

**Representative Jack R. Draxler** proposes the following substitute bill:

**UTAH HISTORY DAY**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jack R. Draxler**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies Title 63G, Chapter 1, State Symbols and Designations, by designating Utah History Day at the Capitol and modifies Title 9, Chapter 8, Part 2, Division of State History, by requiring the Division of State History to administer the Utah History Day program.

**Highlighted Provisions:**

This bill:

- ▶ requires the Division of State History to promote, coordinate, and administer the Utah History Day program and Utah History Day at the Capitol;
- ▶ designates the first Friday after the fourth Monday in January as Utah History Day at the Capitol; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates for fiscal year 2015:

- ▶ to the Department of Heritage and Arts - State History - History Projects, as an ongoing appropriation:
  - from the General Fund, \$75,000.

**Other Special Clauses:**



26 This bill provides an effective date.

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **9-8-203**, as last amended by Laws of Utah 2010, Chapter 111

30 **63G-1-401**, as last amended by Laws of Utah 2013, Chapter 214

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

33 Section 1. Section **9-8-203** is amended to read:

34 **9-8-203. Division duties.**

35 (1) The division shall:

36 (a) stimulate research, study, and activity in the field of Utah history and related  
37 history;

38 (b) maintain a specialized history library;

39 (c) mark and preserve historic sites, areas, and remains;

40 (d) collect, preserve, and administer historical records relating to the history of Utah;

41 (e) administer, collect, preserve, document, interpret, develop, and exhibit historical  
42 artifacts, documentary materials, and other objects relating to the history of Utah for  
43 educational and cultural purposes;

44 (f) edit and publish historical records;

45 (g) cooperate with local, state, and federal agencies and schools and museums to  
46 provide coordinated and organized activities for the collection, documentation, preservation,  
47 interpretation, and exhibition of historical artifacts related to the state;

48 (h) promote, coordinate, and administer:

49 (i) Utah History Day at the Capitol designated under Section **63G-1-401**; and

50 (ii) the Utah History Day program affiliated with National History Day, which includes  
51 a series of regional, state, and national activities and competitions for students from grades 4  
52 through 12;

53 ~~(h)~~ (i) provide grants and technical assistance as necessary and appropriate; and

54 ~~(i)~~ (j) comply with the procedures and requirements of Title 63G, Chapter 4,  
55 Administrative Procedures Act, in its adjudicative proceedings.

56 (2) The division may acquire or produce reproductions of historical artifacts and

57 documentary materials for educational and cultural use.

58 (3) To promote an appreciation of Utah history and to increase heritage tourism in the  
59 state, the division shall:

60 (a) (i) create and maintain an inventory of all historic markers and monuments that are  
61 accessible to the public throughout the state;

62 (ii) enter into cooperative agreements with other groups and organizations to collect  
63 and maintain the information needed for the inventory;

64 (iii) encourage the use of volunteers to help collect the information and to maintain the  
65 inventory;

66 (iv) publicize the information in the inventory in a variety of forms and media,  
67 especially to encourage Utah citizens and tourists to visit the markers and monuments;

68 (v) work with public and private landowners, heritage organizations, and volunteer  
69 groups to help maintain, repair, and landscape around the markers and monuments; and

70 (vi) make the inventory available upon request to all other public and private history  
71 and heritage organizations, tourism organizations and businesses, and others;

72 (b) (i) create and maintain an inventory of all active and inactive cemeteries throughout  
73 the state;

74 (ii) enter into cooperative agreements with local governments and other groups and  
75 organizations to collect and maintain the information needed for the inventory;

76 (iii) encourage the use of volunteers to help collect the information and to maintain the  
77 inventory;

78 (iv) encourage cemetery owners to create and maintain geographic information systems  
79 to record burial sites and encourage volunteers to do so for inactive and small historic  
80 cemeteries;

81 (v) publicize the information in the inventory in a variety of forms and media,  
82 especially to encourage Utah citizens to participate in the care and upkeep of historic  
83 cemeteries;

84 (vi) work with public and private cemeteries, heritage organizations, genealogical  
85 groups, and volunteer groups to help maintain, repair, and landscape cemeteries, grave sites,  
86 and tombstones; and

87 (vii) make the inventory available upon request to all other public and private history

88 and heritage organizations, tourism organizations and businesses, and others; and

89 (c) (i) create and maintain a computerized record of cemeteries and burial locations in a  
90 state-coordinated and publicly accessible information system;

