

HB0257S01 compared with HB0257

~~{deleted text}~~ shows text that was in HB0257 but was deleted in HB0257S01.

Inserted text shows text that was not in HB0257 but was inserted into HB0257S01.

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 John Knotwell proposes the following substitute bill:

SENTINEL LANDSCAPE DESIGNATION

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Knotwell

Senate Sponsor: _____

LONG TITLE

General Description:

This bill establishes the West Traverse Sentinel Landscape Act.

Highlighted Provisions:

This bill:

- ▶ creates the West Traverse Sentinel Landscape Coordinating Committee;
- ▶ provides for membership of the committee;
- ▶ describes the purpose of the committee as facilitating a buffer zone around Camp Williams in order to maintain the mission of the base;
- ▶ requires an annual report to the governor and Legislature; and
- ▶ creates the West Traverse Sentinel Landscape Fund.

Money Appropriated in this Bill:

None

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Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

39-10-101, Utah Code Annotated 1953

39-10-102, Utah Code Annotated 1953

39-10-103, Utah Code Annotated 1953

39-10-104, Utah Code Annotated 1953

39-10-105, Utah Code Annotated 1953

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

Section 1. Section **39-10-101** is enacted to read:

CHAPTER 10. WEST TRAVERSE SENTINEL LANDSCAPE ACT

39-10-101. Title -- West Traverse Sentinel Landscape Act -- Purpose.

(1) This chapter is known as "West Traverse Sentinel Landscape Act."

(2) The purpose of this act is to:

(a) identify lands adjacent to Camp Williams that are important to the nation's defense mission;

(b) preserve and enhance the relationship between adjacent landowners and Camp Williams; and

(c) create incentives to encourage adjacent landowners to adopt land management practices consistent with Camp Williams's military mission.

Section 2. Section **39-10-102** is enacted to read:

39-10-102. Area designation -- West Traverse Sentinel Landscape.

(1) The compatible use buffer area surrounding Camp Williams shall be known as the West Traverse Sentinel Landscape.

(2) Lands designated by the committee established in Section 39-10-103 and lands acquired or encumbered through the Camp Williams Army Compatible Use Buffer (ACUB) Program shall be added to the buffer area.

Section 3. Section **39-10-103** is enacted to read:

39-10-103. West Traverse Sentinel Landscape Coordinating Committee.

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(1) There is created the West Traverse Sentinel Landscape Coordinating Committee.

(2) The committee shall be composed of the following members:

(a) the adjutant general of the Utah National Guard or ~~another general officer appointed by the adjutant~~ ~~general's designee~~ general;

(b) the executive director of the Department of Veterans and Military Affairs or the director's designee;

(c) a landowner, selected by the chair, who owns property within the sentinel landscape area;

(d) a representative from a land conservation organization in Utah recognized as accredited under the standards and practices of the Land Trust Accreditation Commission;

(e) a representative from each municipality adjacent to Camp Williams, at the discretion of the municipality;

(f) one representative each from Salt Lake, Utah, and Tooele counties, at the discretion of the county governing body;

(g) a representative from a nongovernmental land management organization; and

(h) ~~three members~~ one member selected from a state ~~for local government agencies~~ agency that ~~participate~~ participates in land management activities.

(3) Committee members shall be selected and serve in accordance with this Subsection (3).

(a) The committee member representing Subsection (2)(c) shall be selected by the chair from a list of nominees presented by local officials.

(b) The committee members representing Subsections (2)(d) and (g) shall be invited to participate by the chair with the approval of a majority of the committee.

(c) Each incorporated municipality bordering Camp Williams shall, at its discretion no later than July 1 of each year, provide the chair with the name of the individual who will represent the municipality on the committee, as provided in Subsection (2)(e). If the municipality declines to be represented on the committee, it shall send a letter to the chair on the municipality's letterhead stating that no individual will be appointed.

(d) If a county, as provided in Subsection (2)(f), declines to be represented on the committee, it shall send a letter to the chair on the county's letterhead not later than July 1 of each year stating that no individual will be appointed.

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(e) The committee chair shall request the appointment of members representing Subsection (2)(h) from:

(i) the governor if the request is for a member from a state agency; or

(ii) the mayor or governing body of a local government entity if the request is for a member from a local government agency.

