



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 18, 2022

Mr. Speaker,

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 305**, NATURAL RESOURCES REVISIONS, by Representative J. Ferry, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 305**, NATURAL RESOURCES REVISIONS with the following amendments:

1. *Page 2, Line 45 through 46:*

45 ▶ modifies the LeRay McAllister Critical Land Conservation Program, including
46 addressing ~~{-county-}~~ local action in some circumstances;

2. *Page 3, Line 59 through 74:*

59 Money Appropriated in this Bill:

60 This bill appropriates in fiscal year 2023:

61 ▶ to the Department of Natural Resources -- ~~{-Conservation-}~~ Pass
Through, as an ongoing

62 appropriation:

63 • from General Fund, \$130,000;

64 ▶ to the Department of Natural Resources -- ~~{-Outdoor Recreation-}~~ =
Recreation Management, as an ongoing

65 appropriation:

66 • from General Fund, \$150,000;

67 ▶ to the Department of Agriculture and Food -- Conservation, as an ongoing

68 appropriation:

69 • from General Fund, \$120,000;

70 ▶ to the Governor's Office of Economic Opportunity, as an ongoing appropriation:

71 • from General Fund, (\$338,700); and

72 ▶ to the Department of Natural Resources -- ~~{-Outdoor Recreation-}~~ =
Recreation Management, as an ongoing

73 appropriation:

74 • from General Fund, \$338,700.

Bill Number



HB0305S02

Action Class



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3. Page 14, Line 424 through 428:

424 ~~{ (5) "County land use authority" means a land use authority, as defined in~~
 ~~Section~~
 425 ~~17-27a-103, of a county.~~
 426 ~~— (6) }~~ (5) "Director" means the director of the Division of Conservation.
 427 ~~{ (7) }~~ (6) "Division" means the Division of Conservation created in
 Section 4-46-401.
 (7) "Land use authority" means:
 (a) a land use authority, as defined in Section 10-9a-103, of a municipality; or
 (b) a land use authority, as defined in Section 17-27a-103, of a county.
 428 ~~{(6)}~~ (8) "Local entity" means a county, city, or town.

4. Page 17, Line 498 through 515:

498 (e) seven persons from the profit and nonprofit private sector:
 499 (i) two of whom may not be residents of a county of the first or second class;
 500 ~~{ (ii) no more than three of whom may be from the same political party;~~
 501 ~~— (iii) }~~ (ii) one of whom shall be from the residential construction industry,
 nominated by an
 502 association representing Utah home builders;
 503 ~~{ (iv) }~~ (iii) one of whom shall be from the real estate industry, nominated
 by an association
 504 representing Utah realtors;
 505 ~~{ (v) }~~ (iv) one representative of an association representing farmers,
 selected from a list of
 506 nominees submitted by at least one association representing farmers;
 507 ~~{ (vi) }~~ (v) one representative of an association representing cattlemen,
 selected from a list of
 508 nominees submitted by at least one association representing cattlemen;
 509 ~~{ (vii) }~~ (vi) one representative of an association representing wool
 growers, selected from a



510 list of nominees submitted by at least one association representing wool growers;
 511 ~~{(viii)}~~ **(vii)** one representative of land trusts; and
 512 ~~{(ix)}~~ **(viii)** one representative of an association representing
conservation districts created
 513 under Title 17D, Chapter 3, Conservation District Act, selected from a list of nominees
 514 submitted by at least one association representing conservation districts.
 515 (2) (a) The governor shall appoint a board member under Subsection (1)(d) or (e)
with

5. Page 18, Line 532 through 533:

532 (5) ~~{Board}~~ **(a) Subject to Subsection (5)(b), board** members shall
elect a chair from their number and establish rules for the
 533 organization and operation of the board.
(b) The board member who is chair may not vote during the board member's
tenure as chair, except the chair may vote if there is a tie vote of board members.

6. Page 22, Line 647 through 658:

647 (6) (a) The board may not authorize the use of money under this section for a project
 648 unless the ~~{county}~~ land use authority for the ~~{county}~~ **land** in which
the project is located consents to
 649 the project.
 650 (b) To obtain consent to a project, the person who is seeking money from the
program
 651 shall submit a request for consent to a project with the applicable ~~{county}~~ land
use authority.
 652 The ~~{county}~~ land use authority may grant or deny consent. If the ~~{county}~~
land use authority does
 653 not take action within 30 days from the day on which the request for consent is filed with
the
 654 ~~{county}~~ land use authority under this Subsection (6), the board shall treat the



project as having
 655 the consent of the ~~{-county-}~~ land use authority.
 656 (c) An action of a ~~{-county-}~~ land use authority under this Subsection (6) is
 not a land use
 657 decision subject to ∴
(i) Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act;
or
(ii) Title 17, Chapter 27a, County Land Use, Development, and Management
 658 Act.

7. Page 146, Line 4500 through Page 147, Line 4535:

4500 ITEM 1
 4501 To Department of Natural Resources -- ~~{-Conservation-}~~ Pass Through
 4502 From General Fund \$130,000
 4503 Schedule of Programs:
 4504 ~~{-Conservation-}~~ Pass Through
\$130,000
 4505 The Legislature intends that the money appropriated under this item be used only for
 4506 the purpose of conservation efforts in accordance with Subsection 79-2-202(5) enacted in
 this
 4507 bill.
 4508 ITEM 2
 4509 To Department of Natural Resources -- ~~{-Outdoor Recreation-}~~ Recreation
Management
 4510 From General Fund \$150,000
 4511 Schedule of Programs:
 4512 ~~{-Outdoor Recreation Administration-}~~ Recreation
Management \$150,000
 4513 The Legislature intends that the money appropriated under this item be used for the
 4514 administration of the Division of Outdoor Recreation in accordance with this bill.
 4515 ITEM 3
 4516 To Department of Agriculture and Food -- Conservation
 4517 From General Fund \$120,000



4518 Schedule of Programs:

4519 Conservation Administration \$120,000

4520 The Legislature intends that the money appropriated under this item be used for

4521 conservation efforts in accordance with this bill.

4522 ITEM 4

4523 To Governor's Office of Economic Opportunity

4524 From General Fund (\$338,700)

4525 Schedule of Programs:

4526 {~~Outdoor Recreation~~} ~~Business Outreach & International~~

Trade (\$338,700)

4527 ITEM 5

4528 To Department of Natural Resources -- {~~Outdoor Recreation~~} ~~Recreation~~

Management

4529 From General Fund \$338,700

4530 Schedule of Programs:

4531 {~~Outdoor Recreation~~} ~~Recreation Management~~

\$338,700

4532 The Legislature intends that, at the close of fiscal year 2022, the Division of Finance

4533 transfer any fiscal year {~~2021~~} 2022 closing nonlapsing balances or carry

forward funding in support of the Office

4534 of Outdoor Recreation to the Department of Natural Resources - {~~Outdoor~~

Recreation} Recreation Management , as fiscal

4535 year 2023 beginning nonlapsing balances.

Respectfully,

Keven J. Stratton
Chair

Voting: 9-3-2

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