

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

Room 210 Senate Building
February 12, 2015

Members Present: Sen. David P. Hinkins, Chair
Rep. Mike McKell, Chair
Rep. Kay J. Christofferson, House Vice Chair
Sen. Jim Dabakis
Sen. Margaret Dayton
Sen. Scott K. Jenkins
Sen. Peter C. Knudson
Sen. Ralph Okerlund
Sen. Kevin T. Van Tassell
Rep. Scott Chew
Rep. Susan Duckworth
Rep. Brian M. Greene
Rep. Stephen G. Handy
Rep. Timothy Hawkes
Rep. Ken Ivory
Rep. Justin Miller
Rep. Michael E. Noel
Rep. Lee B. Perry
Rep. Marc K. Roberts

Staff: Mr. Ivan D. Djambov, Fiscal Analyst
Mr. Brian Wikle, Fiscal Analyst
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.

Sen. Hinkins called the meeting to order at 8:08 a.m.

SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

Mr. Ivan Djambov, Fiscal Analyst, presented a brief review on how to access information pertaining to the School and Institutional Trust Lands Administration (SITLA). Background information, as well as building block requests about SITLA, can be found in COBI on the Legislature's website.

Mr. Kevin Carter, Director, SITLA, discussed a slide presentation noting that at the close of business on February 10, 2015 the balance in the Permanent Fund was \$2 billion. He mentioned their unique budgeting, three line items, and budget comparisons. Mr. Carter expounded on two building blocks: \$70,000 for an additional auditor and \$140,000 for an additional oil and gas employee.

REPORT FROM THE SUBCOMMITTEE ON STATE FAIR: SEN. JENKINS

Sen. Jenkins distributed "State Fair/Real TERM SHEET" which is an agreement between Mr. Dell Loy Hansen, Real Monarchs LLC and the State Fair Park. He addressed two issues of concern: (1) lack of a signed lease to rent the Fair Park ground from the state, and (2) whether the State Fair Park has the authority to sign the lease. The committee was unable to agree unanimously on the course of action to

be taken with Mr. Hansen. They did, however, agree that the lease to rent the State Fair Park ground should be signed with the state. The subcommittee and others discussed the issue.

MOTION: Sen. Jenkins moved to authorize subcommittee chairs to send a letter to the Division of Facilities and Construction Management, the Office of the Governor, and House and Senate Leadership recommending that the lease with the State Fair Park be executed. The motion failed with Sen. Dabakis, Sen. Dayton, Sen. Hinkins, Sen. Jenkins, Rep. Christofferson, Rep. Duckworth, and Rep. Miller voting in favor of the motion. Sen. Knudson, Sen. Okerlund, and Sen. Van Tassell were absent for the vote.

FINAL VOTING

Mr. Djambov distributed "Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee, 2015 General Session, Voting Packet" and explained the procedure for voting.

MOTION: Rep. McKell moved to approve the federal funds requested by the agencies as presented by the fiscal analyst on February 4, 2015 in "Agencies' Requests for Federal Funds" that can be found on our subcommittee's webpage under "Related Links." The motion passed unanimously with Sen. Knudson, Sen. Okerlund and Sen. Van Tassell absent for the vote.

MOTION: Rep. Miller moved to approve the fees for the agencies in this subcommittee as presented by the fiscal analyst on February 10, 2015. The motion passed unanimously with Sen. Knudson, Sen. Okerlund, and Sen. Van Tassell absent for the vote.

MOTION: Rep. Christofferson moved to create a "Pass-Thru" Line Item for the Department of Natural Resources in order to better track the funding intended to be passed on to outside entities. The motion passed unanimously with Sen. Knudson, Sen. Okerlund, and Sen. Van Tassell absent for the vote.

MOTION: Rep. Perry moved that this subcommittee be on record requesting changes in the makeup of each of the Internal Service Fund (ISF) rate committees. He moved to have all members of each rate committee be from user agencies and to prohibit ISF directors/designees to be voting members on any of the rate committees. The motion passed unanimously with Sen. Knudson, Sen. Okerlund, and Sen. Van Tassell absent for the vote.

MOTION: Sen. Hinkins moved to approve the reallocation of the Department of Agriculture and Food and the Division of Forestry, Fire, and State Lands. The motion passed unanimously with Sen. Knudson, Sen. Okerlund, and Sen. Van Tassell absent for the vote.

MOTION: Rep. Noel moved to add line 39 to the Non-General Fund Increases, p. 8 of the Voting Packet, \$140,000 ongoing for an oil and gas employee for SITLA.

MOTION: Sen. Hinkins, under the request of Sen. Van Tassell, moved to add a line to the Non-General Fund Increases of \$100,000 for SITLA Sage Grouse.

