

CULTURAL STEWARDSHIP AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Timothy D. Hawkes

Senate Sponsor: Scott D. Sandall

LONG TITLE

General Description:

This bill creates the Cultural Site Stewardship Program.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Cultural Site Stewardship Program (stewardship program) within the Division of State History (division);
- ▶ describes stewardship program objectives and activities; and
- ▶ grants rulemaking authority to the division.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

9-8-208, Utah Code Annotated 1953

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

Section 1. Section **9-8-208** is enacted to read:

9-8-208. Cultural Site Stewardship Program -- definitions -- creation -- objectives



28 -- administration -- activities.

29 (1) As used in this section:30 (a) (i) "Cultural site" means a significant archaeological or paleontological site in the
31 state as determined by the division.32 (ii) "Cultural site" may include a:33 (A) site as defined in Section 9-8-302; and34 (B) site as defined in Section 79-3-102.35 (b) "Stewardship program" means the Cultural Site Stewardship Program created in
36 this section.37 (c) "Vandalism" means to damage, destroy, or commit any other act that defaces or
38 harms a cultural site without the consent of the owner or appropriate governmental agency,
39 including inscribing, marking, etching, scratching, drawing, painting on, or affixing to the
40 cultural resource a mark, figure, or design.41 (2) There is created within the division the Cultural Site Stewardship Program.42 (3) The division shall seek to accomplish the following objectives through
43 administration of the stewardship program:44 (a) protect cultural sites located in the state;45 (b) increase public awareness of the significance and value of cultural sites and the
46 damage done to cultural sites by vandalism;47 (c) discourage vandalism and the unlawful sale and trade of archaeological artifacts
48 and paleontological artifacts;49 (d) support and encourage improved standards for investigating and researching
50 cultural sites in the state;51 (e) promote cooperation among governmental agencies, private landowners, ~~H~~→ **[Indian]**51a Native American ~~H~~←52 tribes, ~~H~~→ **industry groups**, ~~H~~← and interested persons to protect cultural sites; and53 (f) increase the inventory of cultural sites maintained in accordance with Subsections
54 9-8-304(2)(b) and 79-3-202(1)(m).55 (4) The division shall:56 (a) maintain a position to oversee the operation of the stewardship program; and57 (b) provide administrative services to the stewardship program.58 (5) The division shall select, train, and certify volunteers to participate in the

59 stewardship program, based on rules made by the division in accordance with Title 63G,
 60 Chapter 3, Utah Administrative Rulemaking Act.

61 (6) To accomplish the stewardship program's objectives, the division shall:

62 (a) enter into agreements with the entities described in Subsection (3)(e) to promote the
 63 protection of cultural sites;

64 (b) establish a list of cultural sites suitable for monitoring, in cooperation with the
 65 entities described in Subsection (3)(e);

66 (c) schedule periodic monitoring activities by volunteers of each cultural site included
 67 on the list described in Subsection (6)(b), after obtaining approval of the landowner or
 68 manager;

69 (d) establish rules, in accordance with Title 63G, Chapter 3, Utah Administrative
 70 Rulemaking Act, for reporting vandalism of a cultural site to the appropriate authority; and

71 (e) establish programs for educating members of the public about the significance and
 72 value of cultural sites and the loss to members of the public resulting from vandalism of
 73 cultural sites.

74 (7) The division shall coordinate the activities of governmental agencies, private
 75 landowners, and ~~Indian~~ **Native American** tribes, as necessary, to carry out the
 75a stewardship program.

76 (8) A volunteer participating in the stewardship program may not receive
 77 compensation, benefits, per diem allowance, or travel expenses for the volunteer's service.

78 (9) The division may accept gifts, grants, donations, or contributions from any source
 79 to assist the division in the administration of the stewardship program.

79a ~~Nothing in this section may be construed to alter or affect the division's duties under~~
 79b **Section 9-8-404.** ~~Nothing~~