(4) The committee shall meet at the call of the chair, but not less than ~~once~~ twice each ~~quarter~~ calendar year.

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

(a) Section 63A-3-106;

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

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

(6) The Utah National Guard shall provide staff support for the committee.

Section 4. Section **39-10-104** is enacted to read:

39-10-104. Committee responsibilities.

(1) The committee shall:

(a) identify lands to be included in the designated sentinel landscape;

(b) develop strategies and recommendations to encourage landowners within the sentinel landscape to voluntarily participate in and begin or continue land uses compatible with Camp Williams's military mission;

~~— (c) in conjunction with the Utah National Guard, develop policies and procedures to administer the fund created in Section 39-10-105;~~ and

(~~d~~)c) publish any policies and procedures as administrative rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(2) In designating sentinel lands, the coordinating committee shall include all working or natural lands that the coordinating committee believes contribute to the long-term sustainability of the military missions conducted at Camp Williams.

(3) The committee shall determine the appropriate level of state resources required to adequately protect Camp Williams's military mission and may apply for grants from the LeRay McAllister Critical Lands Conservation Fund to aid in securing those resources.

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(4) In determining lands to designate, the coordinating committee shall seek input from:

(a) the director of the Department of Defense Readiness and Environmental Protection Integration Program; and

(b) the director of the National Guard Bureau Army Compatible Use Buffer Program, as authorized under 10 U.S.C. Sec. 2684(a);

~~(c) the adjutant general of the Utah National Guard;~~

~~(d) the Utah National Guard construction and facilities management officer;~~

~~(e) the commander of Camp Williams;~~

~~(f) the commissioner of the Department of Agriculture;~~

~~(g) the executive director of the Department of Natural Resources;~~

~~(h) county officials from any county where proposed lands are located;~~

~~(i) city officials from communities surrounding Camp Williams; and~~

~~(j) any other persons or organizations the adjutant general considers appropriate.~~

~~(5) The committee will conduct and coordinate public awareness and education efforts to ensure surrounding communities are informed and given the opportunity to provide input.~~

~~(6) The committee will provide recommendations to conduct studies and engineering and design services.~~

~~(7);~~

(5) The committee shall provide a written report of its activities if state funds are expended during the previous calendar year no later than ~~{October}~~July 31 annually to:

(a) the governor;

(b) the Government Operations Interim Committee; and

(c) the Executive ~~{Offices and Criminal Justice}~~ Appropriations ~~{Subcommittee}~~Committee.

Section 5. Section **39-10-105** is enacted to read:

39-10-105. West Traverse Sentinel Landscape Fund.

(1) As used in this section:

(a) "Committee" means the West Traverse Sentinel Landscape Coordinating Committee created in Section 39-10-103.

(b) "Fund" means the West Traverse Sentinel Landscape Fund.

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(2) There is created a restricted account within the General Fund known as the West Traverse Sentinel Landscape Fund.

(3) The fund shall consist of:

(a) appropriations from the Legislature; and

(b) grants or donations from other public or private sources.

(4) The fund shall be administered by the Utah National Guard and the committee.

(5) The purpose of the fund shall be to provide:

(a) matching funds for established federal funding programs concerning sentinel landscapes;

(b) matching funds for local and private funding programs that assist with sentinel landscape designations; and

(c) incentives for landowners who voluntarily participate in land management practices that are consistent with Camp Williams's military missions.

(6) The committee ~~shall determine annually an appropriate level of resources required to adequately protect Camp Williams's military mission and;~~ ~~may~~ make an appropriation request through the Utah National Guard to the Legislature for necessary funds to carry out the committee's purpose.

(7) Funds may only be used for landscapes that qualify under:

(a) the Army Compatible Use Buffer Program guidelines or similar regulations as a federal program whose purpose is to secure landscapes that serve to buffer military installations;

(b) Internal Revenue Code guidelines in 26 U.S.C. Sec. 170(h); or

(c) local municipal or county guidelines established through the committee and consistent with Camp Williams's military mission.

(8) Funds used for projects with matching federal funding may not exceed a ~~one-to-four~~ 25% match with federal funds.

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Legislative Review Note

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~~Office of Legislative Research and General Counsel~~