

**JORDAN RIVER RECREATION AREA FUNDING**

**MANAGEMENT**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mike Winder**

Senate Sponsor: Wayne A. Harper

Cheryl K. Acton

Andrew Stoddard

Karen Kwan

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**LONG TITLE**

**General Description:**

This bill addresses the Jordan River Recreation Area.

**Highlighted Provisions:**

This bill:

▶ clarifies that the Division of Forestry, Fire, and State Lands manages the money appropriated to programs related to the Jordan River Recreation Area;

▶ provides that the money appropriated to programs related to the Jordan River Recreation Area are nonlapsing; and

▶ makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2020, as one-time appropriations:

▶ to Economic Development - Pass-Through

• from the General Fund (\$500,000)

▶ to Department of Natural Resources - Division of Forestry, Fire, and State Lands

• from the General Fund \$500,000

This bill appropriates in fiscal year 2021, as ongoing appropriations:

▶ to Economic Development - Pass-Through

• from the General Fund (\$100,000)

- 29           ▶ to Department of Natural Resources - Division of Forestry, Fire, and State Lands
- 30           • from the General Fund \$100,000.

31 **Other Special Clauses:**

32           None

33 **Utah Code Sections Affected:**

34 AMENDS:

35           **63J-1-602.2**, as last amended by Laws of Utah 2019, Chapters 136, 326, 468, and 469

36           **65A-2-8**, as last amended by Laws of Utah 2019, Chapter 113



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

39           Section 1. Section **63J-1-602.2** is amended to read:

40           **63J-1-602.2. List of nonlapsing appropriations to programs.**

41           Appropriations made to the following programs are nonlapsing:

- 42           (1) The Legislature and its committees.
- 43           (2) The Percent-for-Art Program created in Section **9-6-404**.
- 44           (3) The LeRay McAllister Critical Land Conservation Program created in Section
- 45           **11-38-301**.
- 46           (4) Dedicated credits accrued to the Utah Marriage Commission as provided under
- 47           Subsection **17-16-21(2)(d)(ii)**.
- 48           (5) The Trip Reduction Program created in Section **19-2a-104**.
- 49           (6) The Division of Wildlife Resources for the appraisal and purchase of lands under
- 50           the Pelican Management Act, as provided in Section **23-21a-6**.
- 51           (7) The primary care grant program created in Section **26-10b-102**.
- 52           (8) Sanctions collected as dedicated credits from Medicaid provider under Subsection
- 53           **26-18-3(7)**.
- 54           (9) The Utah Health Care Workforce Financial Assistance Program created in Section
- 55           **26-46-102**.
- 56           (10) The Rural Physician Loan Repayment Program created in Section **26-46a-103**.

- 57 (11) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).
- 58 (12) Funds that the Department of Alcoholic Beverage Control retains in accordance  
59 with Subsection [32B-2-301\(7\)\(a\)](#) or (b).
- 60 (13) The General Assistance program administered by the Department of Workforce  
61 Services, as provided in Section [35A-3-401](#).
- 62 (14) A new program or agency that is designated as nonlapsing under Section  
63 [36-24-101](#).
- 64 (15) The Utah National Guard, created in Title 39, Militia and Armories.
- 65 (16) The State Tax Commission under Section [41-1a-1201](#) for the:  
66 (a) purchase and distribution of license plates and decals; and  
67 (b) administration and enforcement of motor vehicle registration requirements.
- 68 (17) The Search and Rescue Financial Assistance Program, as provided in Section  
69 [53-2a-1102](#).
- 70 (18) The Motorcycle Rider Education Program, as provided in Section [53-3-905](#).
- 71 (19) The State Board of Regents for teacher preparation programs, as provided in  
72 Section [53B-6-104](#).
- 73 (20) The Medical Education Program administered by the Medical Education Council,  
74 as provided in Section [53B-24-202](#).
- 75 (21) The State Board of Education, as provided in Section [53F-2-205](#).
- 76 (22) The Division of Services for People with Disabilities, as provided in Section  
77 [62A-5-102](#).
- 78 (23) The Division of Fleet Operations for the purpose of upgrading underground  
79 storage tanks under Section [63A-9-401](#).
- 80 (24) The Utah Seismic Safety Commission, as provided in Section [63C-6-104](#).
- 81 (25) Appropriations to the Department of Technology Services for technology  
82 innovation as provided under Section [63F-4-202](#).
- 83 (26) The Office of Administrative Rules for publishing, as provided in Section  
84 [63G-3-402](#).

85 (27) The Utah Science Technology and Research Initiative created in Section  
86 [63M-2-301](#).

87 (28) The Governor's Office of Economic Development to fund the Enterprise Zone  
88 Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.

89 (29) Appropriations to fund the Governor's Office of Economic Development's Rural  
90 Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural  
91 Employment Expansion Program.

92 (30) Appropriations to fund programs for the Jordan River Recreation Area as  
93 described in Section [65A-2-8](#).

94 [~~(30)~~] (31) The Department of Human Resource Management user training program, as  
95 provided in Section [67-19-6](#).

96 [~~(31)~~] (32) A public safety answering point's emergency telecommunications service  
97 fund, as provided in Section [69-2-301](#).

98 [~~(32)~~] (33) The Traffic Noise Abatement Program created in Section [72-6-112](#).

99 [~~(33)~~] (34) The Judicial Council for compensation for special prosecutors, as provided  
100 in Section [77-10a-19](#).

101 [~~(34)~~] (35) A state rehabilitative employment program, as provided in Section  
102 [78A-6-210](#).

