

MINUTES OF THE
SENATE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT
STANDING COMMITTEE
Friday, February 6, 2009
415 State Capitol, Utah State Capitol Complex

Members Present: Sen. Dennis Stowell, Chair
Sen. Allen Christensen
Sen. Gene Davis
Sen. Margaret Dayton
Sen. Karen Morgan
Sen. Ralph Okerlund

Staff Present: J Brian Allred, Policy Analyst
Saundra Maeser, Secretary

Public Speakers Present: Sen. Scott Jenkins
Jeff Niermeyer, Director, Public Utilities, Salt Lake City
Boyd Clayton, Deputy State Engineer, Division of Water Rights
Todd Bingham, Vice President, Utah Farm Bureau Federation
Kate Savage, student
Kathie Johnson, Council member, South Jordan
Kathy Van Dame, Policy Coordinator, Wasatch Clean Air Coalition

A list of visitors is filed with the committee minutes.

Committee Chair Stowell called the meeting to order at 2:07 p.m.

1. Approval of Minutes

MOTION: Sen. Morgan moved to approve the minutes of February 4, 2009.

The motion passed unanimously with Sen. Christensen and Sen. Okerlund absent for the vote.

2. 1st Sub. H.B. 62 State Water Development Commission Amendments (Rep. K. Gibson) (Sen. G. Davis)

Rep. Kerry Gibson introduced the bill.

Sen. Scott Jenkins spoke in support of the bill.

Sen. Dayton assumed the committee chair.

MOTION: Sen. Davis moved to amend 1st Sub. H.B. 62, State Water Development Commission Amendments, by returning to the original partisan balance of no more than two appointed from the same party by the president of the Senate.

Sen Dayton moved to the next item on the agenda because there was not a quorum.

3. S.B. 58 Collection and Use of Precipitation (Sen. S. McCoy)

Sen. Scott McCoy introduced the bill.

Jeff Niermeyer, Director, Public Utilities, Salt Lake City, spoke in support of the bill.

Sen. Stowell assumed the committee chair.

Boyd Clayton, Deputy State Engineer, Division of Water Rights, spoke in support of the bill.

MOTION: Sen. Davis moved to pass S.B. 58, Collection and Use of Precipitation, out favorably.

The motion passed unanimously with Sen. Christensen absent for the vote.

4. 1st Sub. H.B. 62 State Water Development Commission Amendments (Rep. K. Gibson) (Sen. G. Davis)

MOTION: Sen. Morgan moved to amend 1st Sub. H.B. 62 as follows:

1. *Page 2, Line 34:*

34 may appoint ~~no~~ more than ~~[[two]]~~ three senators from the same party if the appointment is necessary to

AMENDED MOTION: Sen. Morgan moved to amend 1st Sub. H.B. 62 as follows:

1. *Page 2, Line 34:*

34 may appoint ~~[[more than two]]~~ up to three senators from the same party if the appointment is necessary to

The amended motion passed unanimously.

MOTION: Sen. Davis moved to pass 1st Sub. H.B. 62, out favorably, as amended.

The motion passed unanimously.

5. H.B. 27 Protections for Agricultural Practices (Rep. M. Morley) (Sen. M. Dayton)

Rep. Gibson introduced the bill for Rep. Mike Morley. Todd Bingham, Vice President, Utah Farm Bureau Federation, assisted in the presentation.

Kate Savage, student, and Kathy Van Dame, Policy Coordinator, Wasatch Clean Air

Coalition, spoke in opposition to the bill.

Kathy Johnson, Council member, South Jordan, spoke in support of the bill.

Rep. Morley assumed the speaker's chair.

MOTION: Sen. Dayton moved to amend H.B. 27 as follows:

1. *Page 2, Line 48:*

48 ~~[[do]]~~ not constitute a public nuisance under Subsection (1) ~~[unless the agricultural operation has a~~

2. *Page 4, Line 90:*

90 practices are presumed to be reasonable and ~~[[do]]~~ not constitute a nuisance ~~[unless the~~

The motion passed unanimously.

MOTION: Sen. Christensen moved to pass H.B. 27, Protections for Agricultural Practices, out favorably, as amended.

The motion passed with Sen. Morgan voting in opposition.

6. H.J.R. 7 Equine Resources Joint Resolution (Rep. B. Winn) (Sen. D. Stowell)

Rep. Bradley Winn introduced the bill. Todd Bingham assisted in the presentation.

MOTION: Sen. Dayton moved to pass H.J.R. 7, Equine Resources Joint Resolution, out favorably.

The motion passed unanimously with Sen. Davis and Sen. Morgan absent for the vote.

MOTION: Sen. Okerlund moved to adjourn.

The motion passed unanimously with Sen. Davis and Sen. Morgan absent for the vote.

Chair Stowell adjourned the meeting at 3:35 p.m.

Minutes reported by Sandra Maeser, Secretary