

Effective 5/10/2016

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

(1) As used in this section:

- (a) "Committee" means the Monument Replacement and Restoration Committee created in this section.
- (b) "Corner" means the same as that term is defined in Section 17-23-17.5.
- (c) "Monument" means the same as that term is defined in Section 17-23-17.5.

(2)

- (a) There is created the Monument Replacement and Restoration Committee composed of the following seven members:
 - (i) five members appointed by an organization or association that represents Utah counties:
 - (A) that have knowledge and understanding of the Public Land Survey System; and
 - (B) who each represents a different county; and
 - (ii) two members, appointed by the center, who have a knowledge and understanding of the Public Land Survey System.
- (b)
 - (i) Except as provided in Subsection (2)(b)(ii), a member appointed to the committee is appointed for a four-year term.
 - (ii) The director of the center shall, at the time an entity appoints or reappoints an individual to serve on the committee, adjust the length of the appointed individual's term, as necessary, to ensure that the terms of committee members are staggered so that approximately half of the committee members are appointed every two years.
 - (iii) When a vacancy occurs on the committee for any reason, the replacement appointee shall serve on the committee for the unexpired term.
- (c) The committee shall elect one committee member to serve as chair of the committee for a term of two years.
- (d) A majority of the committee constitutes a quorum, and the action of a majority of a quorum constitutes the action of the committee.
- (e)
 - (i) The center shall provide staff support to the committee.
 - (ii) An individual who is a member of the committee may not serve as staff to the committee.
- (f) A member of the committee may not receive compensation for the member's service on the committee.
- (g) The committee may adopt bylaws to govern the committee's operation.

(3)

- (a) The committee shall administer a grant program to assist counties in maintaining and protecting corners or monuments.
- (b) A county wishing to receive a grant under the program described in Subsection (3)(a) shall submit to the committee an application that:
 - (i) identifies one or more monuments in the county that are in need of protection or rehabilitation;
 - (ii) establishes a plan that is consistent with federal law or rule to protect or rehabilitate each monument identified under Subsection (3)(b)(i); and
 - (iii) requests a specific amount of funding to complete the plan established under Subsection (3)(b)(ii).
- (c) The committee shall:
 - (i) adopt criteria to:

- (A) evaluate whether a monument identified by a county under Subsection (3)(b)(i) needs protection or rehabilitation; and
 - (B) identify which monuments identified by a county under Subsection (3)(b)(i) have the greatest need of protection or rehabilitation;
 - (ii) evaluate each application submitted by a county under Subsection (3)(b) using the criteria adopted by the committee under Subsection (3)(c)(i);
 - (iii) subject to sufficient funding and Subsection (3)(d), award grants to counties whose applications are most favorably evaluated under Subsection (3)(c)(ii); and
 - (iv) establish a date by which a county awarded a grant under Subsection (3)(c)(iii) shall report back to the committee.
- (d) The committee may not award a grant to a county under this section in an amount greater than \$100,000.
- (4) A county that is awarded a grant under this section shall:
- (a) document the work performed by the county, pursuant to the plan established by the county under Subsection (3)(b)(ii), to protect or rehabilitate a monument; and
 - (b) before the date established under Subsection (3)(c)(iv), report to the committee on the work performed by the county.
- (5)
- (a) If the committee has not expended all of the funds appropriated to the committee by the Legislature for the fulfillment of the committee's duties under this section before December 31, 2017, the committee shall disburse any remaining funds equally among all counties that have established a dedicated monument preservation fund by ordinance as provided in Section 17-23-19.
 - (b) A county to which the center has disbursed funds under Subsection (5)(a) shall:
 - (i) deposit the funds into the county's monument preservation fund; and
 - (ii) expend the funds, in consultation with the committee, for the maintenance and preservation of monuments in the county.

Amended by Chapter 171, 2016 General Session