

SENIOR PERMITS FOR STATE PARKS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sheryl L. Allen

Senate Sponsor: Dan R. Eastman

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



28 (iii) to provide for public safety and preserve the peace within state parks.
29 (b) To accomplish the purposes stated in Subsection (1)(a), the board may enact rules
30 that:

- 31 (i) close or partially close state parks; or
- 32 (ii) establish use or access restrictions within state parks.
- 33 (c) Rules made under this Subsection (1) may not have the effect of preventing the
34 transfer of livestock along a livestock highway established in accordance with Section
35 72-3-112.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

72 (11) (a) The division shall establish procedures for issuing a nontransferable permit
73 without charge to citizens of the state who are at least 66 years old.

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

Legislative Review Note
as of 11-16-06 8:49 AM

Office of Legislative Research and General Counsel