

Representative Jeffrey D. Stenquist proposes the following substitute bill:

OUTDOOR ADVENTURE COMMISSION AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill addresses the Outdoor Adventure Commission conducting strategic planning activities related to the state's outdoor recreation opportunities.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Outdoor Adventure Commission;
- ▶ directs the commission to gather information on recreation assets and develop a strategic plan;
- ▶ designates what the strategic plan shall address;
- ▶ requires regional meetings;
- ▶ provides for the selection of consultants to assist in developing the strategic plan;
- ▶ addresses public-private partnerships;
- ▶ provides a sunset date; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **63I-1-263**, as last amended by Laws of Utah 2019, Chapters 89, 246, 311, 414, 468,
30 469, 482 and last amended by Coordination Clause, Laws of Utah 2019, Chapter
31 246

32 ENACTS:

33 **63C-21-101**, Utah Code Annotated 1953

34 **63C-21-102**, Utah Code Annotated 1953

35 **63C-21-201**, Utah Code Annotated 1953

36 **63C-21-202**, Utah Code Annotated 1953

37 **63C-21-203**, Utah Code Annotated 1953



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

40 Section 1. Section **63C-21-101** is enacted to read:

41 **CHAPTER 21. OUTDOOR ADVENTURE COMMISSION**

42 **Part 1. General Provisions**

43 **63C-21-101. Title.**

44 This chapter is known as the "Outdoor Adventure Commission."

45 Section 2. Section **63C-21-102** is enacted to read:

46 **63C-21-102. Definitions.**

47 As used in this chapter:

48 (1) "Commission" means the Outdoor Adventure Commission created in Section

49 [63C-21-201](#).

50 (2) "Strategic plan" means the strategic plan developed in Section [63C-21-202](#).

51 Section 3. Section **63C-21-201** is enacted to read:

52 **Part 2. Commission and Strategic Plan**

53 **63C-21-201. Outdoor Adventure Commission created.**

54 (1) There is created the Outdoor Adventure Commission consisting of the following

55 nine members:

56 (a) one member of the Senate, appointed by the president of the Senate;

- 57 (b) one member of the House of Representatives, appointed by the speaker of the
58 House of Representatives;
- 59 (c) the director of the Utah Office of Outdoor Recreation, or the director's designee;
60 (d) the managing director of the Utah Office of Tourism, or the managing director's
61 designee;
- 62 (e) the director of the Division of Parks and Recreation, or the director's designee;
63 (f) the director of the School and Institutional Trust Lands Administration, or the
64 director's designee;
- 65 (g) one representative of the Utah League of Cities and Towns appointed by the Utah
66 League of Cities and Towns;
- 67 (h) one representative of the Utah Association of Counties appointed by the Utah
68 Association of Counties; and
- 69 (i) one individual appointed jointly by the Utah League of Cities and Towns and the
70 Utah Association of Counties.
- 71 (2) (a) The senator appointed under Subsection (1)(a) is a cochair of the commission.
72 (b) The representative appointed under Subsection (1)(b) is a cochair of the
73 commission.
- 74 (3) (a) If a vacancy occurs in the membership of the commission appointed under
75 Subsection (1)(a) or (b), or Subsections (1)(g) through (i), the member shall be replaced in the
76 same manner in which the original appointment was made.
- 77 (b) A member appointed under Subsections (1)(g) through (i) serves until the member's
78 successor is appointed and qualified.
- 79 (4) (a) Five commission members constitutes a quorum.
- 80 (b) The action of a majority of a quorum constitutes an action of the commission.
- 81 (5) (a) The salary and expenses of a commission member who is a legislator shall be
82 paid in accordance with Section 36-2-2, Legislative Joint Rules, Title 5, Chapter 2, Lodging,
83 Meal, and Transportation Expenses, and Legislative Joint Rules, Title 5, Chapter 3, Legislator
84 Compensation.
- 85 (b) A commission member who is not a legislator may not receive compensation or
86 benefits for the member's service on the commission, but may receive per diem and
87 reimbursement for travel expenses incurred as a commission member at the rates established by

88 the Division of Finance under:

89 (i) Sections 63A-3-106 and 63A-3-107; and

90 (ii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
91 63A-3-107.

92 (6) The Department of Transportation shall serve as a technical advisor to the
93 commission.

94 (7) The Office of Legislative Research and General Counsel and the Office of the
95 Legislative Fiscal Analyst shall provide staff support to the commission.

