

1                                   **UTAH WATERSHEDS COUNCIL AMENDMENTS**

2   2022 GENERAL SESSION

3   STATE OF UTAH

4   **Chief Sponsor: Scott H. Chew**

5   Senate Sponsor: David P. Hinkins

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7 **LONG TITLE**

8 **General Description:**

9           This bill addresses the Utah Watersheds Council.

10 **Highlighted Provisions:**

11           This bill:

- 12           ▶ modifies the membership of the Utah Watersheds Council;
- 13           ▶ removes outdated language; and
- 14           ▶ makes technical changes.

15 **Money Appropriated in this Bill:**

16           None

17 **Other Special Clauses:**

18           None

19 **Utah Code Sections Affected:**

20 AMENDS:

21           **73-10g-304**, as enacted by Laws of Utah 2020, Chapter 309

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

24           Section 1. Section **73-10g-304** is amended to read:

25           **73-10g-304. Utah Watersheds Council -- Creation and governance.**

26           (1) Within the Department of Natural Resources, there is created the "Utah Watersheds  
27 Council" consisting of the following members who are residents of the state:

28           (a) the executive director of the Department of Natural Resources;

29           (b) the executive director of the Department of Environmental Quality;

- 30 (c) the commissioner of the Department of Agriculture and Food;
- 31 (d) the director of the Utah Division of Indian Affairs;
- 32 (e) the Utah State University Extension vice president;
- 33 (f) the director of the Division of Emergency Management within the Department of  
34 Public Safety;
- 35 (g) a representative designated by the Utah Association of Counties;
- 36 (h) a representative designated by the Utah League of Cities and Towns;
- 37 (i) a representative designated by the Utah Association of Special Districts;
- 38 (j) a representative of reclamation projects located in the state selected by the governor  
39 from a list of three persons nominated jointly by the local sponsors of reclamation projects  
40 located in the state and the executive director of the Department of Natural Resources;
- 41 (k) a representative of agricultural interests selected by the governor from a list of three  
42 persons nominated jointly by the commissioner of the Department of Agriculture and Food, the  
43 president of the Utah Farm Bureau, and the Utah State University Extension vice president;
- 44 (l) a representative of environmental conservation interests selected by the governor  
45 from a list of three persons nominated jointly by the executive directors of the Department of  
46 Environmental Quality and Department of Natural Resources;
- 47 (m) a representative of business and industry water interests selected by the governor  
48 from a list of three individuals nominated jointly by the Utah Manufacturers Association, Utah  
49 Mining Association, and Utah Petroleum Association; ~~and~~
- 50 (n) an attorney who is authorized to practice law in the state, who has recognized  
51 expertise in water law, and is selected by the governor from a list of three individuals  
52 nominated jointly by the executive director of the Department of Natural Resources, the  
53 executive director of the Department of Environmental Quality, and the commissioner of the  
54 Department of Agriculture and Food; and
- 55 ~~[(n)]~~ (o) the designated individual selected by a local watershed council certified under  
56 Section 73-10g-306.
- 57 ~~[(2)(a) The division is directed, by no later than July 1, 2020, to organize a meeting of~~

58 ~~the individuals identified in Subsections (1)(a) through (m), in which those individuals shall:]~~

59 (2) (a) The state council shall:

60 (i) organize the state council as provided in this part;

61 (ii) select a chair and at least one vice-chair from among the members of the state  
62 council to have powers and duties provided in the organizing documents adopted by the state  
63 council; and

64 (iii) adopt policies to govern the state council's activities, including policies for the  
65 creation of subcommittees that may be less than a quorum of the state council and may include  
66 persons of suitable expertise who are not state council members.

67 (b) The state council shall make the organizing documents and policies created under  
68 Subsection (2)(a) available:

69 (i) to the public;

70 (ii) at each meeting of the state council; and

71 (iii) on a public website maintained by the division for council business.

72 (3) The state council may invite federal agencies to name representatives as liaisons to  
73 the state council.

74 (4) The state council shall stagger the initial terms of the state council members listed  
75 in Subsections (1)(g) through [~~(m)~~] (n), after which members will be replaced according to  
76 policies adopted by the state council.

77 (5) After the state council's initial organization, the state council may hold regular and  
78 special meetings at such locations within the state and on a schedule as the state council  
79 determines, provided that the state council shall meet at least semi-annually.

80 (6) A majority of the members of the state council constitutes a quorum.

81 (7) The action of the majority of the council constitutes the action of the state council.

82 (8) (a) The state council policies may allow that a properly authorized representative of  
83 a voting member of the state council may act in the place of that voting member if the voting  
84 member is absent or unable to act.

85 (b) The state council shall enter in the record of a meeting proper documentation of a

86 representative's authority to act on behalf of the voting member under this Subsection (8).

87           (c) Authorization to act on behalf of a voting member may be given for more than one  
88 meeting.

89           (d) Authorization to act on behalf of a voting member shall comply with the policies  
90 adopted by the state council.

91           (9) (a) The division shall staff the state council.

92           (b) The division may make rules in accordance with Title 63G, Chapter 3, Utah  
93 Administrative Rulemaking Act, to facilitate the creation and operation of the state council.