

**NATIONAL GUARD AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor: Ann Millner

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**LONG TITLE**

**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

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

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

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

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

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

- 30 (2) The board may:
- 31 (a) provide suitable armories and arsenals for the different organizations of the
- 32 National Guard;
- 33 (b) lease buildings for armory and arsenal purposes throughout the state wherever
- 34 necessary for the use of organizations of the National Guard and for the storage of state and
- 35 government property at a rental that the board considers reasonable;
- 36 (c) erect armories and arsenals at places within the state that it considers necessary
- 37 upon lands to which it has acquired the legal title;
- 38 (d) expend military funds to acquire legal title to lands and to construct armories and
- 39 arsenals;
- 40 (e) lease [~~land that it~~] property that the board holds under Subsection (1) [to
- 41 Department of Defense agencies for military purposes] for purposes consistent with the
- 42 mission of the Utah National Guard; and
- 43 (f) conduct meetings and take official action in person or as necessary via electronic
- 44 means, including telephone or video teleconferencing, or a combination of these methods.
- 45 (3) (a) Subject to Subsection (3)(b), the board may take options for the purchase of any
- 46 premises under lease to the state for armory and arsenal purposes:
- 47 (i) at any time during the life of the lease; and
- 48 (ii) when the purchase is in the state's interest.
- 49 (b) An option is not binding upon the board until it is approved by the Legislature.
- 50 (4) (a) Before legally binding the state to sell or lease any armory, army premises, or
- 51 other real property owned by the National Guard, the board shall submit a description of the
- 52 proposed sale to the Legislative Management Committee for its review and recommendations.
- 53 (b) Before legally binding the state to purchase any interest in real property, the board
- 54 shall submit a description of the proposed sale to the Legislative Management Committee for
- 55 its review and recommendations.
- 56 (c) The Legislative Management Committee shall review each proposal and may:
- 57 (i) recommend that the board complete the purchase or sale; or

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

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

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

63 **39-10-105. West Traverse Sentinel Landscape Fund.**

64 (1) As used in this section:

65 (a) "Committee" means the West Traverse Sentinel Landscape Coordinating  
66 Committee created in Section **39-10-103**.

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

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

70 (3) The fund shall consist of:

71 (a) appropriations from the Legislature; and

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

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

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

75 (a) matching funds for established federal funding programs concerning sentinel  
76 landscapes;

77 (b) matching funds for local and private funding programs that assist with sentinel  
78 landscape designations; ~~and~~

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

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

82 (e) costs associated with due diligence and administration of purchasing land and  
83 easements; and

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

85 (6) The committee may make an appropriation request through the Utah National

86 Guard to the Legislature for necessary funds to carry out the committee's purpose.

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

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

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

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

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