

**LAND TRANSFER AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brady Brammer**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill enacts provisions relating to the duties of the Public Lands Policy Coordinating Office.

**Highlighted Provisions:**

This bill:

▶ modifies duties and responsibilities of the Public Lands Policy Coordinating Office and of the public lands policy coordinator;

▶ requires the office and coordinator to:

• develop expertise concerning applications of state and local government entities to the United States Interior Secretary for the disposal of federal land to the state and local government entities;

• advise, consult with, and help state and local government entities in the process of submitting applications for the acquisition of federal land;

• establish a prioritization of federal land applications;

• maintain an inventory of applications and decisions on applications; and

• report the activities of the office and coordinator; and

▶ establishes an advisory committee to advise and make recommendations to the office and coordinator.

**Money Appropriated in this Bill:**

None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 ENACTS:

32 **63J-4-608**, Utah Code Annotated 1953



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

35 Section 1. Section **63J-4-608** is enacted to read:

36 **63J-4-608. Facilitating the acquisition of federal land.**

37 (1) As used in this section:

38 (a) "Advisory committee" means the committee established under Subsection (3).

39 (b) "Federal land" means land that the secretary is authorized to dispose of under the  
40 federal land disposal law.

41 (c) "Federal land disposal law" means the Recreation and Public Purposes Act, 43  
42 U.S.C. Sec. 869 et seq.

43 (d) "Government entity" means any state or local government entity allowed to submit  
44 a land application under the federal land disposal law.

45 (e) "Land application" means an application under the federal land disposal law  
46 requesting the secretary to dispose of federal land.

47 (f) "Land application process" means all actions involved in the process of submitting  
48 and obtaining a final decision on a land application.

49 (g) "Secretary" means the Secretary of the Interior of the United States.

50 (2) The coordinator and the office shall:

51 (a) develop expertise:

52 (i) in the land application process; and

53 (ii) concerning the factors that tend to increase the chances that a land application will  
54 result in the secretary disposing of federal land as requested in the land application;

55 (b) work to educate government entities concerning:

56 (i) the availability of federal land pursuant to the federal land disposal law; and

57 (ii) the land application process;

58 (c) advise and consult with a government entity that requests assistance from the

59 coordinator or the office to formulate and submit a land application and to pursue a decision on  
60 the land application;

61 (d) assist a government entity that requests assistance from the coordinator or the office  
62 to identify and quantify the amount of any funds needed to provide the public use described in  
63 a land application and to assist the government entity to identify potential sources for those  
64 funds;

65 (e) facilitate the acquisition by government entities in the state of as much federal land  
66 as allowed under the federal land disposal law;

67 (f) with the advice and recommendations of the advisory committee:

68 (i) adopt a list of factors to be considered in determining the degree to which a land  
69 application or potential land application is in the public interest; and

70 (ii) establish a prioritization of all land applications or potential land applications in the  
71 state according to the extent to which the land applications are in the public interest, based on  
72 the factors adopted under Subsection (2)(f)(i);

73 (g) compile and maintain an inventory of and statistical information on land  
74 applications submitted or being prepared by government entities in the state, including:

75 (i) the quantity and intended use of federal land sought under land applications;

76 (ii) decisions of the secretary on land applications; and

77 (iii) the quantity of federal land that government entities acquire under land  
78 applications;

79 (h) prepare and submit a written report:

80 (i) to the Natural Resources, Agriculture, and Environment Interim Committee and the  
81 Commission for the Stewardship of Public Lands;

82 (ii) (A) annually no later than August 31; and

83 (B) at other times, if and as requested by the committee or commission; and

84 (iii) (A) on the activities of the coordinator and the office under this section;

85 (B) on the land applications and potential land applications in the state;

86 (C) on the decisions of the secretary on land applications submitted by government  
87 entities in the state and the quantity of land acquired under the land applications; and

88 (D) that includes, for each potential land application, the estimated cost to the  
89 government entity preparing the land application of providing the public use described in the

90 land application and the priority that the coordinator and office give to the land application;

91 (i) present a summary of information contained in the report described in Subsection

92 (3)(h):

93 (A) at a meeting of the Natural Resources, Agriculture, and Environment Interim

94 Committee and at a meeting of the Commission for the Stewardship of Public Lands;

95 (B) annually no later than August 31; and

96 (C) at other times, if and as requested by the committee or commission; and

97 (i) report to the Executive Appropriations Committee of the Legislature, as frequently

98 as the coordinator considers appropriate or as requested by the committee, on the need for

99 legislative appropriations to provide funds for the public purposes described in land

100 applications.

101 (3) (a) There is created a committee comprised of:

102 (i) an individual designated by the chairs of the Commission for the Stewardship of

103 Public Lands;

104 (ii) an individual designated by the director of the Division of Facilities Construction  
105 and Management;

106 (iii) a representative of the Antiquities Section, created in Section [9-8-304](#), designated  
107 by the director of the Division of State History;

108 (iv) a representative of municipalities designated by the Utah League of Cities and  
109 Towns;

110 (v) a representative of counties designated by the Utah Association of Counties;

111 (vi) an individual designated by the Governor's Office of Economic Development; and

112 (vii) an individual designated by the director of the Division of Parks and Recreation,  
113 created in Section [79-4-201](#).

114 (b) The seven members of the advisory committee under Subsection (3)(a) may, by  
115 majority vote, appoint up to four additional volunteer members of the advisory committee.

116 (c) The advisory committee shall advise and provide recommendations to the  
117 coordinator and the office on:

118 (i) factors the coordinator and office should consider in determining the degree to  
119 which a land application or potential land application is in the public interest; and

120 (ii) the prioritization of land applications or potential land applications in the state

121 according to the extent to which the land applications are in the public interest, based on the  
122 factors adopted under Subsection (2)(f)(i).

123 (d) A member of the advisory committee may not receive compensation, benefits, or  
124 expense reimbursement for the member's service on the advisory committee.

125 (e) The advisory committee may:

126 (i) select a chair from among the advisory committee members; and

127 (ii) meet as often as necessary to perform the advisory committee's duties under this  
128 section.

129 (f) The coordinator shall facilitate the convening of the first meeting of the advisory  
130 committee.