



MINUTES

SENATE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT STANDING COMMITTEE

Monday, February 4, 2019 | 2:00 p.m. | 220 Senate Building

Members Present:

Sen. Ralph Okerlund, Chair
Sen. Allen M. Christensen
Sen. Keith Grover
Sen. David P. Hinkins
Sen. Jani Iwamoto
Sen. Derek L. Kitchen

Sen. Scott D. Sandall
Sen. Jerry W. Stevenson
Sen. Evan J. Vickers

Staff Present:

Mr. J Brian Allred, Policy Analyst
Ms. Paula Morgan, Committee Secretary

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

Chair Okerlund called the meeting to order.

1 . S.B. 105 Hemp and Cannabinoid Act Amendments (*Vickers, E.*)

Sen Vickers explained the bill with the assistance of Scott Ericson, Deputy Commissioner, Utah Department of Agriculture and Food.

MOTION: Sen. Evan Vickers moved to pass S.B. 105 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas-4

Sen. D. Hinkins
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-5

Sen. A. Christensen
Sen. K. Grover
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. J. Stevenson

2 . S.B. 93 Agricultural Nuisance Amendments (*Sandall, S.*)

SUBSTITUTE MOTION: Sen. Sandall moved to replace S.B. 93 with 1st Substitute S.B. 93. The substitute motion passed with a vote of 6 - 0 - 3.

Yeas-6

Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. R. Okerlund
Sen. S. Sandall
Sen. E. Vickers

Nays-0

Absent-3

Sen. A. Christensen
Sen. D. Kitchen
Sen. J. Stevenson

Sen. Scott Sandall explained the bill.

Russ Kohler, spoke in favor of the bill.

Rachel Otto spoke in favor of the bill.

Luann Adams, Commissioner, Utah Department of Agriculture and Food, spoke in favor of the bill.

Bennett Gibson, Farmer and Rancher, spoke in favor of the bill.

Sterling Brown, Utah Farm Bureau, spoke in favor of the bill.

MOTION: Sen. Sandall moved to pass 1st Substitute S.B. 93 out favorably. The motion passed with a vote of 8 - 0 - 1.

Yeas-8

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson
Sen. E. Vickers

Nays-0

Absent-1

Sen. D. Kitchen

3 . H.B. 12 Instream Flow Water Right Amendments (*Hawkes, T.*)

Rep. Timothy Hawkes explained the bill.

Andy Rasmussen, Trout Unlimited, spoke in favor of the bill.

Sterling Brown, Utah Farm Bureau Federation spoke in favor of the bill.

MOTION: Sen. Christensen moved to pass H.B. 12 out favorably. The motion passed with a vote of 8 - 0 - 1.

Yeas-8

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson
Sen. E. Vickers

Nays-0

Absent-1

Sen. D. Kitchen

4 . S.B. 63 Vessel Amendments (*Bramble, C.*)

Sen. Curtis S. Bramble explained the bill.

MOTION: Sen. Vickers moved to pass S.B. 63 out favorably. The motion passed with a vote of 8 - 0 - 1.

Yeas-8

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson
Sen. E. Vickers

Nays-0

Absent-1

Sen. D. Kitchen

MOTION: Sen. Iwamoto moved to place S.B. 63 on the Consent Calendar. The motion passed with a vote of 8 - 0 - 1.

Yeas-8

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson
Sen. E. Vickers

Nays-0

Absent-1

Sen. D. Kitchen

5 . H.B. 14 State Monuments Act Amendments (*Eliason, S.*)

Rep. Steven Eliason explained the bill.

Jeff Rasmussen, Director, Utah State Parks, spoke in favor of the bill.

MOTION: Sen. Hinkins moved to pass H.B. 14 out favorably. The motion passed with a vote of 7 - 0 - 2.

Yeas-7

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson

Nays-0

Absent-2

Sen. D. Kitchen
Sen. E. Vickers

MOTION: Sen. Hinkins moved to place H.B. 14 on the Consent Calendar. The motion passed with a vote of 7 - 0 - 2.

Yeas-7

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson

Nays-0

Absent-2

Sen. D. Kitchen
Sen. E. Vickers

6 . S.B. 78 Intestate Succession Amendments (*Hinkins, D.*)

MOTION: Sen. Hinkins moved to amend S.B. 78 with Amendment #1. The motion passed with a vote of 7 - 0 - 2.

Amendment 1
S.B. 78

1. Page 2, Lines 37 through 40:

37 (3) When minerals or mineral proceeds pass to the state pursuant to Subsection (2), the
38 Utah School and Institutional Trust Lands Administration shall administer the interests in the
39 minerals or mineral proceeds for the support of the common schools pursuant to Sections
40 53C-1-102 and 53C-1-302 , but may exercise its discretion to abandon or decline to administer property of no
value or of insufficient value to justify its collection or continued administration .

2. Page 2, Lines 46 through 51:

46 (5) In an action brought under Subsection (4), the district court shall quiet title to the
47 minerals, mineral proceeds, or property in the state if:
48 (a) no interested person appears in the action and demonstrates entitlement to the
49 minerals, mineral proceeds, or property after notice has been given pursuant to {[Chapter 1, Part](#)

50 [4, Notice, Parties, and Representation in Estate Litigation and Other Matters](#) } [Section 78B-6-1303 and in the](#)
[manner described in Section 75-1-401](#) ; and
51 (b) the requirements of Section 78B-6-1315 are met.

3. Page 2, Lines 52 through 57:

52 (6) (a) If an operator, owner, or payor determines that minerals or mineral proceeds
53 form part of a decedent's intestate estate, and has not located an heir {or devisee} of the decedent, the
54 operator, owner, or payor shall submit to the Utah School and Institutional Trust Lands
55 Administration the information in the operator's, owner's, or payor's possession concerning the
56 identity of the decedent, the results of a good faith search for heirs specified in Section 75-2-103, the property
interest from which the minerals or mineral proceeds
57 derive, and any potential heir {or devisee}.

Yeas-7

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson

Nays-0

Absent-2

Sen. D. Kitchen
Sen. E. Vickers

Sen. David P. Hinkins presented the bill with the assistance of Michael Johnson, Chief Legal Counsel, School and Institutional Trust Lands Administration

MOTION: Sen. Hinkins moved to pass S.B. 78 out favorably. The motion passed with a vote of 8 - 0 - 1.

Yeas-8

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Iwamoto
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson

Nays-0

Absent-1

Sen. E. Vickers

7 . S.B. 48 Camping Fees Amendments (Escamilla (Robles), L.)

Sen. Luz Escamilla explained the bill.

Jeff Rasmussen, Director, Utah State Parks, spoke to the bill.

MOTION: Sen. Hinkins moved to adjourn at 3:11 PM. The motion passed with a vote of 7 - 1 - 1.

Yeas-7

Sen. A. Christensen
Sen. K. Grover
Sen. D. Hinkins
Sen. D. Kitchen
Sen. R. Okerlund
Sen. S. Sandall
Sen. J. Stevenson

Nays-1

Sen. J. Iwamoto

Absent-1

Sen. E. Vickers