MOTION: Rep. McKell moved to approve the Non-General Fund Increases as shown in "2015 General Session Voting Packet, Results." The motion passed unanimously with Sen. Knudson, Sen. Okerlund, and Sen. Van Tassell absent for the vote.

MOTION: Rep. Duckworth moved to add a new item on line 23, State Fair Corporation, \$675,000 One-time General Fund Increases, Priority List, p. 9 of the Voting Packet.

MOTION: Rep. Miller moved to move the item on Line 20, Jordan River/Utah Lake Improvements, to Line 3; move item 21, Clean Air Retrofit, Replacement, Off-Road, to Line 4; and move item 16, This Is The Place State Park, to Line 5 and rank the others subsequently.

SUBSTITUTE MOTION: Rep. Noel moved to approve the list of One-time General Fund Increases as provided in "2015 General Session Voting Packet." The motion passed with Sen. Dabakis, Rep. Duckworth, Rep. Greene, Rep. Miller, and Rep. Roberts voting against the motion. Sen. Knudson, Sen. Okerlund, and Sen. Van Tassell were absent for the vote.

MOTION: Sen. Dayton moved to move the item on line 6, Air Quality Compliance, the item on line 7, Attorney General Air Quality Staff, and line 11, UDAQ - Air Quality Research, to the bottom of the Ongoing General Fund Requests in the "2015 General Session Voting Packet" p. 10.

SUBSTITUTE MOTION: Rep. Perry moved to move the item on line 12, Agriculture in the Classroom, to line 9 of the Ongoing General Fund Requests.

MOTION: Sen. Hinkins called for approval of the list as revised. The motion passed with Rep. Miller voting in opposition to the motion. Sen. Knudson, Sen. Okerlund, and Sen. Van Tassell were absent for the vote.

MOTION: Rep. Christofferson moved to accept all Intent Language.

SUBSTITUTE MOTION: Rep. Miller moved to adopt intent language as presented and add the following: (1) "it is intended that the Jordan River funding be contingent upon a 3-to-1 match with non-state funds," and (2) "the Sage Grouse fund in relation to Sen. Van Tassell's Sage Grouse nonlisting of \$2,000,000 for One-time General Fund Requests be contingent upon a 3-to-1 match with funds from states other than Utah."

Rep. Christofferson withdrew his motion.

MOTION: Rep. Noel suggested to divide Rep. Miller's motion.

MOTION: Sen. Hinkins called for a vote on Rep. Miller's motion to include intent language that the "Jordan River/Utah Lake Improvement funding request be contingent upon a 3-to-1 match with non-state funds." The motion passed with Sen. Dayton, Sen. Jenkins, Rep. Greene, and Rep. Handy voting in opposition to the motion.

MOTION: Rep. Miller moved to adopt intent language as follows: "allow \$2,000,000 to go forward, but that it be contingent upon at least another \$2,000,000 being raised from other states where Sage Grouse significantly impacts those states." The motion failed with Sen. Dabakis, Rep. Duckworth, and Rep. Miller voting in favor of the motion. Sen. Okerlund and Sen. Van Tassell were absent for the vote.

MOTION: Rep. Greene moved to delete the first sentence of #28 Intent Language, Species Protection, of the "Voting Packet" and the word "further" in the second sentence so it will read in total,

"The Legislature intends that the Utah Lake Commission present specific long-term funding plans for the carp removal efforts during the 2016 General Session." The motion passed unanimously with Sen. Okerlund, Sen. Van Tassell, and Rep. Ivory absent for the vote.

MOTION: Rep. Greene moved to adopt intent language to read as follows: "The Legislature intends that the contractor provide quarterly progress reports to the members of this committee detailing efforts, results, and line item expenditures of the funds for Sage Grouse Non-Listing."

SUBSTITUTE MOTION: Rep. McKell moved to adopt intent language as follows: "The Legislature intends the contractor provide quarterly progress reports to the Executive Appropriations Committee and include language detailing efforts, results, and general expenditures of the funds." The motion failed with Rep. Chew, Rep. Christofferson, Rep. Greene, Rep. Ivory, Rep. McKell, Rep. Miller, and Rep. Roberts voting in favor of the motion.

Rep. Greene withdrew his motion.

MOTION: Rep. Christofferson moved to adopt all of the Intent Language as amended. The motion passed unanimously.

MOTION: Sen. Jenkins moved to adjourn. The motion passed unanimously. Chair Hinkins adjourned the meeting at 10:53 a.m.

Sen. David Hinkins, Chair

Rep. Mike McKell, Chair