

Edited 4/11

SENATE NATURAL RESOURCES

Amendments to Senate Bill No. 97
1st Reading Copy

1
1/17/05
BILL NO. 97

Requested by Senator Gregory Barkus

For the Senate Natural Resources Committee

Prepared by Krista Lee Evans
January 17, 2005 (11:06am)

1. Title, page 1, line 6.

Following: "LANDS"

Insert: "BY RESTRICTING ANY OR ALL RIGHTS TO CONSTRUCT IMPROVEMENTS UPON THE LAND OR TO SUBSTANTIALLY ALTER THE NATURAL CHARACTER OF THE LAND EXCEPT AS THESE RIGHTS ARE EXPRESSLY RESERVED IN THE INSTRUMENTS INDICATING THE RESTRICTION"

2. Page 1, line 30.

Following: "land"

Insert: "for the purpose of restricting any or all rights to construct improvements upon the land or to substantially alter the natural character of the land except as these rights are expressly reserved in the instruments indicating the restriction"

3. Page 2, line 1.

Strike: "partial, limited, fractional, or undivided"

Following: "interests"

Strike: "in"

Insert: "to restrict activities on"

4. Page 2, line 3.

Following: "ability to"

Insert: "manage,"

Following: "develop"

Insert: ", "

5. Page 2, line 4.

Following: "for"

Insert: "other purposes, other than residential, commercial, and industrial, including but not limited to recreation,"

6. Page 2.

Following: line 6

Insert: "(d) Before the board approves the restriction of rights to construct improvements upon the land or to substantially alter the natural character of the land, the department shall notify all persons holding a license or lease on the parcel.

(e) The grantee must be consulted pursuant to 75-1-201 and 75-1-208 prior to the future management of the land encumbered by the conveyance.

(f) Each conveyance document must contain provisions necessary to ensure that the grantee's rights are restricted."

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