

**Representative Brady Brammer** proposes the following substitute bill:

**LAND TRANSFER AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brady Brammer**

Senate Sponsor: Daniel Hemmert

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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 sale or lease of federal land to the state and local government entities;
  - advise and consult with 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.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 ENACTS:

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

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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 sell or lease 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 selling or leasing 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) advise and consult with a government entity that requests assistance from the  
62 coordinator or the office to identify and quantify the amount of any funds needed to provide the  
63 public use described in a land application;
- 64 (e) with the advice and recommendations of the advisory committee:
- 65 (i) adopt a list of factors to be considered in determining the degree to which a land  
66 application or potential land application is in the public interest; and
- 67 (ii) recommend a prioritization of all land applications or potential land applications in  
68 the state according to the extent to which the land applications are in the public interest, based  
69 on the factors adopted under Subsection (2)(f)(i);
- 70 (f) prepare and submit a written report of land applications:
- 71 (i) to the Natural Resources, Agriculture, and Environment Interim Committee and the  
72 Commission for the Stewardship of Public Lands;
- 73 (ii) (A) annually no later than August 31; and  
74 (B) at other times, if and as requested by the committee or commission; and  
75 (iii) (A) on the activities of the coordinator and the office under this section;  
76 (B) on the land applications and potential land applications in the state; and  
77 (C) on the decisions of the secretary on land applications submitted by government  
78 entities in the state and the quantity of land acquired under the land applications;
- 79 (g) present a summary of information contained in the report described in Subsection  
80 (3)(f):
- 81 (A) at a meeting of the Natural Resources, Agriculture, and Environment Interim  
82 Committee and at a meeting of the Commission for the Stewardship of Public Lands;  
83 (B) annually no later than August 31; and  
84 (C) at other times, if and as requested by the committee or commission; and
- 85 (h) report to the Executive Appropriations Committee of the Legislature, as frequently  
86 as the coordinator considers appropriate or as requested by the committee, on the need for  
87 legislative appropriations to provide funds for the public purposes described in land

88 applications.

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

90 (i) an individual designated by the chairs of the Commission for the Stewardship of  
91 Public Lands;

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

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

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

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

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

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

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

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

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

108 (ii) the prioritization of land applications or potential land applications in the state  
109 according to the extent to which the land applications are in the public interest, based on the  
110 factors adopted under Subsection (2)(f)(i).

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

113 (e) The advisory committee may:

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

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

117 (f) The coordinator shall facilitate the convening of the first meeting of the advisory  
118 committee.