

## HB0078S03 compared with HB0078

~~deleted text~~ shows text that was in HB0078 but was deleted in HB0078S03.

Inserted text shows text that was not in HB0078 but was inserted into HB0078S03.

**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 Carl R. Albrecht proposes the following substitute bill:

### FEDERAL DESIGNATIONS

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl R. Albrecht**

Senate Sponsor: {                      } David P. Hinkins

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#### LONG TITLE

##### General Description:

This bill amends and enacts provisions regarding federal designations within the state.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a governmental entity that is advocating for a federal designation within the state to bring the proposal to the Natural Resources, Agriculture, and Environment Interim Committee for review; and
- ▶ makes technical and conforming changes.

##### Money Appropriated in this Bill:

None

##### Other Special Clauses:

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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

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*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 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

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(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]~~ the governmental entity's discretion, give written notice to the Legislative Management Committee of formal negotiations ~~[it]~~ the governmental entity 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 a federal designation within the state.**

(1) As used in this section:

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

(i) national monument;

(ii) national conservation area;

(iii) wilderness area or wilderness study area;

(iv) area of critical environmental concern;

(v) research natural area; or

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(vi) national recreation area.

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

(A) a state-funded institution of higher education or public education;

(B) a political subdivision of the state;

(C) an office, agency, board, bureau, committee, department, advisory board, or commission that the government funds or establishes 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;

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

(E) a governmental nonprofit corporation as defined in Section 11-13a-102; or

(F) an association as defined in Section 53G-7-1101.

(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 a governmental entity employs and designates as a representative, may investigate the possibility of a federal designation within the state.

(b) A governmental entity that intends to advocate for a federal designation within the state shall bring the proposed designation to the Natural Resources, Agriculture, and Environment Interim Committee for the committee's review before the introduction of federal legislation.

(3) This section does not apply to a political subdivision supporting a federal designation if the federal designation:

(a) applies to 5,000 acres or less; and

(b) has an economical or historical benefit to the political subdivision.