

SB059_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture & Natural Resources.

SB23-059 be amended as follows:

- 1 Amend printed bill, page 3, line 11, strike "and wildlife areas".
- 2 Page 3, line 13, strike "parks and wildlife areas;" and substitute "parks;".
- 3 Page 3, line 15, ~~strike~~ after "partnership" insert "with the state and other
- 4 partners".
- 5 Page 3, strike lines 17 through 27:
- 6 Page 4, strike lines 1 to 6 and substitute:
 - 7 "(f) Establishing a new fee on daily vehicle passes may provide
 - 8 local governments".
- 9 Page 4 strike lines 11 through 27.
- 10 Strike pages 5 and 6 and substitute:
 - 11 **"33-10-117. State park access - fees - definitions - rules.**
 - 12 (1) (a) UPON REQUEST OF ONE OR MORE LOCAL GOVERNMENTS".
- 13 Renumber succeeding subsections accordingly.
- 14 Page 7, line 1, strike "RECREATIONAL" and substitute "LOCAL".
- 15 Page 7, line 13, strike "(4)(c)" and substitute "(1)(c)".
- 16 Page 7, after line 18, insert:
 - 17 (d) (I) (A) THE LOCAL ACCESS ROUTE CASH FUND IS CREATED IN
 - 18 THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE
 - 19 FUND IN ACCORDANCE WITH THIS SUBSECTION (1)(AND ANY OTHER
 - 20 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER
 - 21 TO THE FUND.
 - 22 (B) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
 - 23 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
 - 24 FUND TO THE FUND.
 - 25 (C) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
 - 26 DIVISION TO IMPLEMENT THIS SECTION.
 - 27 (II) THE DIVISION SHALL PERFORM, ON AN ANNUAL BASIS, AN
 - 28 ANALYSIS TO DETERMINE THE NET INCREMENTAL COST OF THE

1 COLLECTION AND ADMINISTRATION OF THE FEE. THE DIVISION MAY RETAIN
2 A PORTION OF THE FEE TO COVER THE COST OF COLLECTING AND
3 ADMINISTERING THE FEE, BUT MAY RETAIN ONLY THE AMOUNT OF THE FEE
4 THAT IS DETERMINED TO BE NECESSARY BY THE COST ANALYSIS. THE
5 DIVISION SHALL NOT RETAIN MORE THAN THREE AND ONE-THIRD PERCENT
6 OF THE FEE. THE DIVISION SHALL TRANSMIT THE RETAINED PORTION OF
7 THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE
8 PARKS AND OUTDOOR RECREATION CASH FUND CREATED IN SECTION
9 33-10-111."

10 Page 7, line 20, strike "(4)" and substitute "(1)".

11 Page 7, strike lines 23 and 24 and substitute "TRANSFER THE FEE, MINUS
12 THE AMOUNT RETAINED UNDER SUBSECTION (1)(d) OF THIS SECTION, TO
13 THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE FUND. THE
14 DIVISION SHALL TRANSFER THE REMAINDER OF FEE FROM THE FUND TO THE
15 LOCAL GOVERNMENT THAT REQUESTED THE FEE AND IS RESPONSIBLE FOR
16 THE LOCAL ACCESS ROUTE. IF A STATE".

17 Page 7, line 25, strike "RECREATIONAL" and substitute "LOCAL".

18 Page 7, line 27, strike "(4)(a)" and substitute "(1)(a)".

19 Page 8, line 7, strike "(5)" and substitute "(2)".

20 Page 8, lines 7 and 8, strike "PARKS AND WILDLIFE AREAS." and substitute
21 "PARKS."

22 Page 8, line 16, strike "(4)" and substitute "(1)".

23 Page 8, lines 18 and 19, strike "STATE PARK AND WILDLIFE AREA ACCESS
24 GRANT FUND CREATED IN SUBSECTION (2)" and substitute "LOCAL ACCESS
25 ROUTE CASH FUND CREATED IN SUBSECTION (1)(d)(I)".

26 Page 8, strike lines 20 through 27 and substitute:

27 "(d) "LOCAL ACCESS ROUTE" MEANS A RIGHT-OF-WAY, INCLUDING
28 A BIKE OR PEDESTRIAN PATH, THAT IS NORMALLY USED TO TRAVEL TO OR
29 FROM A STATE PARK.

30 (e) "LOCAL GOVERNMENT" MEANS A CITY, COUNTY, CITY AND
31 COUNTY, OR SPECIAL DISTRICT OF THIS STATE."

