

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY
APPROPRIATIONS SUBCOMMITTEE**

Room 25 House Office Building

February 13, 2014

Members Present: Sen. David Hinkins, Co-Chair
Rep. John G. Mathis, Co-Chair
Rep. Mike McKell, House Vice Chair
Sen. Jim Dabakis
Sen. Margaret Dayton
Sen. Kevin T. Van Tassell
Rep. Jerry Anderson
Rep. Roger E. Barrus
Rep. Jon Cox
Rep. Susan Duckworth
Rep. Brian Greene
Rep. Ken Ivory
Rep. Michael E. Noel
Rep. Lee B. Perry
Rep. Larry B. Wiley

Members Excused: Sen. Ralph Okerlund
Sen. John L. Valentine

Staff: Mr. Ivan Djambov, Fiscal Analyst
Ms. Angela Oh, Economist
Ms. Linda Service, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Hinkins called the meeting to order at 8:25 a.m.

Ivan Djambov, Fiscal Analyst, LFA, distributed the document titled "Natural Resources, Agriculture and Environmental Quality Appropriation Subcommittee, Voting Packet" and provided instruction for subsequent voting.

MOTION: Rep. McKell moved to approve the federal funds requested by the agencies as presented by the Fiscal Analyst on February 5, 2014 in a document titled "Issue Brief - 2014 General Session - Federal Funds NRAEQ" that can be found on our subcommittee's web page under "Related Links." The motion passed with Sen. Dayton and Rep. Ivory voting against the motion.

MOTION: Rep. Mathis moved to approve the fees as presented by the Fiscal Analyst on February 5, 2014 in a document titled "Issue Brief - 2014 General Session - All Fees, NRAEQ" that can be found on our subcommittee's webpage under "Related Links."

MOTION: Rep. Perry moved to add the following fees to the Division of Wildlife Resources Fee Schedule: *Nonresident Hunting License Age 18 or Older (365 day) \$65.00; Nonresident Multi Year License (Up to 5 years) \$64.00/year.* The motion passed unanimously.

The original motion by Rep. Mathis to approve the fees as changed passed unanimously.

MOTION: Rep. Perry moved to approve the legislative intent language as presented by the Fiscal Analyst on February 5, 2014 in a document titled "Issue Brief - 2014 General Session - NRAEQ Intent Language Summary" that can be found on our subcommittee's webpage under "Related Links" with the following changes: (1) Item 22: change the second line to say "Animal Health" instead of "General Administration," and (2) Item 23: change the second line to say "Plant Industry" instead of "General Administration."

MOTION: Rep. McKell moved to add the following intent language: The Legislature intends that the last \$200,000 of a \$500,000 appropriation in FY 2015 for carp removal, be met with a one-to-one match by the Utah Lake Commission. The motion passed unanimously.

MOTION: Sen. Dayton moved to add the following intent language: The Legislature intends that the \$300,000 appropriation for quagga mussel containment not lapse at the close of FY 2014. The motion passed unanimously.

MOTION: Sen. Van Tassell moved to add the following intent language: The Legislature intends that the State Fair Corporation provide monthly reports on their budgets to the chairs of the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee in FY 2014 and FY 2015. The motion passed unanimously.

MOTION: Rep. Ivory moved to add the following intent language: The Legislature intends that the Public Lands Policy Coordination Office provide to the Natural Resources, Agriculture, and Environment Interim Committee by May 30, 2014 an itemized schedule and costs for the economic analysis from H.B. 142, 2013 General Session. The motion passed unanimously.

MOTION: Rep. Ivory moved to add the following intent language: The Legislature intends that the Public Lands Policy Coordination Office use up to \$20,000 to secure the compilation of Utah-specific data from Nevada's Public Land Management Task Force Report and report to the Natural Resources, Agriculture, and Environment Interim Committee by June 30, 2014. The motion passed unanimously.

MOTION: Rep. Greene moved to add the following intent language: The Legislature intends that the Public Lands Policy Coordination Office present to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee by September 30, 2014 a minimum of three performance measures that are quantifiable and reflect the office's mission and objectives. The motion passed unanimously.

MOTION: Rep. Noel moved to add the following intent language: The Legislature intends that the sage grouse appropriation of \$500,000 in FY 2014 and \$1,500,000 in FY 2015 be used by the Department of Natural Resources to solicit responders and award a grant, in compliance with the requirements of the Utah Procurement Code, to hire a contractor for the purpose of delaying a possible sage grouse listing as an endangered species. The Legislature further intends that the contractor use the funding for the following purposes: (1) legal strategies; (2) educating

members of Congress; and (3) engaging the public in the process. The contractor shall provide written, quarterly progress reports to the department and to the Natural Resources, Agriculture, and Environment Interim Committee. The department and the contractor shall report on or before November 2014 to the Natural Resources, Agriculture and Environment Interim Committee on the progress and results achieved. The motion passed unanimously.

