

HB0136S01 compared with HB0136

~~{deleted text}~~ shows text that was in HB0136 but was deleted in HB0136S01.

Inserted text shows text that was not in HB0136 but was inserted into HB0136S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Michael E. Noel proposes the following substitute bill:

FEDERAL DESIGNATIONS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: _____

LONG TITLE

General Description:

This bill relates to a governmental entity that advocates or lobbies for a federal designation within the state.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ ~~{states that}~~requires a governmental entity ~~{may not advocate or lobby}~~that is advocating for a federal designation within the state ~~{unless the Legislature passes a concurrent resolution in favor of the proposed federal designation}~~to bring the proposal to the Natural Resources, Agriculture, and Environment interim committee for feedback; and
- ▶ makes technical changes.

HB0136S01 compared with HB0136

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63L-2-101, as enacted by Laws of Utah 2008, Chapter 382

63L-2-201, as last amended by Laws of Utah 2015, Chapter 84

ENACTS:

63L-2-301, Utah Code Annotated 1953

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

Section 1. Section **63L-2-101** is amended to read:

CHAPTER 2. TRANSFER OF STATE LANDS TO UNITED STATES GOVERNMENT AND FEDERAL DESIGNATIONS

63L-2-101. Title.

This chapter is known as ~~the~~ "Transfer of State Lands to United States Government ~~Act~~ and Federal Designations."

Section 2. Section **63L-2-201** is amended to read:

63L-2-201. Federal government acquisition of real property in the state.

(1) As used in this ~~chapter~~ section:

(a) "Governmental entity" means:

(i) an agency, as that term is defined in Subsection 63G-10-102(2);

(ii) the School and Institutional Trust Lands Administration created in Section 53C-1-201;

(iii) the School and Institutional Trust Lands Board of Trustees created in Section 53C-1-202; or

(iv) a county.

(b) "Governmentally controlled land" means land owned or managed by a governmental entity.

(2) (a) Before legally binding the state by executing an agreement to sell or transfer to

HB0136S01 compared with HB0136

the United States government 500 or more acres of governmentally controlled land or school and institutional trust lands, a governmental entity shall submit the agreement or proposal:

- (i) to the Legislature for its approval or rejection; or
- (ii) in the interim, to the Legislative Management Committee for review of the

agreement or proposal.

(b) The Legislative Management Committee may:

- (i) recommend that the governmental entity execute the agreement or proposal;
- (ii) recommend that the governmental entity reject the agreement or proposal; or
- (iii) recommend to the governor that the governor call a special session of the

Legislature to review and approve or reject the agreement or proposal.

(3) Before legally binding the state by executing an agreement to sell or transfer to the United States government less than 500 acres of any governmentally controlled land or school and institutional trust lands, a governmental entity shall notify the Natural Resources, Agriculture, and Environment Interim Committee.

(4) Notwithstanding Subsections (2) and (3), the Legislature approves all conveyances of school trust lands to the United States government made for the purpose of completing the Red Cliffs National Conservation Area in Washington County.

(5) A governmental entity may, in its discretion, give written notice to the Legislative Management Committee of formal negotiations it enters into with a federal agent or entity intended or likely to result in:

(a) the sale, exchange, or transfer of specific governmentally controlled land or school and institutional trust lands to the federal government; or

(b) designation of specific governmentally controlled land or school and institutional trust lands as a federal park, monument, or wilderness area.

Section 3. Section **63L-2-301** is enacted to read:

Part 3. Federal Designations and Local Advocacy

63L-2-301. Promoting or lobbying for federal designations within the state.

(1) As used in this section:

(a) "Federal designation" means the designation of a:

(i) national monument;

(ii) national conservation area;

HB0136S01 compared with HB0136

(iii) wilderness area or wilderness study area;

(iv) area of critical environmental concern;

(v) research natural area; or

(vi) national recreation area.

(b) (i) "Governmental entity" means:

(~~iii~~A) any state-funded institution of higher education or public education;

(~~iii~~B) any political subdivision of the state;

(~~iii~~C) every office, agency, board, bureau, committee, department, advisory board, or commission that is funded or established by the government to carry out the public's business, regardless of whether the office, agency, board, bureau, committee, department, advisory board, or commission is composed entirely of public officials or employees;

(~~iv~~D) as defined in Section 11-13-103, an interlocal entity or joint or cooperative undertaking;

(~~iv~~E) as defined in Section 11-13a-102, a governmental nonprofit corporation; and

(~~vi~~F) an association as defined in Section 53A-1-1601.

(ii) "Governmental entity" does not mean:

(A) the School and Institutional Trust Lands Administration created in Section 53C-1-201; or

(B) the School and Institutional Trust Lands Board of Trustees created in Section 53C-1-202.

(2) (a) A governmental entity, or a person employed by and representing a governmental entity, may ~~{not advocate or lobby for}~~ engage in investigating the possibility of a federal designation within the state ~~{unless:}~~.

(~~a~~b) ~~{the}~~A governmental entity ~~{takes the proposed federal designation to the Legislature; and~~

~~(b) the Legislature passes a concurrent resolution in support of the proposed federal designation;~~

~~(3) Nothing in this section prohibits an individual, in the individual's private capacity, from advocating or lobbying}~~ that intends to advocate for a federal designation ~~{.~~

HB0136S01 compared with HB0136

Legislative Review Note

~~Office of Legislative Research and General Counsel~~ within the state shall bring the proposed designation to the Natural Resources, Agriculture, and Environment interim committee for the committee's feedback.