

JORDAN RIVER RECREATION AREA FUNDING

MANAGEMENT

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Winder

Senate Sponsor: Wayne A. Harper

LONG TITLE

Committee Note:

The Natural Resources, Agriculture, and Environment Interim Committee recommended this bill.

Legislative Vote: 13 voting for 0 voting against 6 absent

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:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



28 **63J-1-602.2**, as last amended by Laws of Utah 2019, Chapters 136, 326, 468, and 469
29 **65A-2-8**, as last amended by Laws of Utah 2019, Chapter 113



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

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

33 **63J-1-602.2. List of nonlapsing appropriations to programs.**

34 Appropriations made to the following programs are nonlapsing:

- 35 (1) The Legislature and its committees.
- 36 (2) The Percent-for-Art Program created in Section **9-6-404**.
- 37 (3) The LeRay McAllister Critical Land Conservation Program created in Section
38 **11-38-301**.
- 39 (4) Dedicated credits accrued to the Utah Marriage Commission as provided under
40 Subsection **17-16-21(2)(d)(ii)**.
- 41 (5) The Trip Reduction Program created in Section **19-2a-104**.
- 42 (6) The Division of Wildlife Resources for the appraisal and purchase of lands under
43 the Pelican Management Act, as provided in Section **23-21a-6**.
- 44 (7) The primary care grant program created in Section **26-10b-102**.
- 45 (8) Sanctions collected as dedicated credits from Medicaid provider under Subsection
46 **26-18-3(7)**.
- 47 (9) The Utah Health Care Workforce Financial Assistance Program created in Section
48 **26-46-102**.
- 49 (10) The Rural Physician Loan Repayment Program created in Section **26-46a-103**.
- 50 (11) The Opiate Overdose Outreach Pilot Program created in Section **26-55-107**.
- 51 (12) Funds that the Department of Alcoholic Beverage Control retains in accordance
52 with Subsection **32B-2-301(7)(a)** or (b).
- 53 (13) The General Assistance program administered by the Department of Workforce
54 Services, as provided in Section **35A-3-401**.
- 55 (14) A new program or agency that is designated as nonlapsing under Section
56 **36-24-101**.
- 57 (15) The Utah National Guard, created in Title 39, Militia and Armories.
- 58 (16) The State Tax Commission under Section **41-1a-1201** for the:

- 59 (a) purchase and distribution of license plates and decals; and
60 (b) administration and enforcement of motor vehicle registration requirements.
- 61 (17) The Search and Rescue Financial Assistance Program, as provided in Section
62 [53-2a-1102](#).
- 63 (18) The Motorcycle Rider Education Program, as provided in Section [53-3-905](#).
- 64 (19) The State Board of Regents for teacher preparation programs, as provided in
65 Section [53B-6-104](#).
- 66 (20) The Medical Education Program administered by the Medical Education Council,
67 as provided in Section [53B-24-202](#).
- 68 (21) The State Board of Education, as provided in Section [53F-2-205](#).
- 69 (22) The Division of Services for People with Disabilities, as provided in Section
70 [62A-5-102](#).
- 71 (23) The Division of Fleet Operations for the purpose of upgrading underground
72 storage tanks under Section [63A-9-401](#).
- 73 (24) The Utah Seismic Safety Commission, as provided in Section [63C-6-104](#).
- 74 (25) Appropriations to the Department of Technology Services for technology
75 innovation as provided under Section [63F-4-202](#).
- 76 (26) The Office of Administrative Rules for publishing, as provided in Section
77 [63G-3-402](#).
- 78 (27) The Utah Science Technology and Research Initiative created in Section
79 [63M-2-301](#).
- 80 (28) The Governor's Office of Economic Development to fund the Enterprise Zone
81 Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 82 (29) Appropriations to fund the Governor's Office of Economic Development's Rural
83 Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural
84 Employment Expansion Program.
- 85 (30) Appropriations to fund programs for the Jordan River Recreation Area as
86 described in Section [65A-2-8](#).
- 87 [~~30~~] (31) The Department of Human Resource Management user training program, as
88 provided in Section [67-19-6](#).
- 89 [~~31~~] (32) A public safety answering point's emergency telecommunications service

90 fund, as provided in Section 69-2-301.

91 [~~32~~] (33) The Traffic Noise Abatement Program created in Section 72-6-112.

92 [~~33~~] (34) The Judicial Council for compensation for special prosecutors, as provided
93 in Section 77-10a-19.

94 [~~34~~] (35) A state rehabilitative employment program, as provided in Section
95 78A-6-210.

96 [~~35~~] (36) The Utah Geological Survey, as provided in Section 79-3-401.

97 [~~36~~] (37) The Bonneville Shoreline Trail Program created under Section 79-5-503.

98 [~~37~~] (38) Adoption document access as provided in Sections 78B-6-141, 78B-6-144,
99 and 78B-6-144.5.

100 [~~38~~] (39) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent
101 Defense Commission.

102 [~~39~~] (40) The program established by the Division of Facilities Construction and
103 Management under Subsection 63A-5-228(3) under which state agencies receive an
104 appropriation and pay lease payments for the use and occupancy of buildings owned by the
105 Division of Facilities Construction and Management.

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

107 **65A-2-8. Jordan River improvement projects.**

108 (1) As used in this section:

109 (a) "Commission" means the Jordan River Commission created by interlocal
110 agreement.

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

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

115 (a) expend money for the following purposes:

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

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

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

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

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

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

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

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

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

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

133 (B) to report to the appropriate public official all health, safety, or law enforcement
134 concerns that the organization encounters, as directed by the commission; and

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

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

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

142 (i) the commission;

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

145 (iii) the relevant municipality within the zone.

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

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

149 (ii) consult with:

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

152 (B) the relevant municipality within the zone.

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

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

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