

HB0091S01 compared with HB0091

~~{deleted text}~~ shows text that was in HB0091 but was deleted in HB0091S01.

Inserted text shows text that was not in HB0091 but was inserted into HB0091S01.

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 Casey Snider proposes the following substitute bill:

AGRICULTURAL LAND AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor: _____

LONG TITLE

General Description:

This bill ~~{amends provisions relating to the LeRay McAllister Critical Land Conservation Program and }~~enacts provisions related to the study of private agricultural land.

Highlighted Provisions:

This bill:

- ~~{~~ → changes the name of the LeRay McAllister Critical Land Conservation Program to the Critical Land Conservation Program;
- directs the Legislature to fund the Critical Land Conservation Program through a line item in the annual appropriations bill to the Department of Agriculture and Food instead of to the Quality Growth Commission;
- ~~}~~ ▶ directs the Department of Agriculture and Food to conduct a study identifying and

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classifying private agricultural land~~{, and}~~.

~~{~~ → makes technical and conforming changes.

~~{~~Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

~~{~~AMENDS:

~~———— 11-38-102, as last amended by Laws of Utah 2013, Chapter 310~~

~~———— 11-38-301, as last amended by Laws of Utah 2009, Chapter 368~~

~~———— 39-10-104, as enacted by Laws of Utah 2018, Chapter 216~~

~~———— 63J-1-602.2, as repealed and reenacted by Laws of Utah 2018, Chapter 469~~

~~{~~ENACTS:

~~4-44-101, Utah Code Annotated 1953~~

~~4-44-102, Utah Code Annotated 1953~~

~~4-44-103, Utah Code Annotated 1953~~

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

Section 1. Section **4-44-101** is enacted to read:

CHAPTER 44. AGRICULTURAL LANDS STUDY

4-44-101. Title.

This chapter is known as "Agricultural Lands Study."

Section 2. Section **4-44-102** is enacted to read:

4-44-102. Definitions.

As used in this chapter:

(1) "Agricultural land" has the same meaning as "land in agricultural use" under Section 59-2-502.

(2) "Commission" means the Quality Growth Commission established in Section 11-38-201.

Section 3. Section **4-44-103** is enacted to read:

4-44-103. Identifying critical agricultural land.

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(1) (a) The department shall conduct a study to identify and classify privately owned agricultural lands in the state.

(b) The study described in this Subsection (1) shall classify each agricultural land based on the market value of:

(i) the land; and

(ii) the commodity the land is devoted to raising.

(2) The department shall present the study described in Subsection (1) to the commission on or before May 31, 2020.

~~{ Section 4. Section **11-38-102** is amended to read:~~

~~Section **11-38-102. Definitions.**~~

~~As used in this chapter:~~

~~(1) "Affordable housing" means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income of the applicable municipal or county statistical area for households of the same size.~~

~~(2) "Agricultural land" has the same meaning as "land in agricultural use" under Section 59-2-502.~~

~~(3) "Brownfield sites" means abandoned, idled, or underused commercial or industrial land where expansion or redevelopment is complicated by real or perceived environmental contamination.~~

~~(4) "Commission" means the Quality Growth Commission established in Section 11-38-201.~~

~~(5) "Infill development" means residential, commercial, or industrial development on unused or underused land, excluding open land and agricultural land, within existing, otherwise developed urban areas.~~

~~(6) "Local entity" means a county, city, or town.~~

~~(7) (a) "Open land" means land that is:~~

~~(i) preserved in or restored to a predominantly natural, open, and undeveloped condition; and~~

~~(ii) used for:~~

~~(A) wildlife habitat;~~

~~(B) cultural or recreational use;~~

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~~—— (C) watershed protection; or~~

~~—— (D) another use consistent with the preservation of the land in or restoration of the land to a predominantly natural, open, and undeveloped condition.~~

~~—— (b) (i) "Open land" does not include land whose predominant use is as a developed facility for active recreational activities, including baseball, tennis, soccer, golf, or other sporting or similar activity.~~

~~—— (ii) The condition of land does not change from a natural, open, and undeveloped condition because of the development or presence on the land of facilities, including trails, waterways, and grassy areas, that:~~

~~—— (A) enhance the natural, scenic, or aesthetic qualities of the land; or~~

~~—— (B) facilitate the public's access to or use of the land for the enjoyment of its natural, scenic, or aesthetic qualities and for compatible recreational activities.~~

~~—— (8) "Program" means the [LeRay McAllister] Critical Land Conservation Program established in Section 11-38-301.~~

~~—— (9) "Surplus land" means real property owned by the Department of Administrative Services, the Department of Agriculture and Food, the Department of Natural Resources, or the Department of Transportation that the individual department determines not to be necessary for carrying out the mission of the department.~~

~~—— Section 5. Section 11-38-301 is amended to read:~~

~~Part 3. Critical Land Conservation Program~~

~~11-38-301. Critical Land Conservation Program:~~

~~—— (1) There is created a program entitled the "[LeRay McAllister] Critical Land Conservation Program."~~

