



MINUTES

HOUSE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT STANDING COMMITTEE

LEGISLATURE

Friday, February 22, 2019 | 8:00 a.m. | 445 State Capitol

Members Present:

Rep. Keven J. Stratton, Chair
Rep. Logan Wilde, Vice Chair
Rep. Carl R. Albrecht
Rep. Joel K. Briscoe
Rep. Scott H. Chew
Rep. Susan Duckworth
Rep. Joel Ferry
Rep. Timothy D. Hawkes

Rep. Phil Lyman
Rep. Michael K. McKell
Rep. Derrin R. Owens
Rep. Douglas V. Sagers
Rep. Christine F. Watkins

Staff Present:

Ms. Linda Service, Session 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.

Acting Chair Owens called the meeting to order at 8:04 a.m.

There were no minutes to approve.

1 . 1st Sub. H.B. 288 Critical Infrastructure Materials (Wilde, L.)

Rep. Wilde introduced the bill.

Rep. Stratton assumed the chair.

Mr. Troy Walker, Mayor, Draper City, spoke to the bill.

Mr. Robert Macfarlane, Draper resident, spoke against the bill.

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

Mr. Adrian Dybwad, Draper resident, spoke against the bill.

Dr. Christopher Kelly, Draper resident, distributed a handout and spoke against the bill.

[Material Infrastructure Materials](#)

MOTION: Rep. Owens moved to replace 1st Substitute H.B. 288 with 2nd Substitute H.B. 288. The motion passed with a vote of 10 - 0 - 3.

Yeas-10

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
Rep. S. Duckworth
Rep. J. Ferry
Rep. P. Lyman
Rep. D. Owens
Rep. K. Stratton
Rep. C. Watkins
Rep. L. Wilde

Nays-0

Absent-3

Rep. T. Hawkes
Rep. M. McKell
Rep. D. Sagers

MOTION: Rep. Lyman moved to pass 2nd Substitute H.B. 288 out favorably. The motion passed with a vote of 9 - 3 - 1.

Yeas-9

Rep. C. Albrecht
Rep. S. Chew
Rep. J. Ferry
Rep. P. Lyman
Rep. D. Owens
Rep. D. Sagers
Rep. K. Stratton
Rep. C. Watkins
Rep. L. Wilde

Nays-3

Rep. J. Briscoe
Rep. S. Duckworth
Rep. M. McKell

Absent-1

Rep. T. Hawkes

2 . H.B. 31 Water Supply and Surplus Water Amendments (Coleman, K.)

Rep. Coleman introduced the bill assisted by Mr. Steven Clyde, Water Task Force.

Mr. Richard Bay, General Manager, Jordan Valley Water Conservancy District, spoke for the bill.

Mr. Mark Stratford, Assistant City Attorney, Ogden City and League of Cities and Towns, spoke for the bill.

Ms. Nancy Carlson Gotts, President, Association of Community Councils, spoke for the bill.

Rep. Wilde assumed the chair.

MOTION: Rep. Stratton moved to amend H.B. 31 with Amendment #1. The motion failed with a vote of 2 - 11 - 0.

Amendment 1
H.B. 31

1. Page 3, Lines 87 through 88:

87 (6) A municipality may not sell or convey an interest, in part or in whole, of the
88 municipality's waterworks system, except to a public entity as defined in Section 73-1-4.

(7) A municipality shall report to the Natural Resources, Agriculture, and Environment Interim Committee and the Political Subdivisions Interim Committee during the interim following:

(a) enactment of or change to a designated water service area defined by the municipality under this section; or
(b) the municipality entering into a contract to provide water outside of the municipality's designated water service area to the extent permitted by Utah Constitution, Article XI, Section 6.

Yeas-2

Rep. P. Lyman
Rep. K. Stratton

Nays-11

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
Rep. S. Duckworth
Rep. J. Ferry
Rep. T. Hawkes
Rep. M. McKell
Rep. D. Owens
Rep. D. Sagers
Rep. C. Watkins
Rep. L. Wilde

Absent-0

MOTION: Rep. Albrecht moved to pass H.B. 31 out favorably. The motion passed with a vote of 13 - 0 - 0.

