

1 **LEGISLATIVE WATER DEVELOPMENT COMMISSION**

2 **AMENDMENTS**

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Jani Iwamoto**

6 House Sponsor: Joel Ferry

7

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies provisions related to the Legislative Water Development
11 Commission.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ modifies the quorum requirements to rely on joint legislative rules;
- 15 ▶ addresses sunset date provisions related to the commission; and
- 16 ▶ makes technical changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **63I-1-273**, as last amended by Laws of Utah 2020, Chapters 28, 154, and 342

24 **73-27-102**, as last amended by Laws of Utah 2020, Chapter 28

25

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

27 Section 1. Section **63I-1-273** is amended to read:



28 **63I-1-273. Repeal dates, Title 73.**

29 [~~(1) In relation to the Legislative Water Development Commission, on January 1,~~
30 ~~2031;~~]

31 [~~(a) in Subsection 73-10g-105(3), the language that states "and in consultation with the~~
32 ~~Legislative Water Development Commission created in Section 73-27-102" is repealed;~~]

33 [~~(b) Subsection 73-10g-203(4)(a) is repealed; and]~~

34 [~~(c) (1) Title 73, Chapter 27, Legislative Water Development Commission, is repealed~~
35 ~~January 1, 2031.~~

36 (2) Title 73, Chapter 10g, Part 2, Agricultural Water Optimization, is repealed July 1,
37 2025.

38 (3) Section 73-18-3.5, which creates the Boating Advisory Council, is repealed July 1,
39 2024.

40 (4) Title 73, Chapter 30, Great Salt Lake Advisory Council Act, is repealed July 1,
41 2027.

42 (5) In relation to Title 73, Chapter 31, Water Banking Act, on December 31, 2030:

43 (a) Subsection 73-1-4(2)(e)(xi) is repealed;

44 (b) Subsection 73-10-4(1)(h) is repealed; and

45 (c) Title 73, Chapter 31, Water Banking Act, is repealed.

46 Section 2. Section 73-27-102 is amended to read:

47 **73-27-102. Legislative Water Development Commission created.**

48 (1) (a) The Legislative Water Development Commission is created to determine the
49 state's role in the protection, conservation, and development of the state's water resources.

50 (b) For purposes of this chapter, "commission" means the Legislative Water
51 Development Commission.

52 (2) (a) The commission membership shall include:

53 (i) five members of the Senate, appointed by the president of the Senate, no more than
54 four of whom may be from the same political party;

55 (ii) eight members of the House of Representatives, appointed by the speaker of the
56 House of Representatives, no more than six of whom may be from the same political party; and

57 (iii) subject to Subsections (2)(b) and (c), nonvoting members, appointed by the
58 Legislative Management Committee, from a list recommended by the cochairs of the

59 commission described in Subsection (5).

60 (b) If the Legislative Management Committee chooses to not appoint an individual on
61 the list described in Subsection (2)(a)(iii), the Legislative Management Committee may ask the
62 cochairs of the commission to submit an additional list of recommendations.

63 (c) The Legislative Management Committee may not appoint an individual who is not
64 recommended by the cochairs of the commission.

65 (3) (a) The members appointed by the Legislative Management Committee under
66 Subsection (2)(a)(iii) shall be appointed or reappointed to a two-year term.

67 (b) When a vacancy occurs in the membership for any reason, the Legislative
68 Management Committee, in consultation with the cochairs of the commission, shall appoint a
69 replacement for the unexpired term.

70 (4) The president of the Senate and the speaker of the House of Representatives shall,
71 to the extent possible, appoint members under Subsections (2)(a)(i) and (ii) that represent both
72 rural and urban areas of the state.

73 (5) (a) The president of the Senate shall designate a member of the Senate appointed
74 under Subsection (2)(a)(i) as a cochair of the commission.

75 (b) The speaker of the House of Representatives shall designate a member of the House
76 of Representatives appointed under Subsection (2)(a)(ii) as a cochair of the commission.

77 ~~[(6) Attendance by at least 50% of one legislative house and more than 50% of the
78 other legislative house constitutes a quorum.]~~

79 (6) What constitutes a quorum of the commission is determined in accordance with
80 Legislative Joint Rules, Title 7, Chapter 1, Part 2, Creation and Organization of Legislative
81 Committees, except nonvoting members of the commission described in Subsection (2)(a)(iii)
82 may not be considered for purposes of determining a quorum.

83 (7) (a) Compensation and expenses of a member of the commission who is a legislator
84 are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation
85 and Expenses.

86 (b) Commission members who are employees of the state shall receive no additional
87 compensation.

88 (c) Other commission members shall receive no compensation or expenses for their
89 service on the commission.

90 (8) The Office of Legislative Research and General Counsel shall provide staff support
91 to the commission.