

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

Wednesday , February 21, 2018 • 8:00 a.m. • 445 State Capitol

**Members Present:**

Rep. Keven J. Stratton, Chair  
Rep. Carl R. Albrecht, Vice Chair  
Rep. Stewart E. Barlow  
Rep. Joel K. Briscoe  
Rep. Scott H. Chew  
Rep. Susan Duckworth  
Rep. Stephen G. Handy  
Rep. Timothy D. Hawkes

Rep. Michael E. Noel  
Rep. Derrin R. Owens  
Rep. Douglas V. Sagers  
Rep. Scott D. Sandall  
Rep. Christine F. Watkins

**Staff Present:**

Ms. Linda Service, Committee Secretary  
Mr. J Brian Allred, Policy Analyst

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Albrecht called the meeting to order at 7:59 a.m.

**1 . 2nd Sub. S.B. 96 Canal Amendments (*Hinkins, D.*)**

Sen. Hinkins explained the bill.

Mr. Sterling Brown, Utah Farm Bureau, spoke for the bill.

Mr. Steven Clyde, Executive Water Taskforce, spoke for the bill.

**MOTION:** Rep. Owens moved to pass 2nd Substitute S.B. 96 out favorably. The motion passed with a vote of 7 - 0 - 6 .

Yeas-7

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. M. Noel  
Rep. D. Owens  
Rep. S. Sandall  
Rep. C. Watkins

Nays-0

Absent-6

Rep. S. Barlow  
Rep. S. Duckworth  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. D. Sagers  
Rep. K. Stratton

**MOTION:** Rep. Owens moved to place 2nd Substitute S.B. 96 on the Consent Calendar. The motion passed with a vote of 8 - 0 - 5 .

Yeas-8

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. S. Handy  
Rep. M. Noel  
Rep. D. Owens  
Rep. S. Sandall  
Rep. K. Stratton

Nays-0

Absent-5

Rep. S. Barlow  
Rep. S. Duckworth  
Rep. T. Hawkes  
Rep. D. Sagers  
Rep. C. Watkins

**2 . H.B. 365 Department of Environmental Quality Amendments (*Stratton, K.*)**

Rep. Stratton explained the bill assisted by Ms. Erica Gaddis, Division of Water Quality, and Ms. Amanda Smith, Wasatch Front Water Quality Council.

Mr. Leland Meyers, Wasatch Front Water Quality Council, spoke for the bill.

**MOTION:** Rep. Sandall moved to replace H.B. 365 with 1st Substitute H.B. 365. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. S. Handy  
Rep. M. Noel  
Rep. D. Owens  
Rep. D. Sagers  
Rep. S. Sandall  
Rep. K. Stratton  
Rep. C. Watkins

Nays-0

Absent-2

Rep. S. Duckworth  
Rep. T. Hawkes

**MOTION:** Rep. Sandall moved to pass 1st Substitute H.B. 365 out favorably. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. J. Briscoe  
Rep. S. Chew  
Rep. S. Handy  
Rep. M. Noel  
Rep. D. Owens  
Rep. D. Sagers  
Rep. S. Sandall  
Rep. K. Stratton  
Rep. C. Watkins

Nays-0

Absent-2

Rep. S. Duckworth  
Rep. T. Hawkes

**3 . H.B. 272 Utah Lake Amendments (McKell, M.)**

Rep. McKell explained the bill assisted by Mr. Mike Styler, Director, Department of Natural Resources, and Mr. Eric Ellis, Executive Director, Utah Lake Commission.

Mr. Jeff Salt, Director, Great Salt Lake Keeper and Friends of Utah Lake, spoke against the bill.

Mr Michael Mason, citizen, spoke against the bill.

Mr. Dan Potts, citizen, spoke against the bill.

**MOTION:** Rep. Owens moved to replace H.B. 272 with 1st Substitute H.B. 272. The motion passed with a vote of 13 - 0 - 0 .

Yeas-13

Nays-0

Absent-0

Rep. C. Albrecht

Rep. S. Barlow

Rep. J. Briscoe

Rep. S. Chew

Rep. S. Duckworth

Rep. S. Handy

Rep. T. Hawkes

Rep. M. Noel

Rep. D. Owens

Rep. D. Sagers

Rep. S. Sandall

Rep. K. Stratton

Rep. C. Watkins

**MOTION:** Rep. Stratton moved to amend 1st Substitute H.B. 272 with Amendment #2. The motion passed with a vote of 13 - 0 - 0 .

Amendment 2

1st Sub. H.B. 272

1 Page 3, Line 68

68 (1) ~~{The}~~ Subject to the prior approval of the Legislative Management Committee and the Natural Resources, Agriculture, and Environment Interim Committee of the Legislature, the division may dispose of appropriately available state land in and around Utah

Yeas-13

Nays-0

Absent-0

Rep. C. Albrecht

Rep. S. Barlow

Rep. J. Briscoe  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Noel  
Rep. D. Owens  
Rep. D. Sagers  
Rep. S. Sandall  
Rep. K. Stratton  
Rep. C. Watkins

**MOTION:** Rep. Owens moved to pass 1st Substitute H.B. 272 out favorably. The motion passed with a vote of 11 - 2 - 0 .

Yeas-11

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. S. Chew  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Noel  
Rep. D. Owens  
Rep. D. Sagers  
Rep. S. Sandall  
Rep. K. Stratton  
Rep. C. Watkins

Nays-2

Rep. J. Briscoe  
Rep. S. Duckworth

Absent-0

Rep. Stratton assumed the chair.