~~—— (2) (a) Funding for the program shall be a line item [in the budget of the Quality Growth Commission] to the Department of Agriculture and Food, created under Section 4-2-102, in the annual appropriations act.~~

~~—— (b) The line item shall be nonlapsing.~~

~~—— Section 6. Section 39-10-104 is amended to read:~~

~~39-10-104. Committee responsibilities:~~

~~—— (1) The committee shall:~~

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

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~~—— (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; and~~

~~—— (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 Program to aid in securing those resources.~~

~~—— (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).~~

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

~~—— (a) the governor;~~

~~—— (b) the Government Operations Interim Committee; and~~

~~—— (c) the Executive Appropriations Committee.~~

~~—— Section 7. Section **63J-1-602.2** is amended to read:~~

~~—— **63J-1-602.2. List of nonlapsing appropriations to programs:**~~

~~—— Appropriations made to the following programs are nonlapsing:~~

~~—— (1) The Legislature and its committees.~~

~~—— (2) The Percent-for-Art Program created in Section 9-6-404.~~

~~—— (3) The [LeRay McAllister] Critical Land Conservation Program created in Section 11-38-301.~~

~~—— (4) Dedicated credits accrued to the Utah Marriage Commission as provided under Subsection 17-16-21(2)(d)(ii).~~

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- ~~—— (5) The Division of Wildlife Resources for the appraisal and purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6.~~
- ~~—— (6) The primary care grant program created in Section 26-10b-102.~~
- ~~—— (7) Sanctions collected as dedicated credits from Medicaid provider under Subsection 26-18-3(7).~~
- ~~—— (8) The Utah Health Care Workforce Financial Assistance Program created in Section 26-46-102.~~
- ~~—— (9) The Rural Physician Loan Repayment Program created in Section 26-46a-103.~~
- ~~—— (10) The Opiate Overdose Outreach Pilot Program created in Section 26-55-107.~~
- ~~—— (11) Funds that the Department of Alcoholic Beverage Control retains in accordance with Subsection 32B-2-301(7)(a)(ii) or (b).~~
- ~~—— (12) The General Assistance program administered by the Department of Workforce Services, as provided in Section 35A-3-401.~~
- ~~—— (13) A new program or agency that is designated as nonlapsing under Section 36-24-101.~~
- ~~—— (14) The Utah National Guard, created in Title 39, Militia and Armories.~~
- ~~—— (15) The State Tax Commission under Section 41-1a-1201 for the:~~
 - ~~—— (a) purchase and distribution of license plates and decals; and~~
 - ~~—— (b) administration and enforcement of motor vehicle registration requirements.~~
- ~~—— (16) The Search and Rescue Financial Assistance Program, as provided in Section 53-2a-1102.~~
- ~~—— (17) The Motorcycle Rider Education Program, as provided in Section 53-3-905.~~
- ~~—— (18) The State Board of Regents for teacher preparation programs, as provided in Section 53B-6-104.~~
- ~~—— (19) The Medical Education Program administered by the Medical Education Council, as provided in Section 53B-24-202.~~
- ~~—— (20) The State Board of Education, as provided in Section 53F-2-205.~~
- ~~—— (21) The Division of Services for People with Disabilities, as provided in Section 62A-5-102.~~
- ~~—— (22) The Division of Fleet Operations for the purpose of upgrading underground storage tanks under Section 63A-9-401.~~

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- ~~—— (23) The Utah Seismic Safety Commission, as provided in Section 63C-6-104.~~
- ~~—— (24) Appropriations to the Department of Technology Services for technology innovation as provided under Section 63F-4-202.~~
- ~~—— (25) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.~~
- ~~—— (26) The Utah Science Technology and Research Initiative created in Section 63M-2-301.~~
- ~~—— (27) The Governor's Office of Economic Development to fund the Enterprise Zone Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.~~
- ~~—— (28) Appropriations to fund the Governor's Office of Economic Development's Rural Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program.~~
- ~~—— (29) The Department of Human Resource Management user training program, as provided in Section 67-19-6.~~
- ~~—— (30) The University of Utah Poison Control Center program, as provided in Section 69-2-5.5.~~
- ~~—— (31) A public safety answering point's emergency telecommunications service fund, as provided in Section 69-2-301.~~
- ~~—— (32) The Traffic Noise Abatement Program created in Section 72-6-112.~~
- ~~—— (33) The Judicial Council for compensation for special prosecutors, as provided in Section 77-10a-19.~~
- ~~—— (34) A state rehabilitative employment program, as provided in Section 78A-6-210.~~
- ~~—— (35) The Utah Geological Survey, as provided in Section 79-3-401.~~
- ~~—— (36) The Bonneville Shoreline Trail Program created under Section 79-5-503.~~
- ~~—— (37) Adoption document access as provided in Sections 78B-6-141, 78B-6-144, and 78B-6-144.5.~~
- ~~—— (38) Indigent defense as provided in Title 77, Chapter 32, Part 8, Utah Indigent Defense Commission.~~

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