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Sen. Scott K. Jenkins, Senate Chair

Rep. Lee B. Perry, House Chair

Natural Resources, Agriculture, and Environment Interim Committee

2016 Commission for the Stewardship of Public Lands Report to the Natural Resources, Agriculture, and Environment Committee

Senator Jenkins and Representative Perry:

The Commission for the Stewardship of Public Lands held two meetings since our last update to the Natural Resources, Agriculture, and Environment Committee.

December 9, 2015

The first Commission meeting was held on December 9, 2015. At that meeting, the Commission received a report from the Legal and Relations Consulting Services Team the Commission contracted with in 2015. That report summarized the legal arguments the state could make with regard to the public lands and can be found online at:

<http://le.utah.gov/interim/2015/pdf/00005590.pdf>

April 29, 2016

The second Commission meeting was held on April 29, 2016. At that meeting, the Commission considered a policy resolution “Commission Resolution on Public Lands”. This resolution encourages the pursuit of legal action establishing state sovereignty and equal footing, which would lead to the state obtaining control of federal public lands within the state of Utah. This resolution acknowledges the constitutional arguments that provide the basis to bring suit against the federal government to obtain control over federal public lands within Utah, and encourages asserting a cause of action, in the absence of legislative progress, with the United States Supreme Court under the Court's original jurisdiction of conflicts between the states and the United States. The resolution was adopted by the Commission and may be found online at:

<http://le.utah.gov/interim/2016/pdf/00001957.pdf>

The Commission received testimony from many stakeholders regarding the potential use of the federal Antiquities Act to designate the Bears Ears area of Utah as a National Monument. After receiving public testimony on the issue, the Commission approved a “Commission Resolution Opposing the Unilateral Use of the Antiquities Act”. On May 18, 2016, during the 2016 2nd Special Session, the legislature passed HCR 201 “Concurrent Resolution Opposing the Unilateral Use of the Antiquities Act”, sponsored by Senator David P. Hinkins and Representative Keven J. Stratton. The concurrent resolution may be found online at:

<http://le.utah.gov/~2016s2/bills/static/HCR201.html>

The Commission also heard from Utah's Public Lands Policy Coordinating Office (PLPCO) regarding recently proposed rules related to public lands.

Senator David P. Hinkins
Senate Chair

Representative Keven J. Stratton
House Chair