

1 **AMENDMENTS TO POWERS AND DUTIES OF STATE**

2 **PARKS**

3 2015 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kraig Powell**

6 Senate Sponsor: David P. Hinkins

7

LONG TITLE

8 **General Description:**

9 This bill modifies the duties of the Division of Parks and Recreation.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ states that the Division of Parks and Recreation permit multiple use of state parks,
- 13 including camping; and
- 14 ▶ makes technical changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **79-4-203**, as last amended by Laws of Utah 2012, Chapter 347

22

Be it enacted by the Legislature of the state of Utah:

23 Section 1. Section **79-4-203** is amended to read:

24 **79-4-203. Powers and duties of division.**

25 (1) As used in this section, "real property" includes land under water, upland, and all



28 other property commonly or legally defined as real property.

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

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

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

38 (b) In acquiring any real or personal property, the credit of the state may not be pledged
39 without the consent of the Legislature.

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

43 (b) If the county legislative body requests a hearing within 10 days of receipt of the
44 notice, the division shall hold a public hearing in the county concerning the matter.

45 (6) Acceptance of gifts or devises of land or other property is at the discretion of the
46 division, subject to the approval of the executive director and the governor.

47 (7) The division shall acquire property by eminent domain in the manner authorized by
48 Title 78B, Chapter 6, Part 5, Eminent Domain.

49 (8) (a) The division may make charges for special services and use of facilities, the
50 income from which is available for park and recreation purposes.

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

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

56 (b) The division shall comply with Title 63G, Chapter 6a, Utah Procurement Code, in
57 selecting concessionaires.

58 (10) The division shall proceed without delay to negotiate with the federal government

59 concerning the Weber Basin and other recreation and reclamation projects.

60 (11) The division shall receive and distribute voluntary contributions collected under

61 Section [41-1a-422](#) in accordance with Section [79-4-404](#).

Legislative Review Note

as of 1-23-15 11:46 AM

Office of Legislative Research and General Counsel