

WATER QUALITY BOARD AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bill Wright

Senate Sponsor: Margaret Dayton

LONG TITLE

General Description:

This bill amends the Water Quality Act by changing the membership of the Water Quality Board.

Highlighted Provisions:

This bill:

► changes the membership of the Water Quality Board ~~H→~~ **[to include]** by ←H :

~~H→~~ [~~—•— one representative from a municipal government;~~] ←H

• ~~H→~~ **[three] adding two additional** ←H representatives for agricultural and livestock interests; and

• ~~H→~~ **[one member] eliminating two members** ←H at large ~~H→~~ **[to represent]** , one of whom represents ←H environmental interests; and

► makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

19-5-103, as last amended by Laws of Utah 2010, Chapter 286

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

Section 1. Section **19-5-103** is amended to read:



28 **19-5-103. Water Quality Board -- Members of board -- Appointment -- Terms --**
 29 **Organization -- Meetings -- Per diem and expenses.**

30 (1) The board comprises the executive director and 11 members appointed by the
 31 governor with the consent of the Senate.

32 (2) No more than six of the appointed members may be from the same political party.

33 (3) The appointed members, insofar as practicable, shall include the following:

34 (a) one member representing the mineral industry;

35 (b) one member representing the food processing industry;

36 (c) one member representing another manufacturing industry;

37 (d) ~~Ĥ→~~ [f] **two members who are officials** [j] ~~[one member who is an official]~~ ~~←Ĥ~~

37a of a municipal

38 government or the officials' representative involved in the management or operation of a

39 wastewater treatment facility;

40 [~~e~~] ~~one member representing agricultural and livestock interests;~~

41 (e) one member representing crops and horticulture interests;

42 (f) one member representing livestock and feedlot interests;

43 (g) one member representing agricultural interests;

44 [~~f~~] (h) one member representing fish, wildlife, and recreation interests;

45 [~~g~~] (i) one member representing an improvement or special service district; ~~Ĥ→~~ and ~~←Ĥ~~

46 [~~h~~] ~~Ĥ→~~ [~~j~~] ~~[two members]~~ one member at large [~~, one of whom represents]~~ representing

47 organized environmental interests, selected with due consideration of the areas of the state

48 affected by water pollution and not representing other interests named in this Subsection (3);

49 and] ~~←Ĥ~~

50 [~~i~~] ~~Ĥ→~~ [~~k~~] (j) ←Ĥ one member representing a local health department.

51 (4) ~~Ĥ→~~ (a) ←Ĥ When a vacancy occurs in the membership for any reason, the

51a replacement shall be

52 appointed for the unexpired term with the consent of the Senate.

52a ~~Ĥ→~~ (b) A member of the board who is serving on May 10, 2011 shall continue to serve out

52b the remainder of the member's term and then be replaced by an individual who meets the

52c requirements of Subsection (3). ~~←Ĥ~~

53 (5) (a) Except as required by Subsection (5)(b), a member shall be appointed for a term
 54 of four years and is eligible for reappointment.

55 (b) Notwithstanding the requirements of Subsection (5)(a), the governor shall, at the
 56 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
 57 board members are staggered so that approximately half of the board is appointed every two
 58 years.

59 (6) A member shall hold office until the expiration of the member's term and until the
60 member's successor is appointed, not to exceed 90 days after the formal expiration of the term.

61 (7) The board shall:

62 (a) organize and annually select one of its members as chair and one of its members as
63 vice chair;

64 (b) hold at least four regular meetings each calendar year; and

65 (c) keep minutes of its proceedings which are open to the public for inspection.

66 (8) The chair may call a special meeting upon the request of three or more members of
67 the board.

68 (9) Each member of the board and the executive secretary shall be notified of the time
69 and place of each meeting.

70 (10) Seven members of the board constitute a quorum for the transaction of business,
71 and the action of a majority of members present is the action of the board.

72 (11) A member may not receive compensation or benefits for the member's service, but
73 may receive per diem and travel expenses in accordance with:

74 (a) Section 63A-3-106;

75 (b) Section 63A-3-107; and

76 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
77 63A-3-107.

Legislative Review Note
as of 2-17-11 4:03 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 438

SHORT TITLE: **Water Quality Board Amendments**

SPONSOR: **Wright, B.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.

2/23/2011, 10:54 AM, Lead Analyst: Bleazard, M./Attorney: RF

Office of the Legislative Fiscal Analyst