A member who is not a government employee may not receive compensation
74 or benefits for the member's services, but may receive per diem and expenses incurred in the
75 performance of the member's official duties at the rates established by the Division of Finance
76 under Sections 63A-3-106 and 63A-3-107.

77 (ii) A member who is not a government employee may decline to receive per diem and
78 expenses for the member's service.

79 (b) (i) A state government officer or employee member who does not receive salary,
80 per diem, or expenses from the member's agency for the member's service may receive per
81 diem and expenses incurred in the performance of the official duties from the council the rates
82 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

83 (ii) A state government officer or employee member may decline to receive per diem
84 and expenses for the member's service.

85 (c) (i) A local government member who does not receive salary, per diem, or expenses
86 from the entity that the member represents for the member's service may receive per diem and
87 expenses incurred in the performance of the member's official duties at the rates established by
88 the Division of Finance under Sections 63A-3-106 and 63A-3-107.

89 (ii) A local government member may decline to receive per diem and expenses for the

90 member's service.

91 (7) The Department of Natural Resources and the Department of Environmental
 92 Quality shall coordinate and provide necessary staff assistance to the council.

93 Section 4. Section **73-29-202** is enacted to read:

94 **73-29-202. Duties of the council.**

95 (1) (a) The council shall advise the persons listed in Subsection (1)(b) on the
 96 sustainable use, protection, and development of the Great Salt Lake in terms of balancing:

97 (i) sustainable use;

98 (ii) environmental health; and

99 (iii) reasonable access for existing and future development.

100 (b) The council shall advise, as provided in Subsection (1)(a):

101 (i) the governor;

102 (ii) the Department of Natural Resources; and

103 (iii) the Department of Environmental Quality.

103a **Ĥ→ (2) The council shall assist the Division of Forestry, Fire, and State Lands in its**
 103b **responsibilities for the Great Salt Lake described in Section 65A-10-8.**

104 ~~[(2)]~~ **(3) ←Ĥ The council Ĥ→ [shall receive and utilize technical support from] :**

104a **(a) may recommend appointments to ←Ĥ the Great Salt Lake**

105 **technical team created by the Division of Forestry, Fire, and State Lands Ĥ→ [:] ; and**

105a **— (b) shall receive and utilize technical support from the Great Salt Lake technical team.**

106 ~~[(3)]~~ **(4) ←Ĥ The council shall assist the Department of Natural Resources, the**

106a **Department of**

107 **Environmental Quality, and their applicable boards in accomplishing their responsibilities for**

108 **the Great Salt Lake.**

109 **Ĥ→ [(4)] (5) ←Ĥ The council shall report annually to the Natural Resources Appropriations**

110 **Subcommittee on the council's activities.**

Legislative Review Note

as of 2-24-10 3:35 PM

Office of Legislative Research and General Counsel

H.B. 343 - Great Salt Lake Advisory Council

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
