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**JOINT RESOLUTION REJECTING EXCHANGE OF  
SCHOOL AND INSTITUTIONAL TRUST LANDS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Casey Snider**

Senate Sponsor: Scott D. Sandall



**LONG TITLE**

**General Description:**

This joint resolution rejects a proposed land exchange of state school and institutional trust lands and mineral interests for federal lands and mineral interests.

**Highlighted Provisions:**

This resolution:

- rejects the proposed exchange of state school and institutional trust lands and mineral interests in and around the Bears Ears National Monument for United States government lands;
- recognizes that the state would better manage and administer the lands in the proposed exchange for the benefit of the state's trust land beneficiaries and economy than the federal government; and
- condemns the federal government's planning effort and lack of coordination with the state.

**Other Special Clauses:**

None



*Be it resolved by the Legislature of the state of Utah:*

WHEREAS, by presidential proclamation dated October 8, 2021, the President of the United States created the Bears Ears National Monument (Monument), which encompasses approximately 1.2 million acres of federal land and which surrounds, as stranded inholdings, approximately 130,000 acres of scattered school and institutional trust land parcels managed by the School and Institutional Trust Lands Administration for the support of Utah's public schools, public school children, and other beneficiary institutions;

WHEREAS, the Governor of the state of Utah and the United States Secretary of the

27 Interior signed a non-binding Memorandum of Understanding on March 17, 2023, that  
28 provides for an exchange of school and institutional trust lands and mineral interests in Iron,  
29 Kane, San Juan, Tooele, and Uintah counties for United States government lands in Beaver,  
30 Carbon, Duchesne, Emery, Garfield, Grand, Iron, Kane, Millard, Rich, San Juan, Sanpete,  
31 Sevier, Tooele, Uintah, Utah, Wasatch, Washington, and Wayne counties;

32 WHEREAS, Utah Code Subsection 63L-2-201(2) requires legislative approval before a  
33 governmental entity or state officer may legally bind the state by executing an agreement to  
34 sell or transfer to the United States government 500 or more acres of any state lands or school  
35 and institutional trust lands;

36 WHEREAS, the Memorandum of Understanding has not been executed and ratified by the  
37 United States Congress, and is therefore not legally binding on the state;

38 WHEREAS, the historical practice for federal land management on national monuments  
39 has prioritized the multiple uses and sustained yield of the lands, as well as reasonable access  
40 to the lands for recreation by local communities, while maintaining the objects of antiquity and  
41 of historic or scientific interest consistent with federal law; and

42 WHEREAS, the federal government has signaled that it will adopt an exceptionally  
43 restrictive and unreasonable land management plan that would negatively impact the  
44 communities surrounding the Monument and the state's public school children, by restricting  
45 community access to grazing land, resource development, and recreation:

46 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah rejects  
47 the land exchange between the state of Utah and the United States government, as proposed by  
48 the Memorandum of Understanding.

49 BE IT FURTHER RESOLVED that the Legislature requires any land management plan put  
50 forth by the federal government or any other entity to be consistent with historical practice and  
51 benefit all local communities and trust land beneficiaries impacted by the proposed land  
52 exchange.

53 BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of the  
54 United States of America, the Secretary of the Department of the Interior, and the members of  
55 the Utah congressional delegation.