

HB0385S01 compared with HB0385

~~{deleted text}~~ shows text that was in HB0385 but was deleted in HB0385S01.

Inserted text shows text that was not in HB0385 but was inserted into HB0385S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Steve Eliason proposes the following substitute bill:

STATE MONUMENTS ACT

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the State Monuments Act.

Highlighted Provisions:

This bill:

▶ defines terms:

- ▶ requires the Division of State Parks and Recreation to:
 - regularly evaluate state property for state monument status; and
 - create rules for the management of prospective state monuments;
- ▶ requires the Division of State Parks and Recreation to prepare a proposal ~~{to the Natural Resources, Agriculture, and Environment Interim Committee,}~~ in the event that the Division of State Parks and Recreation determines that a state monument designation is appropriate; and

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- ▶ outlines the process for designating a state monument.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

79-4-1201, Utah Code Annotated 1953

79-4-1202, Utah Code Annotated 1953

79-4-1203, Utah Code Annotated 1953

79-4-1204, Utah Code Annotated 1953

79-4-1205, Utah Code Annotated 1953

79-4-1206, Utah Code Annotated 1953

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

Section 1. Section **79-4-1201** is enacted to read:

Part 12. State Monuments Act

79-4-1201. Title.

This part is known as "State Monuments Act."

Section 2. Section **79-4-1202** is enacted to read:

79-4-1202. Definitions.

As used in this section:

(1) "Committee" means the Natural Resources, Agriculture, and Environment Interim Committee or the House or Senate Natural Resources, Agriculture, and Environment Standing Committee.

(2) "State monument" means public land:

(a) owned by the state;

(b) designated by the state for preservation of a historic landmark, historic or prehistoric structure, or other object of scientific interest; and

(c) confined to the smallest area compatible with proper care and management of the historic landmark, historic or prehistoric structure, or other object of scientific interest to be

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protected.

Section 3. Section 79-4-1203 is enacted to read:

79-4-1203. Division duties.

(1) The division shall regularly evaluate state property for potential designation as a state monument.

(2) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the administration of a state monument.

Section ~~{3}~~4. Section ~~{79-4-1203}~~79-4-1204 is enacted to read:

~~{79-4-1203}~~79-4-1204. Report{to the Legislature}.

(1) (a) If the division determines a state property is appropriate for state monument designation, the director shall submit a written proposal to the ~~{Natural Resources, Agriculture, and Environment Interim Committee}~~committee outlining the division's determination.

~~{2}~~(b) ~~{The Natural Resources, Agriculture, and Environment Interim Committee}~~If the proposed monument is greater than 640 acres in size, the division shall also submit the written proposal described in Subsection (1)(a) to the county commission or county council of any county that will contain some or all of the proposed monument within its geographic borders.

(2) (a) Within 45 days of the day on which a county commission or county council receives a written proposal, the county commission or county council shall:

(i) pass a resolution, stating the county commission or county council's support or opposition to the proposed monument;

(ii) submit the resolution to the committee.

(3) Within 90 days of the day on which the committee receives a written proposal, the committee shall vote to either recommend the proposal to the Legislature or return the proposal to the division for further study and evaluation.

Section ~~{4}~~5. Section ~~{79-4-1204}~~79-4-1205 is enacted to read:

~~{79-4-1204}~~79-4-1205. Designation.

A state monument is created by the approval of the Legislature and the governor through concurrent resolution.

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Legislative Review Note

~~Office of Legislative Research and General Counsel~~ Section 6. Section 79-4-1206 is enacted to read:

79-4-1206. Management committee.

(1) Once a state monument is created, as described in Section 79-4-1205, the governor shall appoint, with the consent of the senate, a management committee to assist the division in:

(a) making rules for the state monument; or

(b) the creation of any management plan or changes to a management plan governing the state monument.

(2) The management committee shall represent state and local interests as well as stakeholders.

(3) In appointing the management committee, the governor shall include:

(a) one conservationist;

(b) one recreationist;

(c) one cultural representative, if relevant to the particular state monument;

(d) one energy and mining representative, if relevant to the particular state monument;

(e) one small business owner, if relevant to the particular state monument;

(f) one farming or ranching representative, if relevant to the particular state monument;

(g) one county elected official;

(h) and one legislator whose district, in full or in part, covers the monument.

(4) The governor shall consider geographic diversity in appointing the members described in Subsection (3), and include at least one resident from each county covered by the monument, with no county having majority representation if the state monument covers two or more counties.

(5) (a) Compensation and expenses of a member of the management committee who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

(b) Other management committee members shall receive no compensation or expenses for their service on the committee.

(6) The division shall provide staff support to the committee.

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