Yeas-13

Nays-0

Absent-0

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
Rep. S. Duckworth
Rep. J. Ferry
Rep. T. Hawkes
Rep. P. Lyman
Rep. M. McKell
Rep. D. Owens
Rep. D. Sagers
Rep. K. Stratton
Rep. C. Watkins
Rep. L. Wilde

3 . S.B. 17 Extraterritorial Jurisdiction Amendments (*Okerlund, R.*)

Sen. Okerlund introduced the bill assisted by Ms. Marie Owens, Division of Drinking Water and Chair, Water Task Force.

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

Mr. Norm Henderson, citizen, spoke for the bill.

Mr. Alan Bachman, representing Mr. David Robinson, a concerned citizen, spoke to the bill.

MOTION: Rep. Stratton moved to amend S.B. 17 with Amendment #1.
Amendment 1
S.B. 17

1. Page 1, Lines 22 through 23:

22 under the municipality's extraterritorial jurisdiction; {~~and~~}

▶ imposes reporting requirements; and

23 ▶ makes technical changes.

2. Page 3, Lines 79 through 81:

79 (6) A city of the first class may only exercise extraterritorial jurisdiction outside of the
80 city's {~~county of origin, as described in Subsection (3),~~} boundaries pursuant to a written agreement with all
81 municipalities and counties that have jurisdiction over the area where the watershed is located.

3. Page 4, Lines 102 through 106:

102 (d) A municipality that enacts an ordinance or regulation under the authority of this
103 section shall:

104 (i) provide a copy of the ordinance or regulation to each affected entity; {~~and~~}

105 (ii) include a copy of the ordinance or regulation in the municipality's drinking water

106 source protection plan{~~.~~} ; and

(iii) report to the Natural Resources, Agriculture, and Environment Interim Committee and the Political Subdivisions Interim Committee, during the interim following the enactment of an ordinance or regulation under the authority of this section, including providing relevant maps of the land affected by the ordinance or regulation.

SUBSTITUTE MOTION: Rep. McKell moved to pass S.B. 17 out favorably. The substitute motion passed with a vote of 12 - 1 - 0.

Yeas-12

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
Rep. S. Duckworth
Rep. J. Ferry
Rep. T. Hawkes
Rep. P. Lyman
Rep. M. McKell
Rep. D. Owens
Rep. D. Sagers
Rep. C. Watkins
Rep. L. Wilde

Nays-1

Rep. K. Stratton

Absent-0

4 . H.J.R. 1 Proposal to Amend Utah Constitution – Municipal Water Resources (Stratton, K.)

Rep. Stratton introduced the bill assisted by Mr. Clyde

Mr. Stratford, League of Cities and Towns, spoke to the resolution.

MOTION: Rep. Owens moved to pass H.J.R. 1 out favorably. The motion passed with a vote of 13 - 0 - 0.

Yeas-13

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
Rep. S. Duckworth
Rep. J. Ferry
Rep. T. Hawkes
Rep. P. Lyman
Rep. M. McKell
Rep. D. Owens
Rep. D. Sagers
Rep. K. Stratton
Rep. C. Watkins
Rep. L. Wilde

Nays-0

Absent-0

Rep. Stratton resumed the chair.

5 . H.B. 320 Container Regulation Act (McKell, M.)

Rep. McKell introduced the bill assisted by Mr. Matt Seaholm, Executive Director, American Progressive Bag Alliance.

Mr. Lucas Palmer, student, spoke against the bill.

MOTION: Rep. Sagers moved to adjourn. The motion passed with a vote of 12 - 0 - 1.



Yeas-12

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
Rep. S. Duckworth
Rep. J. Ferry
Rep. P. Lyman
Rep. M. McKell
Rep. D. Owens
Rep. D. Sagers
Rep. K. Stratton
Rep. C. Watkins
Rep. L. Wilde

Nays-0

Absent-1

Rep. T. Hawkes