96 Section 4. Section 63C-21-202 is enacted to read:

97 **63C-21-202. Strategic plan -- Commission powers and duties -- Consultant --**
98 **Reports.**

99 (1) (a) The commission shall gather information on recreation assets from state and
100 local agencies and other sources and develop a strategic plan aimed at meeting the future needs
101 of outdoor recreation within the state in order to enhance the quality of life of Utah residents.

102 Asset lists received from state and local agencies shall include:

103 (i) common data points, to be established by the Office of Outdoor Recreation that can
104 be uniformly compared with other recreation assets within the state, such as asset type, size,
105 unique characteristics, vegetation, land ownership, and similar items;

106 (ii) any specific needs, challenges, or limitations on recreation use of the assets; and

107 (iii) a ranking of potential enhancements to the assets related to recreation use.

108 (b) The strategic plan shall address:

109 (i) outdoor recreation as a major contributor to residents' quality of life;

110 (ii) the needs and impacts of residents who engage in outdoor recreation;

111 (iii) the impact on local communities related to outdoor recreation, including the costs
112 associated with emergency services and infrastructure;

113 (iv) outdoor recreation as a means to retain and attract an exceptional workforce to
114 provide for a sustainable economy;

115 (v) impacts to the environment, wildlife, and natural resources and measures to
116 preserve the natural beauty of the state as more people engage in outdoor recreation;

117 (vi) identify opportunities for sustainable revenue sources to provide for maintenance
118 and future needs;

- 119 (vii) the interface with public lands that are federally managed and private lands; and
120 (viii) other items determined by the commission.
- 121 (2) The commission shall:
- 122 (a) engage one or more consultants to:
- 123 (i) manage the strategic planning process in accordance with Subsection (3); and
124 (ii) conduct analytical work in accordance with Subsection (3);
- 125 (b) guide the analytical work of a consultant described in Subsection (2)(a) and review
126 the results of the work;
- 127 (c) coordinate with a consultant described in Subsection (2)(a) to engage in a process
128 and create a strategic plan;
- 129 (d) conduct regional meetings to gather stakeholder input during the strategic planning
130 process;
- 131 (e) seek input from federal entities including the United States Department of the
132 Interior, the United States Department of Agriculture, and Utah's congressional delegation; and
- 133 (f) produce a final report including a strategic plan and any recommendations.
- 134 (3) The commission by contract with a consultant engaged under Subsection (2)(a)
135 shall direct the consultant to:
- 136 (a) conduct an inventory of existing outdoor recreation resources, programs, and
137 information;
- 138 (b) conduct an analysis of what is needed to develop and implement an effective
139 outdoor recreation strategy aimed at enhancing the quality of life of Utah residents;
- 140 (c) collect and analyze data related to the future projected conditions of the outdoor
141 recreation resources, programs, and information, including the affordability and financing of
142 outdoor recreation;
- 143 (d) develop alternatives to the projection described in Subsection (3)(c) by modeling
144 potential changes to the outdoor recreation industry and economic growth;
- 145 (e) in coordination with the commission, engage in extensive local stakeholder
146 involvement to better understand the needs of, concerns of, and opportunities for different
147 communities and outdoor recreation user types;
- 148 (f) recommend accountability or performance measures to assess the effectiveness of
149 the outdoor recreation system;

150 (g) based on the data described in this Subsection (3), make comparisons between
151 outdoor recreation in Utah and outdoor recreation in other states or countries;

152 (h) in coordination with the commission, conduct the regional meetings described in
153 Subsection (2)(d) to share information and seek input from a range of stakeholders;

154 (i) recommend changes to the governance system for outdoor recreation that would
155 facilitate implementation of the strategic plan;

156 (j) engage in any other data collection or analysis requested by the commission; and

157 (k) produce for the commission:

158 (i) a draft report of findings, observations, and strategic priorities, including:

159 (A) a statewide vision and strategy for outdoor recreation;

160 (B) a strategy for how to meaningfully engage stakeholders throughout the state;

161 (C) funding needs related to outdoor recreation; and

162 (D) recommendations for the steps the state should take to implement a statewide
163 vision and strategy for outdoor recreation; and

164 (ii) a final report, incorporating feedback from the commission on the draft report
165 described in Subsection (3)(k)(i), regarding the future of the outdoor recreation in the state.

166 Section 5. Section **63C-21-203** is enacted to read:

167 **63C-21-203. Public-private partnerships.**

168 The commission may facilitate or encourage public-private partnerships to provide for
169 outdoor recreation resources, programs, or information.

