

CULTURAL STEWARDSHIP AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

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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

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 ENACTS:

33 **9-8-208**, Utah Code Annotated 1953



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

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

37 **9-8-208. Cultural Site Stewardship Program -- Definitions -- Creation --**

38 **Objectives -- Administration -- Activities.**

39 (1) As used in this section:

40 (a) (i) "Cultural site" means a significant archaeological or paleontological site in the
41 state as determined by the division.

42 (ii) "Cultural site" may include a:

43 (A) site as defined in Section **9-8-302**; and

44 (B) site as defined in Section **79-3-102**.

45 (b) "Stewardship program" means the Cultural Site Stewardship Program created in
46 this section.

47 (c) "Vandalism" means to damage, destroy, or commit any other act that defaces or
48 harms a cultural site without the consent of the owner or appropriate governmental agency,
49 including inscribing, marking, etching, scratching, drawing, painting on, or affixing to the
50 cultural resource a mark, figure, or design.

51 (2) There is created within the division the Cultural Site Stewardship Program.

52 (3) The division shall seek to accomplish the following objectives through
53 administration of the stewardship program:

54 (a) protect cultural sites located in the state;

55 (b) increase public awareness of the significance and value of cultural sites and the
56 damage done to cultural sites by vandalism;

57 (c) discourage vandalism and the unlawful sale and trade of archaeological artifacts
58 and paleontological artifacts;

59 (d) support and encourage improved standards for investigating and researching
60 cultural sites in the state;

61 (e) promote cooperation among governmental agencies, private landowners, Native
62 American tribes, industry groups, and interested persons to protect cultural sites; and

63 (f) increase the inventory of cultural sites maintained in accordance with Subsections
64 9-8-304(2)(b) and 79-3-202(1)(m).

65 (4) The division shall:

66 (a) maintain a position to oversee the operation of the stewardship program; and

67 (b) provide administrative services to the stewardship program.

68 (5) The division shall select, train, and certify volunteers to participate in the
69 stewardship program, based on rules made by the division in accordance with Title 63G,
70 Chapter 3, Utah Administrative Rulemaking Act.

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

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

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

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

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

81 (e) establish programs for educating members of the public about the significance and
82 value of cultural sites and the loss to members of the public resulting from vandalism of
83 cultural sites.

84 (7) The division shall coordinate the activities of governmental agencies, private

85 landowners, and Native American tribes, as necessary, to carry out the stewardship program.

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

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

90 (10) Nothing in this section may be construed to alter or affect the division's duties
91 under Section [9-8-404](#).