

STATE PARKS - SENIOR PERMITS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sheryl L. Allen

Senate Sponsor: _____

Cosponsors:

Julie Fisher

Ann W. Hardy

Roger E. Barrus

LONG TITLE**General Description:**

This bill allows senior citizens to enter state parks without charge.

Highlighted Provisions:

This bill:

- directs the division to establish procedures for a senior permit for state parks.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:****63-11-17**, as last amended by Chapter 328, Laws of Utah 2003

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **63-11-17** is amended to read:**63-11-17. Powers and duties of Board and Division of Parks and Recreation.**

(1) (a) The board may make rules:

- (i) governing the use of the state park system;



(ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and

(iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (1)(a), the board may enact rules that:

(i) close or partially close state parks; or

(ii) establish use or access restrictions within state parks.

(c) Rules made under this Subsection (1) may not have the effect of preventing the transfer of livestock along a livestock highway established in accordance with Section 72-3-112.

(2) The Division of Wildlife Resources shall retain the power and jurisdiction conferred upon it by law within state parks and on property controlled by the Division of Parks and Recreation with reference to fish and game.

(3) The Division of Parks and Recreation shall permit multiple use of state parks and property controlled by it for purposes such as grazing, fishing and hunting, mining, and the development and utilization of water and other natural resources.

(4) (a) The division may acquire real and personal property in the name of the state by all legal and proper means, including purchase, gift, devise, eminent domain, lease, exchange, or otherwise, subject to the approval of the executive director and the governor.

(b) As used in this section, "real property" includes land under water, upland, and all other property commonly or legally defined as real property.

(c) In acquiring any real or personal property, the credit of the state may not be pledged without the consent of the legislature.

(5) (a) Before acquiring any real property, the division shall notify the county legislative body of the county where the property is situated of its intention to acquire the property.

(b) If the county legislative body requests a hearing within ten days of receipt of the notice, the board shall hold a public hearing in the county concerning the matter.

(6) Acceptance of gifts or devises of land or other property shall be at the discretion of the division, subject to the approval of the executive director of the Department of Natural Resources and the governor.

59 (7) Acquisition of property by eminent domain shall be in the manner authorized by
60 Title 78, Chapter 34, Eminent Domain.

61 (8) (a) The Division of Parks and Recreation may make charges for special services
62 and use of facilities, the income from which shall be available for park and recreation purposes.

63 (b) The division may conduct and operate those services necessary for the comfort and
64 convenience of the public.

65 (c) The board shall adopt appropriate rules governing the collection of charges under
66 this Subsection (8).

67 (9) (a) The division may lease or rent concessions of all lawful kinds and nature in state
68 parks and property to persons, partnerships, and corporations for a valuable consideration upon
69 the recommendation of the board.

70 (b) The division shall comply with Title 63, Chapter 56, Utah Procurement Code, in
71 selecting concessionaires.

72 (10) The division shall proceed without delay to negotiate with the federal government
73 concerning the Weber Basin and other recreation and reclamation projects.

74 (11) (a) The division shall establish procedures for issuing a nontransferable permit
75 without charge to citizens of the state who are at least 62 years old.

76 (b) The permit entitles the permittee, and any person accompanying the permittee in a
77 single, private, noncommercial vehicle, to general admission without charge to any state park.

Legislative Review Note
as of 1-31-06 8:59 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0405

State Parks - Senior Permits*02-Feb-06**10:40 AM*

State Impact

Implementation of this bill would require an appropriation of \$2,000 for printing of permits. The bill would reduce the State Parks' revenues by \$375,000 in FY 2007 and \$400,000 in FY 2008.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
General Fund	\$2,000	\$2,000	\$0	\$0
Restricted Funds	\$0	\$0	(\$375,000)	(\$400,000)
TOTAL	\$2,000	\$2,000	(\$375,000)	(\$400,000)

Individual and Business Impact

This bill would provide free park entrance for residents 62 years of age and older, thus saving them \$35 per year for an annual pass. To make up for the lost revenue, there may be fee increases to other visitors under the age of 62.

Office of the Legislative Fiscal Analyst