91 (ii) gather information for the information system created and maintained under

92 Subsection (3)(c)(i) by providing matching grants, upon approval by the board, to:

93 (A) municipal cemeteries;

94 (B) cemetery maintenance districts;

95 (C) endowment care cemeteries;

96 (D) private nonprofit cemeteries;

97 (E) genealogical associations; and

98 (F) other nonprofit groups with an interest in cemeteries; and

99 (iii) adopt rules, [~~pursuant to~~] in accordance with Title 63G, Chapter 3, Utah

100 Administrative Rulemaking Act, for granting matching funds under Subsection (3)(c)(ii) to  
101 [~~assure~~] ensure that:

102 (A) professional standards are met; and

103 (B) projects are cost effective.

104 (4) (a) For a pass-through funding grant of at least \$25,000, the division shall make  
105 quarterly disbursements to the pass-through funding grant recipient, contingent upon the  
106 division receiving a quarterly progress report from the pass-through grant recipient.

107 (b) The division shall:

108 (i) provide the pass-through grant recipient with a progress report form for the  
109 reporting purposes of Subsection (4)(a); and

110 (ii) include reporting requirement instructions with the form.

111 (5) This chapter may not be construed to authorize the division to acquire by purchase  
112 any historical artifacts, documentary materials, or specimens that are restricted from sale by  
113 federal law or the laws of any state, territory, or foreign nation.

114 Section 2. Section **63G-1-401** is amended to read:

115 **63G-1-401. Commemorative periods.**

116 (1) The following days shall be commemorated [~~yearly~~] annually:

117 (a) Bill of Rights Day, on December 15;

118 (b) Constitution Day, on September 17;

119 (c) Yellow Ribbon Day, on the third Monday in May, in honor of men and women who  
120 are serving or have served in the [~~U.S. armed forces~~] United States Armed Forces around the  
121 world in defense of freedom;

122 (d) POW/MIA Recognition Day, on the third Friday in September;

123 (e) Indigenous People Day, on the Monday immediately preceding Thanksgiving; [~~and~~]

124 (f) Utah State Flag Day, on March 9~~[-];~~ and

125 (g) Utah History Day at the Capitol, on the Friday immediately following the fourth  
126 Monday in January, to encourage citizens of the state, including students, to participate in  
127 activities that recognize Utah's history.

128 (2) The Department of Veterans' and Military Affairs shall coordinate activities, special  
129 programs, and promotional information to heighten public awareness and involvement relating  
130 to Subsections (1)(c) and (d).

131 (3) The month of October shall be commemorated [~~yearly~~] annually as  
132 Italian-American Heritage Month.

133 (4) The month of November shall be commemorated [~~yearly~~] annually as American  
134 Indian Heritage Month.

135 (5) The month of April shall be commemorated [~~yearly~~] annually as Clean Out the  
136 Medicine Cabinet Month to:

137 (a) recognize the urgent need to make Utah homes and neighborhoods safe from  
138 prescription medication abuse and poisonings by the proper home storage and disposal of  
139 prescription and over-the-counter medications~~[-];~~ and [~~to~~]

140 (b) educate citizens about the permanent medication disposal sites in Utah listed on  
141 useonlyasdirected.org that allow disposal throughout the year.

142 (6) The first full week of May shall be commemorated [~~yearly~~] annually as State Water  
143 Week to recognize the importance of water conservation, quality, and supply in the state.

144 (7) The second Friday and Saturday in August shall be commemorated [~~yearly~~]  
145 annually as Utah Fallen Heroes Days to:

146 (a) honor fallen heroes who, during service in the military or public safety, have  
147 sacrificed their lives to protect the country and the citizens of the state; and

148 (b) encourage political subdivisions to acknowledge and honor fallen heroes.

149 Section 3. **Appropriation.**

150 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for  
151 the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money  
152 are appropriated from resources not otherwise appropriated, or reduced from amounts  
153 previously appropriated, out of the funds or accounts indicated. These sums of money are in  
154 addition to any amounts previously appropriated for fiscal year 2015.

155 To Department of Heritage and Arts - State History  
156 From General Fund \$75,000  
157 Schedule of Programs:  
158 History Projects \$75,000

159 Section 4. **Effective date.**

- 160 (1) Except as provided in Subsection (2), this bill takes effect on May 13, 2014.  
161 (2) Uncodified Section 3, Appropriation, takes effect on July 1, 2014.