170 Section 6. Section **63I-1-263** is amended to read:

171 **63I-1-263. Repeal dates, Titles 63A to 63N.**

172 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

173 (a) Subsection **63A-1-201**(1) is repealed;

174 (b) Subsection **63A-1-202**(2)(c), the language that states "using criteria established by
175 the board" is repealed;

176 (c) Section **63A-1-203** is repealed;

177 (d) Subsections **63A-1-204**(1) and (2), the language that states "After consultation with
178 the board, and" is repealed; and

179 (e) Subsection **63A-1-204**(1)(b), the language that states "using the standards provided
180 in Subsection **63A-1-203**(3)(c)" is repealed.

- 181 (2) Subsection 63A-5-228(2)(h), relating to prioritizing and allocating capital
182 improvement funding, is repealed on July 1, 2024.
- 183 (3) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1, 2023.
- 184 (4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
185 1, 2028.
- 186 (5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
187 2025.
- 188 (6) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1,
189 2020.
- 190 (7) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
191 repealed July 1, 2021.
- 192 (8) Title 63C, Chapter 18, Mental Health Crisis Line Commission, is repealed July 1,
193 2023.
- 194 (9) Title 63C, Chapter 21, Outdoor Adventure Commission, is repealed July 1, 2025.
- 195 [~~(9)~~] (10) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed
196 July 1, 2025.
- 197 [~~(10)~~] (11) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed
198 July 1, 2020.
- 199 [~~(11)~~] (12) In relation to the State Fair Corporation Board of Directors, on January 1,
200 2025:
- 201 (a) Subsection 63H-6-104(2)(c), related to a Senate appointment, is repealed;
- 202 (b) Subsection 63H-6-104(2)(d), related to a House appointment, is repealed;
- 203 (c) in Subsection 63H-6-104(2)(e), the language that states ", of whom only one may
204 be a legislator, in accordance with Subsection (3)(e)," is repealed;
- 205 (d) Subsection 63H-6-104(3)(a)(i) is amended to read:
206 "(3)(a)(i) Except as provided in Subsection (3)(a)(ii), a board member appointed under
207 Subsection (2)(e) or (f) shall serve a term that expires on the December 1 four years after the
208 year that the board member was appointed.";
- 209 (e) in Subsections 63H-6-104(3)(a)(ii), (c)(ii), and (d), the language that states "the
210 president of the Senate, the speaker of the House, the governor," is repealed and replaced with
211 "the governor"; and

212 (f) Subsection 63H-6-104(3)(e), related to limits on the number of legislators, is
213 repealed.

214 [~~(12)~~] (13) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1,
215 2026.

216 [~~(13)~~] (14) Section 63M-7-212 is repealed on December 31, 2019.

217 [~~(14)~~] (15) On July 1, 2025:

218 (a) in Subsection 17-27a-404(3)(c)(ii), the language that states "the Resource
219 Development Coordinating Committee," is repealed;

220 (b) Subsection 23-14-21(2)(c) is amended to read "(c) provide notification of proposed
221 sites for the transplant of species to local government officials having jurisdiction over areas
222 that may be affected by a transplant.";

223 (c) in Subsection 23-14-21(3), the language that states "and the Resource Development
224 Coordinating Committee" is repealed;

225 (d) in Subsection 23-21-2.3(1), the language that states "the Resource Development
226 Coordinating Committee created in Section 63J-4-501 and" is repealed;

227 (e) in Subsection 23-21-2.3(2), the language that states "the Resource Development
228 Coordinating Committee and" is repealed;

229 (f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered
230 accordingly;

231 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;

232 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the
233 word "and" is inserted immediately after the semicolon;

234 (i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);

235 (j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;
236 and

237 (k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are
238 renumbered accordingly.

239 [~~(15)~~] (16) Subsection 63J-1-602.1(13), Nurse Home Visiting Restricted Account is
240 repealed July 1, 2026.

241 [~~(16)~~] (17) Subsection 63J-1-602.2(4), referring to dedicated credits to the Utah
242 Marriage Commission, is repealed July 1, 2023.

243 ~~[(17)]~~ (18) Subsection [63J-1-602.2](#)(5), referring to the Trip Reduction Program, is
244 repealed July 1, 2022.

245 ~~[(18)]~~ (19) (a) Subsection [63J-1-602.1](#)(53), relating to the Utah Statewide Radio
246 System Restricted Account, is repealed July 1, 2022.

247 (b) When repealing Subsection [63J-1-602.1](#)(53), the Office of Legislative Research and
248 General Counsel shall, in addition to the office's authority under Subsection [36-12-12](#)(3), make
249 necessary changes to subsection numbering and cross references.

