

GREAT SALT LAKE ADVISORY COUNCIL

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ben C. Ferry

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

73-29-101, Utah Code Annotated 1953

73-29-102, Utah Code Annotated 1953

73-29-201, Utah Code Annotated 1953

73-29-202, Utah Code Annotated 1953

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

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

CHAPTER 29. GREAT SALT LAKE ADVISORY COUNCIL ACT

Part 1. General Provisions

73-29-101. Title.

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

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

73-29-102. Definition.

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

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

Part 2. Advisory Council Organization and Duties

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

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

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

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

(ii) one representative of industry representing aquaculture;

(iii) one representative of conservation interests;

(iv) one representative of a migratory bird protection area as defined in Section 23-28-102;

(v) one representative who is an elected official from municipal government, or the elected official's designee;

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

(A) Box Elder County;

(B) Davis County;

(C) Salt Lake County;

(D) Tooele County; and

58 (E) Weber County; and
59 (vii) one representative of a publicly owned treatment works.
60 (3) (a) Except as required by Subsection (3)(b), each member shall serve a four-year
61 term.

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

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

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

70 (4) The council shall determine:

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

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

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

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

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

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

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

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

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

92 (ii) A local government member may decline to receive per diem and expenses for the
93 member's service.

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

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

97 **73-29-202. Duties of the council.**

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

100 (i) sustainable use;

101 (ii) environmental health; and

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

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

104 (i) the governor;

105 (ii) the Department of Natural Resources; and

106 (iii) the Department of Environmental Quality.

107 (2) The council shall assist the Division of Forestry, Fire, and State Lands in its
108 responsibilities for the Great Salt Lake described in Section 65A-10-8.

109 (3) The council:

110 (a) may recommend appointments to the Great Salt Lake technical team created by the
111 Division of Forestry, Fire, and State Lands; and

112 (b) shall receive and utilize technical support from the Great Salt Lake technical team.

113 (4) The council shall assist the Department of Natural Resources, the Department of

114 Environmental Quality, and their applicable boards in accomplishing their responsibilities for
115 the Great Salt Lake.
116 (5) The council shall report annually to the Natural Resources Appropriations
117 Subcommittee on the council's activities.