

30 17-23-14, as last amended by Laws of Utah 2001, Chapter 241

31 ENACTS:

32 63F-1-510, Utah Code Annotated 1953

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

35 Section 1. Section 17-23-14 is amended to read:

36 **17-23-14. Disturbed corners -- County surveyor to be notified.**

37 (1) As used in this section:

38 (a) "Corner" means the same as that term is defined in Section 17-23-17.5.

39 (b) "Monument" means the same as that term is defined in Section 17-23-17.5.

40 ~~[(1) Any]~~ (2) A person who finds it necessary to disturb any established corner in the
41 improvement of a road, or for any other cause, or finds a monument ~~[which]~~ that needs
42 rehabilitation, shall notify the county surveyor.

43 ~~[(2)]~~ (3) The county surveyor or the county surveyor's designee shall:

44 (a) consistent with federal law or rule, reconstruct or rehabilitate the monument for the
45 corner by lowering and witnessing the corner or placing another monument and witness over
46 the existing monument so that the monument:

47 (i) is left in a physical condition to remain as permanent a monument as is reasonably
48 possible; and

49 (ii) may be reasonably located at all times in the future; and

50 (b) file the record of each reconstruction or rehabilitation under Subsection ~~[(2)]~~ (3)(a).

51 Section 2. Section 63F-1-510 is enacted to read:

52 **63F-1-510. Monument Replacement and Restoration Committee.**

53 (1) As used in this section:

54 (a) "Committee" means the Monument Replacement and Restoration Committee
55 created in this section.

56 (b) "Corner" means the same as that term is defined in Section 17-23-17.5.

57 (c) "Monument" means the same as that term is defined in Section 17-23-17.5.

58 (2) (a) There is created the Monument Replacement and Restoration Committee
59 composed of the following seven members:

60 (i) five members appointed by an organization or association that represents Utah
61 counties:

62 (A) that have knowledge and understanding of the Public Land Survey System; and

63 (B) who each represents a different county; and

64 (ii) two members, appointed by the center, who have a knowledge and understanding
65 of the Public Land Survey System.

66 (b) (i) Except as provided in Subsection (2)(b)(ii), a member appointed to the
67 committee is appointed for a four-year term.

68 (ii) The director of the center shall, at the time an entity appoints or reappoints an
69 individual to serve on the committee, adjust the length of the appointed individual's term, as
70 necessary, to ensure that the terms of committee members are staggered so that approximately
71 half of the committee members are appointed every two years.

72 (iii) When a vacancy occurs on the committee for any reason, the replacement
73 appointee shall serve on the committee for the unexpired term.

74 (c) The committee shall elect one committee member to serve as chair of the
75 committee for a term of two years.

76 (d) A majority of the committee constitutes a quorum, and the action of a majority of a
77 quorum constitutes the action of the committee.

78 (e) (i) The center shall provide staff support to the committee.

79 (ii) An individual who is a member of the committee may not serve as staff to the
80 committee.

81 (f) A member of the committee may not receive compensation for the member's service
82 on the committee.

83 (g) The committee may adopt bylaws to govern the committee's operation.

84 (3) (a) The committee shall administer a grant program to assist counties in
85 maintaining and protecting corners or monuments.

86 (b) A county wishing to receive a grant under the program described in Subsection
87 (3)(a) shall submit to the committee an application that:

88 (i) identifies one or more monuments in the county that are in need of protection or
89 rehabilitation;

90 (ii) establishes a plan that is consistent with federal law or rule to protect or rehabilitate
91 each monument identified under Subsection (3)(b)(i); and

92 (iii) requests a specific amount of funding to complete the plan established under
93 Subsection (3)(b)(ii).

94 (c) The committee shall:

95 (i) adopt criteria to:

96 (A) evaluate whether a monument identified by a county under Subsection (3)(b)(i)
97 needs protection or rehabilitation; and

98 (B) identify which monuments identified by a county under Subsection (3)(b)(i) have
99 the greatest need of protection or rehabilitation;

100 (ii) evaluate each application submitted by a county under Subsection (3)(b) using the
101 criteria adopted by the committee under Subsection (3)(c)(i);

102 (iii) subject to sufficient funding and Subsection (3)(d), award grants to counties whose
103 applications are most favorably evaluated under Subsection (3)(c)(ii); and

104 (iv) establish a date by which a county awarded a grant under Subsection (3)(c)(iii)
105 shall report back to the committee.

106 (d) The committee may not award a grant to a county under this section in an amount
107 greater than \$100,000.

108 (4) A county that is awarded a grant under this section shall:

109 (a) document the work performed by the county, pursuant to the plan established by the
110 county under Subsection (3)(b)(ii), to protect or rehabilitate a monument; and

111 (b) before the date established under Subsection (3)(c)(iv), report to the committee on
112 the work performed by the county.

113 (5) (a) If the committee has not expended all of the funds appropriated to the

114 committee by the Legislature for the fulfillment of the committee's duties under this section
115 before December 31, 2016, the committee shall disburse any remaining funds equally among
116 all counties that have established a dedicated monument preservation fund by ordinance as
117 provided in Section 17-23-19.

118 (b) A county to which the center has disbursed funds under Subsection (5)(a) shall:
119 (i) deposit the funds into the county's monument preservation fund; and
120 (ii) expend the funds, in consultation with the committee, for the maintenance and
121 preservation of monuments in the county.

122 **Section 3. Appropriation.**

123 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
124 the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money
125 are appropriated from resources not otherwise appropriated, or reduced from amounts
126 previously appropriated, out of the funds or accounts indicated. These sums of money are in
127 addition to any amounts previously appropriated for fiscal year 2016.

128 To the Automated Geographic Reference Center
129 From General Fund, One-time \$100,000

130 Schedule of Programs:

131 Monument Replacement and Restoration
132 Committee \$100,000

133 The Legislature intends that the funds appropriated under this section:

134 (1) be used by:
135 (a) the Automated Geographic Reference Center to provide staff support to the
136 Monument Replacement Restoration Committee; and
137 (b) the Monument Replacement and Restoration Committee to administer the grant
138 program described in Section 63F-1-510; and

139 (2) not lapse at the close of fiscal year 2016.

140 **Section 4. Effective date.**

141 (1) Except as provided in Subsection (2), this bill takes effect on May 12, 2015.

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(2) Uncodified Section 3, Appropriation, takes effect on July 1, 2015.