

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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RNK:wlj:jm

February 1, 2013

The language provided for this amendment uses the phrase “navigable public water.” Because Senate Bill 1, and current law generally, uses only the phrase “navigable water” I did not use the phrase “navigable public water” in this amendment. If you wish to use that term, I think the amendment must include a definition or some other language to clarify how a “navigable public water” differs from a “navigable water.”

Because a navigable water activity that occurs in a stream could occur for a considerable portion of the length of the stream I have assumed that the language provided related to the drainage area of a stream refers to the area that is upstream from the farthest downstream point at which the navigable water activity will occur. Accordingly, I have drafted this provision based on that assumption.

Please contact me if you would like to discuss these issues or have any other questions about this amendment.

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