

1st Sub. H.B. 187

RECREATIONAL USE OF PUBLIC WATERS ON PRIVATE PROPERTY

Representative **Jack R. Draxler** proposes the following amendments:

1. Page 1, Line 25:

- 25 ▶ establishes membership and duties for the Recreational Access Board; ~~{-and-}~~
 ▶ authorizes the Recreational Board to make a rule listing public waters in which a person may engage in a recreational activity; and

2. Page 6, Line 176:

- 176 (i) listed in :
 (A) Section 73-6a-202; or
 (B) a rule made by the board under Section 73-6a-302; and

3. Page 7, Line 194

House Committee Amendments
2-23-2009:

- 194 ~~H~~→ ~~(A)~~ ~~(A)~~ ←~~H~~ listed in :
 (I) Section 73-6a-202; or
 (II) a rule made by the board under Section 73-6a-302; and

4. Page 11, Lines 316 through 319:

- 316 ~~{ (1) The board shall determine if an application submitted under Section 73-6a-304~~
317 ~~satisfies the criteria listed in Section 73-6a-303. —~~
318 ~~— (2) Based on the determination under Subsection (1), the board may recommend the~~
319 ~~Legislature include or exclude a public water in the list provided in Section 73-6a-202. }~~ =
 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and this part,
 the board may make a rule that creates a list of public waters on or within which a person may engage in
 a recreational activity as authorized by Section 73-6a-201.
 (2) By rule, the board may add a public water segment to the list created under Subsection (1) if:
 (a) a person submits an application under Section 73-6a-304; and
 (b) the board:
 (i) meets the notice and meeting requirements of Section 73-6a-304; and
 (ii) determines that the public water segment meets the criteria established in Subsection 73-6a-
 303(1).

- (3) By rule, the board may remove a public water segment from the list created under Subsection (1) if:
- (a) a person submits an application under Section 73-6a-304; and
 - (b) the board:
 - (i) meets the notice and meeting requirements of Section 73-6a-304; and
 - (ii) determines that the public water segment meets the criteria established in Subsection 73-6a-303(2).

5. Page 11, Line 321:

321 73-6a-303. Criteria for a action or recommendation by the Recreational Access

6. Page 11, Lines 323 through 324:

323 (1) {~~Upon application, the board may recommend the Legislature include a public water~~
324 ~~in the list provided in Section 73-6a-202.~~} The board may add a public water segment to the list
created by rule under Section 73-6a-302 if the public water:

7. Page 11, Line 332:

332 (2) {~~Upon application, the~~} The board may remove a public water segment from the list
created by rule under Section 73-6a-302 or recommend the Legislature remove a public water

8. Page 12, Lines 348 through 350:

348 (1)(a) A person may submit to the board:
(i) a recreational access application fee; and
(ii) a written, signed application {~~with the recreational access~~
349 ~~application fee to the board petitioning to either include or exclude one~~} requesting that the board:
(i) add a public water segment to the list created by rule under Section 73-6a-302;
(ii) remove a public water segment from the list created by rule under Section 73-6a-302; or
(iii) recommend the Legislature remove a public water segment
350 {~~on or~~} from the list provided in Section 73-6a-202.