After consideration on the merits, the Committee recommends the following:

HB16-1005 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, strike line 6 and substitute:

"37-96.5-101. Legislative declaration. (1) The General Assembly hereby finds and determines that, pursuant to sections 5 and 6 of article XVI of the state constitution, water is considered the property of the public, is dedicated to the use of the people, is subject to the doctrine of prior appropriation, and must be administered in accordance with the priority system established in article 92 of this title.

(2) The General Assembly declares that nothing in this article is intended to infringe upon or impair the doctrine of prior appropriation.

37-96.5-102. Definitions. As used in this article, unless the". 
(II) THIS PARAGRAPH (j) DOES NOT CONFER UPON A RESIDENT OF A COMMON INTEREST COMMUNITY THE RIGHT TO PLACE A RAIN BARREL ON PROPERTY OR TO CONNECT A RAIN BARREL TO ANY PROPERTY THAT IS:
   (A) LEASED, EXCEPT WITH PERMISSION OF THE LESSOR;
   (B) A COMMON ELEMENT OR A LIMITED COMMON ELEMENT OF A COMMON INTEREST COMMUNITY;
   (C) MAINTAINED BY THE UNIT OWNERS' ASSOCIATION FOR A COMMON INTEREST COMMUNITY; OR
   (D) ATTACHED TO ONE OR MORE OTHER UNITS, EXCEPT WITH PERMISSION OF THE OWNERS OF THE OTHER UNITS.
(III) A COMMON INTEREST COMMUNITY MAY IMPOSE REASONABLE AESTHETIC REQUIREMENTS THAT GOVERN THE PLACEMENT OR EXTERNAL APPEARANCE OF A RAIN BARREL.

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