

### **Part 3**

### **Board Creation and Duties**

#### **79-4-301 Board of Parks and Recreation -- Creation -- Functions.**

- (1) There is created within the department a Board of Parks and Recreation.
- (2) The board is the policy-making body of the division.

Renumbered and Amended by Chapter 344, 2009 General Session

#### **79-4-302 Board appointment and terms of members -- Expenses.**

- (1)
  - (a) The board is composed of nine members appointed by the governor, with the consent of the Senate, to four-year terms.
  - (b) In addition to the requirements of Section 79-2-203, the governor shall:
    - (i) appoint one member from each judicial district and one member from the public at large;
    - (ii) ensure that not more than five members are from the same political party; and
    - (iii) appoint persons who have an understanding of and demonstrated interest in parks and recreation.
  - (c) Notwithstanding the term requirements of Subsection (1)(a), the governor may adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
- (2) When vacancies occur because of death, resignation, or other cause, the governor, with the consent of the Senate, shall:
  - (a) appoint a person to complete the unexpired term of the person whose office was vacated; and
  - (b) if the person was appointed from a judicial district, appoint the replacement from the judicial district from which the person whose office has become vacant was appointed.
- (3) The board shall appoint its chair from its membership.
- (4) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 286, 2010 General Session

#### **79-4-303 Board meetings -- Quorum.**

- (1) The board shall meet at least once every quarter, but special meetings may be held by call of the chairman or at the request of two members of the board.
- (2) Four members of the board shall constitute a quorum for the transaction of business.

Renumbered and Amended by Chapter 344, 2009 General Session

#### **79-4-304 Board rulemaking authority.**

- (1) Rules made by the board shall be made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (2)
  - (a) The board may make rules:

- (i) governing the use of the state park system;
  - (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and
  - (iii) to provide for public safety and preserve the peace within state parks.
- (b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that:
- (i) close or partially close state parks; or
  - (ii) establish use or access restrictions within state parks.
- (c) Rules made under Subsection (2) may not have the effect of preventing the transfer of livestock along a livestock highway established in accordance with Section 72-3-112.
- (3) The board shall adopt rules:
- (a) governing the collection of charges under Subsection 79-4-203(8); and
  - (b) granting free admission to state parks to an honorably discharged veteran who is:
    - (i) a resident of the state; and
    - (ii) at least 50% disabled, as evidenced by documentation from:
      - (A) the United States Department of Veterans Affairs;
      - (B) an active component of the United States armed forces; or
      - (C) a reserve component of the United States armed forces.

Amended by Chapter 142, 2016 General Session

**79-4-305 Long-range plans.**

The board shall formulate and cause to be put into execution by the department through the director of the division a long-range, comprehensive plan and program for the acquisition, planning, protection, operation, maintenance, development, and wise use of areas of scenic beauty, recreational utility, or historic, archaeological, or scientific interest, to the end that the health, happiness, recreational opportunities, and wholesome enjoyment of life of the people may be further encouraged within the general policies of the department.

Renumbered and Amended by Chapter 344, 2009 General Session