

**BY-LAWS OF THE
CRITICAL LAND CONSERVATION COMMITTEE**

Approved: October 14, 1998

ARTICLE 1: ESTABLISHMENT AND PURPOSES

1.1 Establishment

The Critical Land Conservation Committee, hereinafter referred to as the “Committee,” was established by the 1998 Utah State Legislature. (See Senate Bill 51; also at Utah Code sections 11-28-101 through 11-28-108)

1.2 Revolving Loan Fund

The Committee shall administer the LeRay McAllister Critical Land Conservation Revolving Loan Fund, hereinafter referred to as the “Loan Fund,” which was established to assist a local entity or nonprofit organization in its efforts to preserve open land in Utah, if the local entity or nonprofit organization adheres to the principals of:

- A. protecting private property rights;
- B. ensuring that land use decisions are made locally;
- C. avoiding a net loss of private land ownership in the state; and
- D. encouraging partnerships in the effort of preserving open land.

1.3 Coordination

The Committee shall coordinate and cooperate with the Governor’s Office of Planning and Budget, the Department of Finance, and any other agency concerned with critical land conservation. The Committee shall identify opportunities for private groups and local, state, and federal agencies to cooperate in furthering the purposes of the Committee.

1.4 Technical Assistance

The Committee will serve as a central steering body, act as a permanent forum for discussion, give general advice and direction to state government, and provide advice, information, and technical assistance to local governments in matters pertaining to critical land conservation. The Committee shall develop a process for identifying, based on local assessment, real property which serves as open land, but is in danger of losing that status, and suggest a conservation technique that would protect those lands. The Committee shall periodically report to the governor and the legislature on the status of land conservation and protection efforts in Utah, including tools and techniques.

ARTICLE 2: MEMBERSHIP AND OFFICERS

2.1 Committee Membership

The Committee shall be composed of fifteen (15) members as follows:

- A. Five persons at the state government level, appointed by the governor with the advice and consent of the Senate.
- B. Five persons at the local government level, appointed by the governor with the advice and consent of the Senate.
- C. Five persons from the private sector, appointed by the governor with the advice and consent of the Senate.

2.2 Term of Membership

Members shall serve at the pleasure of the Governor for no more than two (2) consecutive three (3) year terms; provided that, if the status of a member changes such that the composition of the Committee no longer meets the requirements of 2.1 above, said member shall resign or be removed and a new member shall be appointed by the governor with the advice and consent of the Senate.

2.3 Removal

The Committee by majority vote may recommend to the Governor the removal of any member for appropriate reasons. If a member has three (3) consecutive absences the Committee shall recommend that the Governor remove said individual from the Committee, unless the Committee finds that circumstances warrant that the absences be excused.

2.4 Vacancies

Any vacancy in the membership of the Committee due to death, resignation, or removal, shall be filled by appointment by the Governor with the advice and consent of the Senate. The Committee may make recommendations to the Governor for the filling of any vacancy.

2.5 Responsibilities of Members

It is the responsibility of the members of the Committee to participate in meetings, review loan applications, approve projects for funding from the Loan Fund, make loan authorizations, approve and execute all documents necessary to accomplish the purposes of the Loan Fund, take whatever actions are necessary to protect the assets of the Loan Fund, and make other recommendations regarding the Loan Fund and matters relating to critical land conservation in Utah.

2.6 Officers

The Committee shall elect by majority vote a chair and a vice-chair from among its members and such other officers as it may deem necessary. The chair and vice-chair shall serve for a term of three (3) years or the remainder their respective terms as members of the Committee, whichever is less. The Committee chair or, in his/her absence, the vice-chair, shall conduct and preside at all meetings. If the chair and vice-chair are absent from any meeting, the voting members present shall elect a temporary chair by a majority vote.

ARTICLE 3: MEETINGS AND VOTING

3.1 Meeting Schedule and Notice

The Committee shall hold regular monthly meetings on the second Wednesday at 10:30 AM or upon the call of the chair. The meetings will be held in Salt Lake City at the State Capitol unless another location is chosen. Notice of all meetings shall be given in accordance with the Utah Open Meetings Act. If the chair calls a special meeting or changes the time or location of any regular meeting, notice shall be given to each Committee member at least three (3) business days prior to the scheduled meeting. Such notice shall specify the time, date, and location of the meeting and the purpose for which the meeting is called.

3.2 Meeting Agendas

Items of business to be included in the meetings will be determined by the chair. The agenda items for each meeting shall be set in advance so that the Committee can make the necessary preparation for the meetings. Items for consideration may be introduced by members of the Committee for consideration at a future meeting, or, if appropriate, acted upon at the time of presentation. Public comment may be permitted as appropriate on items being considered.

3.3 Quorum

Eight (8) members constitutes a quorum.

3.4 Voting

Voting members of the Committee shall be those as outlined in Article 2 (2.1). Substitutes at meetings shall not have voting privileges. Each member shall have one vote in the Committee. Once a presence of a quorum is established, a majority vote of the voting members present is necessary to carry any motion. Proxy votes are not allowed.

ARTICLE 4: SUBCOMMITTEES

4.1 Subcommittees

The Committee may establish subcommittees as it deems advisable and feasible, the membership of which may or may not be made up, in whole, from members of the Committee. The chair shall appoint the heads of subcommittees as required.

ARTICLE 5: GENERAL PROVISIONS

5.1 Staff Support

The Governor's Office of Planning and Budget will provide staff support for the Committee.

5.2 Rules of Procedure

When parliamentary procedures are not covered by these bylaws, *Robert's Rules of Order, Revised* shall prevail.

5.3 **Duration**

The duration of the Utah Critical Lands Conservation Committee shall be perpetual, unless abolished by the state legislature.

ARTICLE 6: AMENDMENTS

6.1 **Amendments**

These by-laws may be amended, repealed, or added to at regular or special meetings of the Committee, provided that written notice shall have been sent to each member stating the amendments or changes which are proposed to be made. Proposed amendments shall be considered to have passed if two-thirds of the voting membership of the Committee vote in the affirmative.