

## 2nd Sub. H.B. 305

### NATURAL RESOURCES REVISIONS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 2

FEBRUARY 17, 2022 5:59 PM

Representative **Joel Ferry** proposes the following amendments:

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

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

2. *Page 3, Lines 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.

3. *Page 14, Lines 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, Lines 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, Lines 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, Lines 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.