

# H.B. 209

## UTAH LANDS PROTECTION ACT

Representative **Fred C. Cox** proposes 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  
65 only in the quantities  
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  
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.