**4 . 1st Sub. H.B. 124 Water Holdings Accountability and Transparency Amendments (Coleman, K.)**

Rep. Coleman explained the bill assisted by Mr. Kent Jones, State Water Engineer and Director, Division of Water Rights, Mr. John Bennett, citizen, and Ms. Marie Owens, Division of Drinking Water.

Mr. George Chapman, citizen, spoke for the bill.

Ms. Paulina Flint, citizen, spoke for the bill.

Mr. John Hiskey, Utah League of Cities and Towns, spoke to the bill.

**MOTION:** Rep. Noel moved to amend 1st Substitute H.B. 124 with Amendment #2. The motion passed with a vote of 11 - 1 - 1 .

Amendment 2  
1st Sub. H.B. 124

1 Page 1, Lines 8 through 20

8 LONG TITLE

9 General Description:

10 This bill puts requirements on a city of the first class that supplies municipal water outside the city's  
11 jurisdictional boundaries.

12 Highlighted Provisions:

13 This bill:

- 14 ▶ requires a city of the first class that supplies municipal water outside the city's jurisdictional
- 15 boundaries to post certain information publicly and provide it to the state engineer;
- 16 ▶ specifies that the state engineer may make rules regarding the form and content of
- 17 information supplied by a city of the first class supplying municipal water to a service area outside
- 18 the city's jurisdictional boundaries and shall also post the information to the
- 19 division's website; and
- 20 ▶ makes technical changes.

2 Page 2, Lines 33 through 52

33 10-8-15.5. Providing municipal water beyond jurisdictional boundaries.

34 A city **of the first class** that provides municipal water to a service area outside the city's jurisdictional  
35 boundaries shall:

36 (1) post the following information on the city's website:

37 (a) a map of the area being served;

38 (b) any change application number, if applicable, being used to service the area outside  
39 the city's jurisdictional boundaries;

40 (c) the quantity of water being used to service the area outside the city's jurisdictional  
41 boundaries;

42 (d) the rates assessed to water users, both inside and outside municipal boundaries;

43 (e) the number of retail water connections the city serves inside the municipal  
44 boundary and the number of retail water connections the city serves outside the municipal  
45 boundary;

46 (f) the number of master meter connections that provide culinary water to residents  
47 beyond the water; and

48 (g) a financial statement that shows separate financial accounting of revenues derived  
49 from water service delivered inside the municipal boundary and water service delivered outside  
50 the municipal boundary; and

51 (2) provide all the information described in Subsection (1) to the state engineer  
52 described in Section 73-2-1.

Yeas-11

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Noel  
Rep. D. Owens  
Rep. D. Sagers  
Rep. S. Sandall  
Rep. K. Stratton

Nays-1

Rep. J. Briscoe

Absent-1

Rep. C. Watkins

**MOTION:** Rep. Noel moved to pass 1st Substitute H.B. 124 out favorably. The motion passed with a vote of 11 - 1 - 1 .

Yeas-11

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Noel  
Rep. D. Owens  
Rep. D. Sagers  
Rep. S. Sandall  
Rep. K. Stratton

Nays-1

Rep. J. Briscoe

Absent-1

Rep. C. Watkins

**5 . 2nd Sub. H.B. 135 Extraterritorial Jurisdiction Amendments (Noel, M.)**

Rep. Noel explained the bill assisted by Mr. Norm Henderson, Big Cottonwood Association, and Mr. John Bennett.

Mr. Wade Garrett, Utah Farm Bureau, spoke for the bill.

Mr. George Chapman, citizen, spoke for the bill.

Ms. Laura Briefer, Salt Lake City Public Utilities, spoke against the bill.

Mr. Tom Ward, Director, Sandy City Public Utilities, spoke against the bill.

Mr. Ted Wilson, former Salt Lake City mayor, spoke to the bill.

**MOTION:** Rep. Sandall moved to replace 2nd Substitute H.B. 135 with 3rd Substitute H.B. 135. The motion passed with a vote of 11 - 1 - 1 .

Yeas-11

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Noel  
Rep. D. Owens  
Rep. S. Sandall  
Rep. K. Stratton  
Rep. C. Watkins

Nays-1

Rep. J. Briscoe

Absent-1

Rep. D. Sagers

**MOTION:** Rep. Sandall moved to pass 3rd Substitute H.B. 135 out favorably. The motion passed with a vote of 10 - 2 - 1 .

Yeas-10

Rep. C. Albrecht  
Rep. S. Barlow  
Rep. S. Chew  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Noel  
Rep. D. Owens  
Rep. S. Sandall  
Rep. K. Stratton  
Rep. C. Watkins

Nays-2

Rep. J. Briscoe  
Rep. S. Duckworth

Absent-1

Rep. D. Sagers

**MOTION:** Chair Albrecht moved to adjourn. The motion passed with a vote of 12 - 0 - 1 .

Yeas-12

Rep. C. Albrecht  
Rep. S. Barlow

Nays-0

Absent-1

Rep. D. Sagers

Rep. J. Briscoe  
Rep. S. Chew  
Rep. S. Duckworth  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Noel  
Rep. D. Owens  
Rep. S. Sandall  
Rep. K. Stratton  
Rep. C. Watkins

Chair Stratton adjourned the meeting at 10:02 a.m.