250 ~~[(19)]~~ (20) Subsection [63J-1-602.2](#)(23), related to the Utah Seismic Safety
251 Commission, is repealed January 1, 2025.

252 ~~[(20)]~~ (21) Subsection [63J-4-708](#)(1), in relation to the Talent Ready Utah Board, on
253 January 1, 2023, is amended to read:

254 "(1) On or before October 1, the board shall provide an annual written report to the
255 Social Services Appropriations Subcommittee and the Economic Development and Workforce
256 Services Interim Committee."

257 ~~[(21)]~~ (22) In relation to the Utah Substance Use and Mental Health Advisory Council,
258 on January 1, 2023:

259 (a) Sections [63M-7-301](#), [63M-7-302](#), [63M-7-303](#), [63M-7-304](#), and [63M-7-306](#) are
260 repealed;

261 (b) Section [63M-7-305](#), the language that states "council" is replaced with
262 "commission";

263 (c) Subsection [63M-7-305](#)(1) is repealed and replaced with:

264 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

265 (d) Subsection [63M-7-305](#)(2) is repealed and replaced with:

266 "(2) The commission shall:

267 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
268 Drug-Related Offenses Reform Act; and

269 (b) coordinate the implementation of Section [77-18-1.1](#) and related provisions in
270 Subsections [77-18-1](#)(5)(b)(iii) and (iv)."

271 ~~[(22)]~~ (23) The Crime Victim Reparations and Assistance Board, created in Section
272 [63M-7-504](#), is repealed July 1, 2027.

273 ~~[(23)]~~ (24) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,

274 2021.

275 ~~[(24)]~~ (25) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is
276 repealed on January 1, 2023.

277 ~~[(25)]~~ (26) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

278 ~~[(26)]~~ (27) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act,
279 is repealed January 1, 2021.

280 (b) Subject to Subsection ~~[(26)]~~ (27)(c), Sections 59-7-610 and 59-10-1007 regarding
281 tax credits for certain persons in recycling market development zones, are repealed for taxable
282 years beginning on or after January 1, 2021.

283 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

284 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
285 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

286 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
287 the expenditure is made on or after January 1, 2021.

288 (d) Notwithstanding Subsections ~~[(26)]~~ (27)(b) and (c), a person may carry forward a
289 tax credit in accordance with Section 59-7-610 or 59-10-1007 if:

290 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

291 (ii) (A) for the purchase price of machinery or equipment described in Section
292 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,
293 2020; or

294 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
295 expenditure is made on or before December 31, 2020.

296 ~~[(27)]~~ (28) Section 63N-2-512 is repealed on July 1, 2021.

297 ~~[(28)]~~ (29) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
298 January 1, 2021.

299 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
300 calendar years beginning on or after January 1, 2021.

301 (c) Notwithstanding Subsection ~~[(28)]~~ (29)(b), an entity may carry forward a tax credit
302 in accordance with Section 59-9-107 if:

303 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
304 31, 2020; and

305 (ii) the qualified equity investment that is the basis of the tax credit is certified under
306 Section [63N-2-603](#) on or before December 31, 2023.

307 [~~30~~] (30) Subsections [63N-3-109](#)(2)(e) and [63N-3-109](#)(2)(f)(i) are repealed July 1,
308 2023.

309 [~~31~~] (31) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is
310 repealed July 1, 2023.

311 [~~32~~] (32) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant
312 Program, is repealed January 1, 2023.

313 [~~33~~] (33) In relation to the Pete Suazo Utah Athletic Commission, on January 1,
314 2021:

315 (a) Subsection [63N-10-201](#)(2)(a) is amended to read:

316 "(2) (a) The governor shall appoint five commission members with the advice and
317 consent of the Senate.";

318 (b) Subsection [63N-10-201](#)(2)(b), related to legislative appointments, is repealed;

319 (c) in Subsection [63N-10-201](#)(3)(a), the language that states ", president, or speaker,
320 respectively," is repealed; and

321 (d) Subsection [63N-10-201](#)(3)(d) is amended to read:

322 "(d) The governor may remove a commission member for any reason and replace the
323 commission member in accordance with this section."

324 [~~34~~] (34) In relation to the Talent Ready Utah Board, on January 1, 2023:

325 (a) Subsection [9-22-102](#)(16) is repealed;

326 (b) in Subsection [9-22-114](#)(2), the language that states "Talent Ready Utah," is
327 repealed; and

328 (c) in Subsection [9-22-114](#)(5), the language that states "representatives of Talent Ready
329 Utah," is repealed.

330 [~~35~~] (35) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed
331 January 1, 2023.