

**AMENDED MINUTES OF THE HOUSE
NATURAL RESOURCES, AGRICULTURE, & ENVIRONMENT
STANDING COMMITTEE**

Room C445, State Capitol, State Capitol Complex
February 19, 2010

Members Present: Rep. Roger E. Barrus, Chair
Rep. John Mathis, Vice Chair
Rep. Mel Brown
Rep. Jack Draxler
Rep. Kerry Gibson
Rep. James Gowans
Rep. Neal Hendrickson
Rep. Mike Noel
Rep. Patrick Painter
Rep. Phil Riesen
Rep. Christine Watkins
Rep. Ryan D. Wilcox
Rep. Bill Wright

Members Absent: Rep. Brad Dee

Staff Present: Brian Allred, Policy Analyst
Dora Soto, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes

Rep. Barrus called the meeting to order at 1:34 p.m.

MOTION: Rep. Hendrickson moved to approve the minutes of the February 17, 2010 meeting. The motion passed unanimously with Rep. Brown, Rep. Dee, Rep. Gibson, Rep. Gowans, Rep. Painter and Rep. Wright absent for the vote.

H.B. 179 **Off-highway Vehicle and Street-legal All-terrain Vehicle Revisions** (*Rep. M. Noel*)

Rep. Noel explained the bill to the committee, assisted by Fred Hayes, Division of Utah State Parks & Recreation.

MOTION: Rep. Noel moved to amend the bill as follows:

1. *Page 1, Lines 17 through 18:*

17 ▶ provides that a street-legal all-terrain vehicle may not be operated on an
interstate
18 freeway or a {~~controlled~~} limited access highway;

2. *Page 2, Lines 45 through 48:*

45 (1) (a) Except as provided in Subsection (1)(b), an all-terrain type I or utility type
46 vehicle that meets the requirements of this section may be operated as a street-legal ATV
on a
47 street or highway [~~that is a highway with one lane in each direction~~] unless the highway is
an
48 interstate freeway or a {~~controlled~~} limited access highway as defined in Section
41-6a-102.

The motion to amend the bill passed unanimously with Rep. Brown, Rep. Dee, Rep. Gibson, Rep. Gowans, Rep. Painter and Rep. Wright absent for the vote.

MOTION: Rep. Wilcox moved to pass the bill as amended with a favorable recommendation. The motion passed unanimously with Rep. Dee, Rep. Gibson, Rep. Gowans, Rep. Painter and Rep. Wright absent for the vote.

MOTION: Rep. Noel moved to place the bill on the consent calendar. The motion passed unanimously with Rep. Dee, Rep. Gibson, Rep. Gowans, Rep. Painter and Rep. Wright absent for the vote.

H.B. 318 Revolving Loan Fund for Certain Energy Efficient Projects Amendments
(Rep. R. Barrus)

Rep. Barrus relinquished the chair to Rep. Mathis

Rep. Barrus explained the bill to the committee.

MOTION: Rep. Draxler moved to pass the bill with a favorable recommendation. The motion passed unanimously with Rep. Dee, Rep. Gibson, Rep. Gowans and Rep. Wright absent for the vote.

MOTION: Rep. Barrus moved to place the bill on the consent calendar. The motion passed unanimously with Rep. Dee, Rep. Gibson, Rep. Gowans and Rep. Wright absent for the vote.

Rep. Barrus resumed the chair

H.B. 298 Land Use Authority Notification of Canal Development (*Rep. B. Ferry*)

MOTION: Rep. Hendrickson moved to replace H.B. 298 with 1st Substitute H.B.298. The motion passed unanimously with Rep. Dee, Rep. Gibson, Rep. Gowans, Rep. Wilcox and Rep. Wright absent for the vote.

Rep. Ferry explained the bill to the committee.

Spoke in favor of the bill: Bill Rigby, Supervisor, Utah Conservation District
Sterling Brown, VP Public Policy, Utah Farm Bureau

MOTION: Rep. Hendrickson moved to pass the bill with a favorable recommendation. The motion passed unanimously with Rep. Dee and Rep. Gowans absent for the vote.

H.B. 60 Water Conveyance Facilities Safety Act (*Rep. F. Hunsaker*)

MOTION: Rep. Painter moved to replace H.B.60 with 1st Substitute H.B. 60. The motion passed unanimously.

Rep. Hunsaker explained the 1st substitute bill to the committee, assisted by Dennis Strong, Utah Division of Water Resources.

Spoke in favor of the bill: Allison Barlow Hess, President, Utah Society of Professional Journalists
Ivan Ray, Manager, Weber Water Users & Davis County Canal
Dale Barney, Vice Chair, Utah Assoc. of Special Districts.
Bill Rigby, Supervisor, UACO

MOTION: Rep. Gibson moved to pass 1st Substitute H.B. 60 with a favorable recommendation.

SUBSTITUTE

MOTION: Rep. Riesen moved to amend 1st Substitute H.B. 60 with the following amendments:

Delete lines 20, 21,31, and 32
In Section 1, delete 37 through 320
Renumber bill

The substitute motion to amend the bill failed with Rep.Riesen voting in favor of the motion.

The original motion to pass 1st substitute H.B. 60 with a favorable recommendation passed with Rep. Riesen voting in opposition to the motion.

H.B. 309 Surface Owner Protection Act (*Rep. J. Mathis*)

Rep. Mathis explained the bill to the committee assisted by Steve Hanburg, Landowner, Farm Bureau of Uintah County.

Spoke in favor of the bill: David Nelson, Landowner, Properties Unlimited
 Dennis Wright, Landowner, Mineral Holder Natural Resources
 Kevin Carter, Director, SITLA
 KC Jenson, KFJ Ranches, Landowner
 Scott Chew, Landowner, Uintah County
 Mitch Hacking, Rancher
 Bill Robinson, Rancher
 Sterling Brown, VP Public Policy, Utah Farm Bureau

Spoke in opposition to the bill: Lee Peacock, President, Utah Petroleum Association
 Larry Williams, Attorney AAPL-UAPL
 Eric Dille, Director, Relations Director, EOG Resources
 Sharon Williams, Vice President, Delek Energy US
 Jeff Hartley, Govt. Affairs, Bill Barrett Corporation

Spoke to the bill: John Baza, Director, Denver DOGM

MOTION: Rep. Watkins moved to amend the bill as follows:

1. Page 3, Line 86 through Page 4, Line 90:

86 ~~{(c) a copy of the legal documents describing the rights of the operator to conduct~~
 ~~an oil~~
87 ~~or gas operation on the surface owner's land, including:~~
88 ~~—(i) legal title to the mineral rights or a lease or other agreement with the mineral~~
 ~~owner;~~
89 ~~—(ii) any recorded easement; and }~~
90 ~~{(iii)}~~ (c) a permit by the Division of Oil, Gas and Mining, including a copy
 of the

2. Page 7, Line 207:

207 the duty to reclaim, no notice, surface use agreement, or bond or other surety is required;
 ~~{and }~~

3. Page 7, Line 210:

210 obligations of the parties in respect to surface activities conducted by the
 operator { } ; and
 (3) operations on school and institutional trust lands conducted in accordance with
 Section 53C-2-409.

The motion to amend the bill passed unanimously.

MOTION: Rep. Gibson moved to pass the bill as amended with a favorable recommendation. The motion passed with Rep. Hendrickson and Rep. Barrus voting in opposition to the motion.

MOTION: Rep. Wilcox moved to adjourn.

Rep. Barrus adjourned the meeting at 4:28 p.m.

Rep. Roger E. Barrus, Chair