

HB0229S01 compared with HB0229

~~{deleted text}~~ shows text that was in HB0229 but was deleted in HB0229S01.

Inserted text shows text that was not in HB0229 but was inserted into HB0229S01.

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Representative Brady Brammer proposes the following substitute bill:

LAND TRANSFER AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brady Brammer

Senate Sponsor: _____

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}~~sale or lease of federal land to the state and local government entities;
 - advise ~~{}~~ and consult with ~~{, and help}~~ state and local government entities in the

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- 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

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

63J-4-608, Utah Code Annotated 1953

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

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

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

(1) As used in this section:

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

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

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

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

(e) "Land application" means an application under the federal land disposal law requesting the secretary to ~~dispose of~~ **sell or lease** federal land.

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

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

(2) The coordinator and the office shall:

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(a) develop expertise:

(i) in the land application process; and

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

(b) work to educate government entities concerning:

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

(ii) the land application process;

(c) advise and consult with a government entity that requests assistance from the coordinator or the office to formulate and submit a land application and to pursue a decision on the land application;

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

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

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

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

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

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

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

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

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

~~(h)~~ f prepare and submit a written report of land applications:

(i) to the Natural Resources, Agriculture, and Environment Interim Committee and the

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Commission for the Stewardship of Public Lands;

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

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

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

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

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

~~(D) that includes, for each potential land application, the estimated cost to the government entity preparing the land application of providing the public use described in the land application and the priority that the coordinator and office give to the land application;~~

~~(i)~~

(g) present a summary of information contained in the report described in Subsection (3)(~~fh~~f):

(A) at a meeting of the Natural Resources, Agriculture, and Environment Interim Committee and at a meeting of the Commission for the Stewardship of Public Lands;

(B) annually no later than August 31; and

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

(~~fh~~h) report to the Executive Appropriations Committee of the Legislature, as frequently as the coordinator considers appropriate or as requested by the committee, on the need for legislative appropriations to provide funds for the public purposes described in land applications.

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) The advisory committee may:

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

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

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