103 [~~(35)~~] (36) The Utah Geological Survey, as provided in Section [79-3-401](#).

104 [~~(36)~~] (37) The Bonneville Shoreline Trail Program created under Section [79-5-503](#).

105 [~~(37)~~] (38) Adoption document access as provided in Sections [78B-6-141](#), [78B-6-144](#),  
106 and [78B-6-144.5](#).

107 [~~(38)~~] (39) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent  
108 Defense Commission.

109 [~~(39)~~] (40) The program established by the Division of Facilities Construction and  
110 Management under Subsection [63A-5-228\(3\)](#) under which state agencies receive an  
111 appropriation and pay lease payments for the use and occupancy of buildings owned by the  
112 Division of Facilities Construction and Management.

113 Section 2. Section **65A-2-8** is amended to read:

114 **65A-2-8. Jordan River improvement projects.**

115 (1) As used in this section:

116 (a) "Commission" means the Jordan River Commission created by interlocal  
117 agreement.

118 (b) "Zone" means the Jordan River Recreation Area, the area 250 yards on each side of  
119 the Jordan River from the edge of the river between SR-201 and 4800 South.

120 (2) The division, subject to applicable federal, state, and local laws and ordinances and  
121 Subsections (3) and (4), may:

122 (a) expend money for the following purposes:

123 (i) enhancing safety, recreation, and conservation in the zone;

124 (ii) capital improvements within the zone, including:

125 (A) lighting along the Jordan River and within the zone;

126 (B) completing construction of a paved pathway on both sides of the Jordan River  
127 within the zone;

128 (C) building a boat launch, picnic pavilion, bench, restroom, or other amenity within  
129 the zone; and

130 (D) supporting Tracy Aviary, a nature area, bike or boat rental concessionaire, or other  
131 partnerships to enhance recreation in the zone;

132 (iii) funding programs to clean the zone, remove invasive species, and restore riparian  
133 habitat;

134 (iv) hiring or contracting for personnel to perform tasks as directed by the commission;

135 (v) partnering or contracting with an urban ranger or conservation corp operated by a  
136 state institution of higher education or similar service-oriented organizations or programs:

137 (A) to provide trail, river, and parkway maintenance, invasive species removal and  
138 revegetation, emergency care, and environmental education for the area 250 yards on each side  
139 of the Jordan River from the edge of the river for the entire length of the river; and

140 (B) to report to the appropriate public official all health, safety, or law enforcement

141 concerns that the organization encounters, as directed by the commission; and

142 (vi) partnering or contracting with local law enforcement or a certified peace officer to  
143 provide patrol, security, and law enforcement for the area 250 yards on each side of the Jordan  
144 River from the edge of the river for the entire length of the river; and

145 (b) purchase, lease, sell, or dispose of property or an easement within the zone to  
146 achieve the goals in Subsection (2)(a).

147 (3) (a) Before engaging in any activity described in Subsections (2)(a)(i) through  
148 (2)(a)(iii) or Subsection (2)(b), the division shall receive the approval of:

149 (i) the commission;

150 (ii) any relevant governmental entity that owns or is responsible for the maintenance of  
151 real property within the zone, including Salt Lake County Flood Control; and

152 (iii) the relevant municipality within the zone.

153 (b) Before engaging in any activity described in Subsections (2)(a)(iv) through  
154 (2)(a)(vi), the division shall:

155 (i) receive the approval of the commission; and

156 (ii) consult with:

157 (A) any relevant governmental entity that owns or is responsible for the maintenance of  
158 real property within the zone; and

159 (B) the relevant municipality within the zone.

160 (4) (a) The programs described in this section may only be implemented as  
161 appropriations from the Legislature allow.

162 (b) Money appropriated to programs in this section are managed by the division in  
163 accordance with this section.

164 (c) Money that the Legislature appropriates to programs described in this section are  
165 nonlapsing in accordance with Section [63J-1-602.2](#).

166 **Section 3. Appropriation.**

167 **Subsection 3(a). Fiscal Year 2020 Appropriations.**

168 The following sums of money are appropriated for the fiscal year beginning July 1,

169 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for  
170 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
171 Act, the Legislature appropriates the following sums of money from the funds or accounts  
172 indicated for the use and support of the government of the state of Utah.

173 ITEM 1

174 To Economic Development -Pass-Through  
175 From General Fund, One-Time (\$500,000)  
176 Schedule of Programs:  
177 Pass-Through (\$500,000)

178 ITEM 2

179 To Department of Natural Resources - Division of Forestry,  
180 Fire, and State Lands  
181 From General Fund, One-Time \$500,000  
182 Schedule of Programs:  
183 Project Management \$500,000

184 **Subsection 3(b). Fiscal Year 2021 Appropriations.**

185 The following sums of money are appropriated for the fiscal year beginning July 1,  
186 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for  
187 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
188 Act, the Legislature appropriates the following sums of money from the funds or accounts  
189 indicated for the use and support of the government of the state of Utah.

190 ITEM 1

191 To Economic Development - Pass-Through  
192 From General Fund (\$100,000)  
193 Schedule of Programs:  
194 Pass-Through (\$100,000)

195 ITEM 2

196 To Department of Natural Resources - Division of Forestry,

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197	<u>Fire, and State Lands</u>		
198	<u>From General Fund</u>		<u>\$100,000</u>
199	<u>Schedule of Programs:</u>		
200	<u>Project Management</u>	<u>\$100,000</u>	