

NATIONAL GUARD AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: Ann Millner

LONG TITLE

Committee Note:

The Veterans and Military Affairs Commission recommended this bill.

Membership: 5 legislators 16 non-legislators

Total Vote: 19 voting for 0 voting against 2 absent

Legislative Vote: 5 voting for 0 voting against 0 absent

General Description:

This bill makes changes to the State Armory Board and the West Traverse Sentinel Landscape Fund.

Highlighted Provisions:

This bill:

► adds landscape monitoring, community outreach and education, and administrative costs approved by the Utah National Guard as purposes for the fund; and

► makes technical corrections to the State Armory Board responsibilities.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

39-2-2, as last amended by Laws of Utah 2016, Chapter 254



28 **39-10-105**, as enacted by Laws of Utah 2018, Chapter 216



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

31 Section 1. Section **39-2-2** is amended to read:

32 **39-2-2. Powers of State Armory Board.**

33 (1) The board shall supervise and control the armories and arsenals, and all real
34 property held or acquired for the military purposes of the state.

35 (2) The board may:

36 (a) provide suitable armories and arsenals for the different organizations of the
37 National Guard;

38 (b) lease buildings for armory and arsenal purposes throughout the state wherever
39 necessary for the use of organizations of the National Guard and for the storage of state and
40 government property at a rental that the board considers reasonable;

41 (c) erect armories and arsenals at places within the state that it considers necessary
42 upon lands to which it has acquired the legal title;

43 (d) expend military funds to acquire legal title to lands and to construct armories and
44 arsenals;

45 (e) lease ~~[land that it]~~ property that the board holds under Subsection (1) [to
46 ~~Department of Defense agencies for military purposes]~~ for purposes consistent with the
47 mission of the Utah National Guard; and

48 (f) conduct meetings and take official action in person or as necessary via electronic
49 means, including telephone or video teleconferencing, or a combination of these methods.

50 (3) (a) Subject to Subsection (3)(b), the board may take options for the purchase of any
51 premises under lease to the state for armory and arsenal purposes:

52 (i) at any time during the life of the lease; and

53 (ii) when the purchase is in the state's interest.

54 (b) An option is not binding upon the board until it is approved by the Legislature.

55 (4) (a) Before legally binding the state to sell or lease any armory, army premises, or
56 other real property owned by the National Guard, the board shall submit a description of the
57 proposed sale to the Legislative Management Committee for its review and recommendations.

58 (b) Before legally binding the state to purchase any interest in real property, the board

59 shall submit a description of the proposed sale to the Legislative Management Committee for
60 its review and recommendations.

61 (c) The Legislative Management Committee shall review each proposal and may:

62 (i) recommend that the board complete the purchase or sale; or

63 (ii) recommend that the board not complete the purchase or sale.

64 (5) The proceeds from the sales and leases of armories and army [~~premises~~] property
65 authorized by this section shall be appropriated to the State Armory Board to be applied toward
66 the acquisition and sale of real property, and the construction of new armories.

67 Section 2. Section **39-10-105** is amended to read:

68 **39-10-105. West Traverse Sentinel Landscape Fund.**

69 (1) As used in this section:

70 (a) "Committee" means the West Traverse Sentinel Landscape Coordinating

71 Committee created in Section [39-10-103](#).

72 (b) "Fund" means the West Traverse Sentinel Landscape Fund.

73 (2) There is created a restricted account within the General Fund known as the West
74 Traverse Sentinel Landscape Fund.

75 (3) The fund shall consist of:

76 (a) appropriations from the Legislature; and

77 (b) grants or donations from other public or private sources.

78 (4) The fund shall be administered by the Utah National Guard and the committee.

79 (5) The purpose of the fund shall be to provide:

80 (a) matching funds for established federal funding programs concerning sentinel
81 landscapes;

82 (b) matching funds for local and private funding programs that assist with sentinel
83 landscape designations; [~~and~~]

84 (c) incentives for landowners who voluntarily participate in land management practices
85 that are consistent with Camp Williams's military missions[~~;~~];

86 (d) sentinel landscape monitoring, community outreach, and education;

87 (e) costs associated with due diligence and administration of purchasing land and
88 easements; and

89 (f) administrative costs as approved by the Utah National Guard and the committee.

90 (6) The committee may make an appropriation request through the Utah National
91 Guard to the Legislature for necessary funds to carry out the committee's purpose.

92 (7) Upon appropriation, funds may only be used for landscapes that qualify under:

93 (a) the Army Compatible Use Buffer Program guidelines or similar regulations as a
94 federal program whose purpose is to secure landscapes that serve to buffer military
95 installations;

96 (b) Internal Revenue Code guidelines in 26 U.S.C. Sec. 170(h); or

97 (c) local municipal or county guidelines established through the committee and
98 consistent with Camp Williams's military mission.

99 ~~[(8) Funds used for projects with matching federal funding may not exceed a 25%~~
100 ~~match with federal funds.]~~