



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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NOTICE OF BILL RETURNED TO RULES COMMITTEE

February 28, 2012

Madam Speaker:

With committee review, the Natural Resources, Agriculture, and Environment Committee recommends **H.B. 209**, UTAH LANDS PROTECTION ACT, by Representative F. Cox, et al, be replaced with **1st Sub. H.B. 209**, UTAH LANDS PROTECTION ACT, and has returned it to the Rules Committee with the following amendments:

1. *Page 1, Lines 18 through 19:*

18 ▶ prohibits the Division of Forestry, Fire, and State Lands from selling or
19 substantially changing the {~~management~~} use of certain sovereign lands;
 ▶ provides for the Division of Forestry, Fire, and State Lands to manage all
sovereign lands that are not obtained specifically for use by another department or
agency of the state;

2. *Page 3, Lines 63 through 65:*

63 (1) The division is the management authority for sovereign lands that are not
obtained specifically for use by another department or agency of the state, and may,
except as
64 provided in {~~Subsection~~} Subsections (5) and (6), exchange, sell, or lease
sovereign lands but only in the quantities
65 and for the purposes [as] that serve the public interest and do not interfere with the public
trust.

3. *Page 3, Line 70 through Page 4, Line 82:*

70 (4) (a) If any United States public lands owned or claimed by the federal
government on

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- 71 January 1, 2012, become sovereign lands, ~~{then}~~ the State School Fund,
~~{pursuant to}~~ **in accordance with** Utah
- 72 Constitution, Article X, Section 5, Subsection (5)(b), shall receive **from the federal**
government 5% of the net proceeds from
- 73 the sale of those lands.
- (b) Except as provided in Subsection (4)(c), when the state sells sovereign lands**
described in Subsection (4)(a), the state shall deposit into the State School Fund an
amount equal to 0.05 multiplied by the fair market value of the sovereign lands on the
day on which the lands become sovereign lands.
- (c) (i) Subsection (4)(b) does not apply, if, at the time that the lands became sovereign**
lands:
- (A) the state paid fair market value for the lands; and**
- (B) 5% of the net proceeds received by the federal government for the sale of the**
lands was deposited into the State School Fund.
- (ii) If, at the time that lands described in Subsection (4)(a) became sovereign lands,**
the state paid less than fair market value for the lands, the state shall, when the state
sells the sovereign lands, deposit into the State School Fund the difference between:
- (A) the amount that would have been deposited into the State School Fund by the**
federal government if the state had paid fair market value for the land; and
- (B) the amount that was deposited into the State School Fund by the federal**
government at the time that the lands became sovereign lands.
- (5) If sovereign lands described in Subsection (4)(a) are not obtained specifically for**
use by a department or agency of the state other than the division, the division may
not substantially change the use of those lands unless the division:
- (a) makes a written finding that the change serves the public interest and does not**
interfere with the public trust; and
- (b) submits a copy of the finding to:**
- (i) (A) the Legislative Management Committee; or**
- (B) another committee designated by the Legislative Management Committee; and**
- (ii) the office of the Lieutenant Governor.**
- 74 ~~{(5)}~~ **(6)** - ~~{if}~~ **Notwithstanding any other provision of this section,**
if any of the following become sovereign lands, the division may not sell the
- 75 sovereign lands or substantially change the ~~{management policies that relate~~
~~to}~~ **use of** those sovereign



- 76 lands from the {management policies that were in effect for} use of those
sovereign lands on January 1,
77 2012:
78 (a) Arches National Park;
79 (b) Bryce Canyon National Park;
80 (c) Canyonlands National Park;
81 (d) Capitol Reef National Park; or
82 (e) Zion National Park.

Respectfully,

Roger E. Barrus
Committee Chair

Voting: --

15 HB0209.HC1.WPD 3/1/12 12:00 pm abradshaw/JBA TIN/AMN

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