

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

Room 445, State Capitol

February 23, 2015

Members Present: Rep. Lee B. Perry, Chair
Rep. Douglas V. Sagers, Vice Chair
Rep. Joel K. Briscoe
Rep. Melvin R. Brown
Rep. Scott H. Chew
Rep. Jack R. Draxler
Rep. Susan Duckworth
Rep. Steve G. Handy
Rep. Timothy D. Hawkes
Rep. Mike K. McKell
Rep. Kraig Powell
Rep. Scott D. Sandall
Rep. Mike Schultz

Members Excused: Rep. Michael E. Noel

Staff Present: Mr. J Brian Allred, Policy Analyst
Ms. An Bradshaw, Committee Secretary

NOTE: A list of visitors and handouts are filed with committee minutes

Chair Perry called the meeting to order at 4:16 p.m.

MOTION: Rep. Duckworth moved to approve the minutes of the February 20, 2015 meeting. The motion passed unanimously with Rep. Brown, Rep. Chew, Rep. Draxler, and Rep. Schultz absent for the vote.

H.B. 259 Amendments to Powers and Duties of State Parks *(Rep. K. Powell)*

Rep. Powell explained the bill to the committee. Jeff Rasmussen, Deputy Director, State Parks and Recreation, assisted and spoke in favor of the bill.

MOTION: Rep. McKell moved to pass the bill out favorably. The motion passed unanimously with Rep. Draxler and Rep. Schultz absent for the vote.

MOTION: Rep. Powell moved to place H.B. 259 on the Consent Calendar. The motion passed unanimously with Rep. Draxler, Rep. McKell, and Rep. Schultz absent for the vote.

S.B. 56 Wildland Fire Policy (*Sen. E. Vickers*)

Sen. Vickers explained the bill to the committee with the assistance of Brian Cottam, State Forester and Director, Forestry, Fire and State Lands.

Spoke for the bill: Redge Johnson, citizen

Vice Chair Sagers assumed the chair.

MOTION: Rep. Briscoe moved to pass the bill out favorably. The motion passed unanimously with Rep. Draxler, Rep. Perry, and Rep. Powell absent for the vote.

H.J.R. 19 Joint Resolution Supporting Utah's Response to the EPA's Clean Power Plan (*Rep. S. Handy*)

Rep. Handy explained the resolution to the committee with the assistance of Laura Nelson, Director, Office of Energy Development. Copies of a letter from Gov. Gary R. Herbert to Gina McCarthy, Administrator, United States Environmental Protection Agency, were distributed to the committee

Chair Perry resumed the chair.

Spoke against the resolution: Ashley Soltysiak, HEAL Utah

MOTION: Rep. McKell moved to pass the resolution out favorably. The motion passed with Rep. Briscoe voting in opposition and Rep. Powell absent for the vote.

H.J.R. 20 Joint Resolution Amending Civil Procedure Rule 62 (*Rep. D. Sagers*)

Rep. Sagers explained the resolution to the committee. "Memorandum Regarding Supersedeas Bonds and Open Courts" was distributed to the committee.

MOTION: Rep. Handy moved to pass the resolution out favorably. The motion passed unanimously with Rep. Powell absent for the vote.

MOTION: Rep. Sagers moved to place H.J.R. 20 on the Consent Calendar. The motion passed unanimously.

H.B. 317 Destruction of Livestock (*Rep. M. Nelson*)

Rep. Nelson explained the bill to the committee with the assistance of Dave Carter, Theft Investigator, Department of Agriculture.

Spoke for the bill: Redge Johnson, citizen
 Rex Larsen, Spanish Fork Grazing Company
 Sterling Brown, Utah Farm Bureau

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

1. *Page 3, Lines 64 through 65:*

64 forfeiture under the procedures and substantive protections established in Title 24,
 [Chapter 1,]

65 { ~~Utah Uniform Forfeiture Procedures Act~~ } **Forfeiture and Disposition of
Property Act** .

The motion passed unanimously.

MOTION: Rep. Sagers moved to pass the bill out favorably as amended. The motion passed unanimously.

MOTION: Rep. McKell moved to place H.B. 317 on the Consent Calendar. The motion passed unanimously.

H.B. 261 Horse Tripping Amendments (*Rep. K. Ivory*)

Rep. Ivory explained the bill to the committee with the assistance of Taylor Brady, citizen; Lyle Barbour, Equine Veterinarian; and LuAnn Adams, Commissioner, Department of Agriculture and Food, who spoke in favor of the bill. A map showing which states have laws prohibiting horse tripping events and an information sheet explaining what H.B. 261 does and doesn't do were distributed to the committee.

Spoke for the bill: Gari Lafferty, Chair, Paiute Indian Tribe of Utah
 Richard Johnson, citizen
 Mike Schlosser, citizen
 Kimberly Castro, citizen
 Serenity Ellis, citizen

MOTION: Rep. McKell moved to adopt 1st Sub. H.B. 261. The motion passed unanimously.

MOTION: Rep. Sandall moved to pass the bill out favorably. The motion passed unanimously.

H.B. 276 Agriculture Structure Amendments (Rep. M. McKell)

Rep. McKell explained the bill to the committee. LuAnn Adams, Commissioner, Department of Agriculture and Food, spoke in support of the bill.

Spoke for the bill: Ryan Westover, citizen
Jewel Bullock, citizen
Larry Christianson, citizen
Lincoln Shurtz, Director, Utah Association of Counties

Rep. Powell declared a conflict of interest.

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

1. Page 1, Lines 13 through 14:

13 { ~~states that a municipality may not prohibit the construction, installation, or~~
~~use of a~~
14 ~~high tunnel.~~ }

2. Page 2, Lines 33 through 43:

33 (1) As used in this section, "high tunnel" means a structure that:
= (a) is not a permanent structure;
34 { ~~(a)~~ } (b) is used for the { ~~production, processing,~~ } keeping, storing,
sale, or shelter of an
35 agricultural commodity; and
36 { ~~(b)~~ } (c) has a:
37 (i) metal, wood, or plastic frame;
38 (ii) plastic, woven textile, or other flexible covering; and
39 (iii) floor made of soil, crushed stone, matting, pavers, or a floating concrete slab.
40 { ~~(2) A municipality may not adopt or enforce an ordinance or regulation~~
~~that prohibits~~
41 ~~the construction, installation, or use of a high tunnel.~~ } =
42 { ~~(3)~~ } (2) A municipal building code does not apply to a high tunnel.

43 {~~(4)~~} (3) No building permit shall be required for the construction of a high tunnel.

The motion passed unanimously with Rep. Briscoe absent for the vote.

MOTION: Rep. Powell moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Briscoe absent for the vote.

MOTION: Rep. Sandall moved to adjourn the meeting. The motion passed unanimously with Rep. Briscoe absent for the vote.

Chair Perry adjourned the meeting at 6:25 p.m.

Lee B. Perry, Chair