32 Strike pages 9 through 12 and substitute:

33 **"33-10-118. Division to study access to state parks. (1) THE**

1 DIVISION SHALL COLLABORATE WITH LOCAL GOVERNMENTS TO IDENTIFY:
2 (a) DEFICITS OR PROBABLE DEFICITS WITH LOCAL
3 TRANSPORTATION INFRASTRUCTURE AND SERVICES USED BY VISITORS TO
4 ACCESS STATE PARKS; AND
5 (b) SOURCES OF FUNDING AND PARTNERSHIPS TO ADDRESS THE
6 DEFICITS OR POTENTIAL DEFICITS DESCRIBED IN SUBSECTION (1)(a) OF THIS
7 SECTION.
8 (2) IN STUDYING THE ISSUES DESCRIBED IN SUBSECTION (1) OF THIS
9 SECTION, THE DIVISION SHALL CONSIDER:
10 (a) THE USE OF AND EFFECT ON LOCAL TRANSPORTATION
11 INFRASTRUCTURE AND SERVICES OF VISITORS TRAVELING TO AND FROM
12 STATE PARKS;
13 (b) INFRASTRUCTURE COSTS INCURRED BY LOCAL GOVERNMENT
14 IN SUPPORTING THE STATE IN MANAGING STATE PARKS AND THE
15 APPROPRIATENESS OF THE DIVISION OR OTHER PERSONS, INCLUDING USERS,
16 TO HELP SUPPORT INFRASTRUCTURE FUNDING;
17 (c) ECONOMIC AND COMMUNITY BENEFITS AND NEGATIVE EFFECTS
18 OF STATE PARKS ON LOCAL ECONOMIES, AND THE DIFFERENCE IN BENEFITS
19 AND EFFECTS INCURRED BY COUNTIES AND MUNICIPALITIES;
20 (d) LOCAL GOVERNMENT REVENUE, INCLUDING FEES,
21 ASSESSMENTS, AND TAXES, AND PAYMENTS BY THE DIVISION IN LIEU OF
22 TAXES THAT ARE AVAILABLE TO:
23 (I) DEVELOP AND MAINTAIN TRANSPORTATION INFRASTRUCTURE;
24 OR
25 (II) PROVIDE TRANSPORTATION SERVICES RELATED TO
26 RECREATION;
27 (e) METHODS OF PROVIDING GUIDANCE TO DETERMINE WHICH
28 LOCAL ACCESS ROUTES SHOULD BE ELIGIBLE FOR ANY IDENTIFIED
29 FUNDING;
30 (f) PAST EXAMPLES OF ISSUES WITH PROVIDING LOCAL
31 TRANSPORTATION INFRASTRUCTURE AND SERVICES USED TO ACCESS STATE
32 MANAGED RECREATIONAL LAND, AND OPPORTUNITIES TO WORK WITH THE
33 DIVISION IN ADDRESSING THOSE ISSUES BOTH AT THE INCEPTION STAGE
34 AND OVER THE LIFESPAN OF THE STATE PARK;
35 (g) CURRENT RESOURCES AVAILABLE FOR AND DEDICATED TO A
36 COMMUNITY'S LOCAL TRANSPORTATION INFRASTRUCTURE AND SERVICES
37 FOR A BASELINE OF EXISTING MAINTENANCE BUDGETS, NEW SOURCES OF
38 FUNDING OR PARTNERSHIPS TO ASSIST IN THE MAINTENANCE OF LOCAL
39 ACCESS ROUTES TO AND FROM STATE PARKS, AND THE PREDICTABILITY
40 AND RELIABILITY OF THE SOURCES;
41 (h) THE LOCAL GOVERNMENT'S FINANCIAL DEMANDS OF
42 MAINTAINING TRANSPORTATION INFRASTRUCTURE AND SERVICES NEEDED
43 TO ACCESS STATE PARKS IN RELATIONSHIP TO THE FINANCIAL DEMANDS OF
44 MAINTAINING OTHER LOCAL TRANSPORTATION INFRASTRUCTURE AND
45 SERVICES WITHIN THE LOCAL JURISDICTION; AND

1 (i) THE EFFECTS OF LOCAL TRANSPORTATION CONDITIONS ON
2 LOCAL ACCESS ROUTES SERVING STATE PARKS ON THE VISITOR
3 EXPERIENCE.
4 (3) AFTER PERFORMING THE INITIAL STUDY REQUIRED IN
5 SUBSECTION (2) OF THIS SECTION, THE DIVISION SHALL SEEK COMMENTS
6 FROM THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF
7 LOCAL AFFAIRS BEFORE COMPLETING THE STUDY.
8 (4) THE DIVISION SHALL COMPLETE THE STUDY DESCRIBED IN THIS
9 SECTION AND MAKE LEGISLATIVE RECOMMENDATIONS TO THE GENERAL
10 ASSEMBLY BY NOVEMBER 1, 2024. THE RECOMMENDATIONS MUST
11 INCLUDE SOURCES FOR FUNDING OR PARTNERSHIPS TO ASSIST IN THE
12 MAINTENANCE OF LOCAL TRANSPORTATION INFRASTRUCTURE AND
13 SERVICES ASSOCIATED WITH STATE PARKS;"

14 Page 13, strike lines 1 and 2.

** *** ** *** **