

2nd Sub. H.B. 187

RECREATIONAL USE OF PUBLIC WATERS ON PRIVATE PROPERTY

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 2, 2009 4:02 PM

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

1. Page 2, Line 26:

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

2. Page 7, Line 183:

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

3. Page 12, Lines 342 through 345:

- 342 ~~{(1) The board shall determine if an application submitted under Section 73-6a-304~~
343 ~~satisfies the criteria listed in Section 73-6a-303.~~
344 ~~—— (2) Based on the determination under Subsection (1), the board may recommend the~~
345 ~~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).

4. Page 12, Lines 347 through 350:

347 73-6a-303. Criteria for a action recommendation by the Recreational Access
348 Board.

349 (1) ~~{ Upon application, the board may recommend the Legislature include a public water~~
350 ~~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:

5. Page 13, Line 368:

368 (2) ~~{ Upon application, the board may }~~ 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

6. Page 13, Lines 384 through 386:

384 (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~~
385 ~~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
386 ~~{ on or }~~ from the list provided in Section 73-6a-202.