MOTION: Rep. Perry moved to add the following intent language: The Legislature intends the \$85,400 one-time appropriation from the General Fund for the Utah's Own appropriation not lapse at the close of FY 2014.

MOTION: Rep. Hinkins moved to approve the intent language that has been inserted. The motion passed unanimously.

MOTION: Rep. Mathis moved to make a motion based on the document titled "Issue Brief - Action Items on 'Off-Budget' Funds" presented by the Fiscal Analyst on January 28, 2014, to include the following funds in the Appropriations Act for greater accountability and oversight: (1) Wildland Fire Suppression Fund, (2) Utah Geological Survey Sample Library Fund, (3) Salinity Offset Fund, and (4) Waste Tire Recycling Fund. The motion passed unanimously.

MOTION: In order to align the funding structure of the Department of Agriculture and Food with their organizational structure, Rep. McKell moved to approve the following new line items: (1) Regulatory Services and (2) Marketing and Development. The motion passed unanimously.

MOTION: Sen. Van Tassell moved to approve a one-time increase of \$100,000 in SITLA's operating budget for FY 2014. The motion passed unanimously.

MOTION: Sen. Van Tassell moved to approve a one-time increase of \$100,000 in SITLA's operating budget for FY 2015. The motion passed unanimously.

MOTION: Rep. McKell moved to change the following intent language from Rep. Noel's motion on sage grouse funding: solicit responders and award a "grant" to solicit responders and award a "contract." The motion passed unanimously.

MOTION: Rep. Perry moved to change line 3, Non-General Fund Increases, from 2 FTE's to 1 FTE. The motion passed unanimously.

Brian Cottam, Director and State Forester, Division of Forestry, Fire and State Lands, responded to questions from subcommittee members regarding projects for catastrophic fire mitigation.

MOTION: Rep. Greene moved to add the following intent language: The Legislature intends that the agencies that will be housed in the new Cedar City Regional Administration building pay their rents directly to the Sovereign Lands Management Restricted Account from which the \$2,950,000 has been borrowed until the debt is paid off. The motion passed unanimously.

MOTION: Rep. Noel moved to add the following intent language: The Legislature intends

that the appropriation for catastrophic fires be used for on-the-ground projects, not to be used for education, in FY 2015 and report to the Natural Resources, Agriculture, and Environment Interim Committee by November 30, 2014. The motion passed unanimously.

MOTION: Sen. Dabakis moved to change the intent language to use 50% of line 32 non-general fund increases for conservation of the sage grouse. The motion failed with Sen. Dabakis, Rep. Duckworth, and Rep. Wiley voting in favor of the motion.

MOTION: Rep. Mathis moved to approve the request for funding from non-general fund sources as provided on page 2 of the voting packet as amended. The motion passed unanimously.

MOTION: Rep. Mathis moved to approve the requests on page 2 as altered. The motion passed unanimously.

MOTION: Rep. Mathis moved to approve the reallocations one time general fund as presented in section B, page 3 of the voting packet. The motion passed with Rep. Noel voting against the motion.

MOTION: Rep. Barrus moved to add a line on the Ongoing General Fund Requests for \$265,000 for the Office of Energy Development to complete their staffing levels and put it on line 5. The motion failed with Rep. Anderson, Rep. Barrus, Rep. Ivory, and Rep. Mathis voting in favor of the motion.

MOTION: Rep. Barrus moved to add a line on the Ongoing General Fund Requests for \$265,000 for the Office of Energy Development to complete their staffing levels and put it on line 8. The motion passed with Sen. Dabakis, Sen. Dayton, Rep. Cox, Rep. Duckworth, Rep. McKell, and Rep. Wiley voting against the motion.

MOTION: Rep. Perry moved to move item 7, USU Extension Water Conservation, Ongoing General Fund items, to item 4, moving the rest of the items down. The motion passed with Sen. Van Tassell voting against the motion.

MOTION: Rep. Greene moved to move item 6 on the Ongoing General Fund Requests to line 6 on the One-Time General Fund Requests. The motion passed unanimously.

MOTION: Rep. Mathis moved to approve the priority list for EAC, ongoing general fund requests as presented in section A, ongoing general fund requests as altered.

MOTION: Rep. Duckworth moved to increase the funding for the State Fair on line 5 of the One-Time General Fund Requests to \$600,000. The motion passed unanimously.

MOTION: Rep. Mathis moved to approve the list as presented on item 7, General Fund Increases, Priority List for EAC, as altered. The motion passed unanimously.

MOTION: Rep. Perry moved to approve the following intent language: The Legislature intends that the Department of Agriculture and Food purchase seven vehicles in FY 2014.

MOTION: Rep. Perry moved to adjourn. Sen. Hinkins adjourned the meeting at 10:00 a.m.

Sen. David Hinkins, Co-Chair

Rep. John G. Mathis, Co-Chair