

57 (ii) report the results of its evaluation to the committee before November 30 of each  
 58 year.

59 (b) The division may:

60 (i) evaluate private ~~H~~→ **land, school and institutional trust land**, ~~←H~~ and federal land  
 60a with the potential to be purchased by, transferred  
 61 to, or leased to, the state for potential designation as a state monument; and

62 (ii) enter into negotiations with the relevant federal agency ~~H~~→ **School and Institutional**  
 62a **Trust Lands Administration**, ~~←H~~ or private entity to pursue  
 63 the transfer, sale, or lease of federal land for the proposed state monument, as appropriations  
 64 allow.

65 (2) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah  
 66 Administrative Rulemaking Act, for the administration of a state monument, subject to valid  
 67 existing rights and Section 79-4-1208.

68 Section 4. Section **79-4-1204** is enacted to read:

69 **79-4-1204. County proposal.**

70 A county may evaluate the land within the county's jurisdictional boundaries to  
 71 determine if a parcel is appropriate for state monument designation.

72 Section 5. Section **79-4-1205** is enacted to read:

73 **79-4-1205. Report.**

74 (1) (a) If the division determines a state property is appropriate for state monument  
 75 designation, the director shall submit a written proposal to the committee outlining the  
 76 division's determination.

77 (b) ~~H~~→ [~~If the proposed monument is greater than 25 acres in size, the~~] The ~~←H~~ division  
 77a shall also  
 78 submit the written proposal described in Subsection (1)(a) to the county commission or county  
 79 council of any county that will contain some or all of the proposed monument within the  
 80 county's geographic borders.

81 (c) Within 45 days of the day on which a county commission or county council  
 82 receives a written proposal from the division, the county commission or county council shall:

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

85 (ii) submit the resolution to the committee.

86 (2) (a) Within 90 days of the day on which the committee receives a written proposal,  
 87 and subject to Subsections (2)(b) and (4), the committee shall vote to either recommend the

88 proposal to the Legislature or return the proposal to the division for further study and  
 89 evaluation.

90 (b) If the county commission or county council opposes the proposal through  
 91 resolution, as described in Subsection (1)(c), the committee may not take action.

92 (3) (a) If a county determines that a parcel within the county's jurisdictional boundaries  
 93 is appropriate for state monument designation, as described in Section 79-4-1204, the county  
 94 shall:

95 (i) pass a resolution in support of designation; and

96 (ii) submit the resolution in support of designation to the division and the committee.

97 (b) Within 45 days of the day on which the division receives a county resolution in  
 98 support of a state monument, the division shall prepare a report accepting or rejecting the  
 99 county's proposal, including an analysis of the state's financial cost of maintaining the proposed  
 100 state monument, and submit that report to the committee.

101 (c) Within 90 days of the day on which the committee receives the report described in  
 102 Subsection (3)(b), and subject to Subsection (4), the committee shall vote to either recommend  
 103 the proposal to the Legislature or reject the proposal.

104 (4) If a proposed state monument falls within the jurisdictional boundaries of a city or  
 105 town, and the city or town passes a resolution in opposition to designation of the state  
 106 monument, the committee may not take action.

107 (5) If a proposed state monument falls within state land managed by a state agency  
 108 other than the division ~~H~~→ [:] :

108a (a) ~~H~~ the division shall consult with the managing state agency regarding the  
 109 monument designation proposal ~~H~~→ [:] ; and

109a (b) the committee may not take action to designate the state land when doing so may  
 109b cause the managing state agency to breach a fiduciary, contractual, or other legal obligation  
 109c governing management or use of the state land. ~~H~~

110 Section 6. Section **79-4-1206** is enacted to read:

111 **79-4-1206. Designation.**

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

114 Section 7. Section **79-4-1207** is enacted to read:

115 **79-4-1207. Management committee.**

116 (1) Once a state monument is created, as described in Section 79-4-1206, the board  
 117 shall appoint a management committee to assist the division in:

118 (a) making rules for the state monument; or