

H.B. 148

TRANSFER OF PUBLIC LANDS ACT AND RELATED STUDY

SENATE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 6, 2012 3:14 PM

Senator **Wayne L. Niederhauser** proposes the following amendments:

1. *Page 3, Lines 65 through 76:*

- 65 (e) ~~{ a national park affirmatively ceded to the United States by state statute;~~
66 ~~(f) public lands that:~~
67 ~~(i) on January 1, 2012, are designated as part of the National Wilderness Preservation~~
68 ~~System under the Wilderness Act of 1964, 16 U.S.C. Sec. 1131 et seq.; and~~
69 ~~(ii) are affirmatively ceded to the United States by state statute; }~~ lands within the exterior
boundaries of the following that are designated as national parks as of January 1, 2012:
(i) Arches National Park;
(ii) Bryce Canyon National Park;
(iii) Canyonlands National Park;
(iv) Capitol Reef National Park; and
(v) Zion National Park;
(f) lands within the exterior boundaries of the following national monuments managed by the
National Park Service as of January 1, 2012:
(i) Cedar Breaks National Monument;
(ii) Dinosaur National Monument;
(iii) Hovenweep National Monument;
(iv) Natural Bridges National Monument;
(v) Rainbow Bridge National Monument; and
(vi) Timpanogos Cave National Monument;
(g) lands within the exterior boundaries of the Golden Spike National Historic Site;
(h) lands within the exterior boundaries of the following wilderness areas located in the state that,
as of January 1, 2012, are designated as part of the National Wilderness Preservation System under the
Wilderness Act of 1964, 16 U.S.C. 1131 et seq.:
(i) Ashdown Gorge Wilderness;
(ii) Beartrap Canyon Wilderness;
(iii) Beaver Dam Mountains Wilderness;
(iv) Black Ridge Canyons Wilderness;
(v) Blackridge Wilderness;
(vi) Box-Death Hollow Wilderness;
(vii) Canaan Mountain Wilderness;
(viii) Cedar Mountain Wilderness;

(ix) Cottonwood Canyon Wilderness;
(x) Cottonwood Forest Wilderness;
(xi) Cougar Canyon Wilderness;
(xii) Dark Canyon Wilderness;
(xiii) Deep Creek Wilderness;
(xiv) Deep Creek North Wilderness;
(xv) Deseret Peak Wilderness;
(xvi) Doc's Pass Wilderness;
(xvii) Goose Creek Wilderness;
(xviii) High Uintas Wilderness;
(xix) LaVerkin Creek Wilderness;
(xx) Lone Peak Wilderness;
(xxi) Mount Naomi Wilderness;
(xxii) Mount Nebo Wilderness;
(xxiii) Mount Olympus Wilderness;
(xxiv) Mount Timpanogos Wilderness;
(xxv) Paria Canyon-Vermilion Cliffs Wilderness;
(xxvi) Pine Valley Mountain Wilderness;
(xxvii) Red Butte Wilderness;
(xxviii) Red Mountain Wilderness;
(xxix) Slaughter Creek Wilderness;
(xxx) Taylor Creek Wilderness;
(xxxi) Twin Peaks Wilderness;
(xxxii) Wellsville Mountain Wilderness; and
(xxxiii) Zion Wilderness;

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70 ~~{(g)}~~ (i) lands with respect to which the jurisdiction is ceded to the United States as
71 provided in Section 63L-1-201 or 63L-1-203;

72 ~~{(h)}~~ (j) real property or tangible personal property owned by the United States if the
73 property is within the boundaries of a municipality; or

74 ~~{(i)}~~ (k) lands, including water rights, belonging to an Indian or Indian tribe, band, or
75 community that is held in trust by the United States or is subject to a restriction against
76 alienation imposed by the United States.

2. *Page 4, Line 108 through Page 5, Line 134:*

108 (c) making any necessary modifications to the definition of "public lands" in Section
109 63L-6-102 , including any necessary modifications to a list provided in Subsections 63L-6-102(3)(e)

through (h) :

110 (d) making a determination of or a process for determining interests, rights, or uses

111 related to:

112 (i) easements;

113 (ii) geothermal resources;

114 (iii) grazing;

115 (iv) mining;

(v) natural gas;

(vi) oil;

116 { ~~(v)~~ } (vii) recreation;

117 { ~~(vi)~~ } (viii) rights of entry;

118 { ~~(vii)~~ } (ix) special uses;

119 { ~~(viii)~~ } (x) timber;

120 { ~~(ix)~~ } (xi) water; or

121 { ~~(x)~~ } (xii) other natural resources or other resources; and

122 { ~~(e) to establish the conditions under which the state shall cede a national park to the~~

123 United States, which may include:

124 — (i) any circumstances under which a national park shall revert to the state;

125 — (ii) the retention of interests, rights, or uses described in Subsection (1)(d); and

126 — (iii) whether the state should retain any power to:

127 — (A) impose a tax, fee, or charge on activities conducted within a national park; or

128 — (B) serve civil or criminal process on a person who is within the boundaries of a

129 national park; }

130 { ~~(f) to preserve as wilderness public lands that, on January 1, 2012, are designated as~~

131 part of the National Wilderness Preservation System under the Wilderness Act of 1964, 16

132 U.S.C. Sec. 1131 et seq.; and }

133 { ~~(g)~~ } (e) determining what constitutes "expenses incident to the sale of public lands"

134 described in Subsection 63L-6-102(2).

3. *Page 6, Lines 155 through 156:*

155 (d) establishing other requirements related to national forests, { ~~national monuments,~~ }

156 national recreation areas, or other public lands administered by the United States; and

4. *Page 6, Lines 161 through 168:*

161 (4) The Constitutional Defense Council shall:

162 (a) make a preliminary report on its study and preparation of proposed legislation to the

163 Natural Resources, Agriculture, and Environment Interim Committee and the Education Interim

Committee :

164 (i) on or before the June 2012 interim meeting; and

165 (ii) on or before the September 2012 interim meeting; and
166 (b) report on its findings, recommendations, and proposed legislation to the Natural
167 Resources, Agriculture, and Environment Interim Committee **and the Education Interim Committee** on or
 before the November 2012
168 interim meeting.