



MINUTES

HOUSE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT STANDING COMMITTEE

LEGISLATURE

Tuesday, February 4, 2020 | 2:00 p.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. 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

Members Absent:

Rep. Susan Duckworth

Staff Present:

Nathan W. Brady, Policy Analyst
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.

Vice Chair Wilde called the meeting to order at 2:10 p.m.

MOTION: Rep. Chew moved to approve the minutes of the January 30, 2020 meeting. The motion passed with a vote of 9 - 0 - 4.

Yeas-9

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
Rep. J. Ferry
Rep. T. Hawkes
Rep. P. Lyman
Rep. K. Stratton
Rep. C. Watkins
Rep. L. Wilde

Nays-0

Absent-4

Rep. S. Duckworth
Rep. M. McKell
Rep. D. Owens
Rep. D. Sagers

1 . H.B. 41 State Water Policy Amendments (Stratton, K.)

Rep. Stratton explained the bill.

Kirk Robinson, Executive Director, Western Wildlife Conservancy, spoke to the bill.

MOTION: Rep. Briscoe moved to amend H.B. 41 with Amendment #1. The motion passed with a vote of 10 - 0 - 3.

Amendment 1
H.B. 41

1. Page 2, Lines 35 through 37:

35 (a) Utah shall pursue adequate, reliable, affordable, sustainable, and clean water
36 resources, recognizing that Utah is ~~the second most~~ arid ~~state~~ and one of the driest states in the nation
and as such, there is,
37 and will continue to be, a need to ensure Utah's finite water resources are used beneficially;

2. Page 4, Lines 100 through 103:

100 (c) Utah supports the timely and appropriate negotiated settlement of federally reserved
101 water right claims for both Native American trust lands and other existing federal reservations,
102 and opposes any future ~~reservations~~ designation of public lands that ~~result in unquantified federal~~
reservations
103 of water does not quantify any associated federally reserved water rights .

Yeas-10

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

Nays-0

Absent-3

Rep. S. Duckworth
Rep. M. McKell
Rep. D. Owens

MOTION: Rep. Briscoe moved to amend H.B. 41 with Amendment #3. The motion passed with a vote of 10 - 0 - 3.

Amendment 3
H.B. 41

1. Page 2, Lines 35 through 37:

35 (a) Utah shall pursue adequate, reliable, affordable, sustainable, and clean water
36 resources, recognizing that Utah is {the second most arid state} one of the most arid states in the nation and
as such, there is,
37 and will continue to be, a need to ensure Utah's finite water resources are used beneficially;

Yeas-10

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

Nays-0

Absent-3

Rep. S. Duckworth
Rep. M. McKell
Rep. D. Owens

MOTION: Rep. Briscoe moved to amend H.B. 41 with Amendment #5. The motion passed with a vote of 11 - 0 - 2.

Amendment 5
H.B. 41

1. Page 2, Lines 56 through 58:

56 (B) adequately cover infrastructure needs; and
57 (C) balance social, economic, public interest, and environmental values;
58 (viii) respect for water rights;

Yeas-11

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

Nays-0

Absent-2

Rep. S. Duckworth
Rep. M. McKell

MOTION: Rep. Albrecht moved to pass H.B. 41 out favorably as amended. The motion passed with a vote of 11 - 0 - 2.

Yeas-11

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

Nays-0

Absent-2

Rep. S. Duckworth
Rep. M. McKell

2 . H.B. 18 Industrial Hemp Program Amendments (*Daw, B.*)

Rep. Daw explained the bill assisted by Andrew Rigby, Director, Medical Cannabis and Industrial Hemp, Utah Department of Agriculture and Food.

MOTION: Rep. Stratton moved to replace H.B. 18 with 1st Substitute H.B. 18. The motion passed with a vote of 11 - 0 - 2.

Yeas-11

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

Nays-0

Absent-2

Rep. S. Duckworth
Rep. D. Sagers

MOTION: Rep. Owens moved to pass 1st Substitute H.B. 18 out favorably. The motion passed with a vote of 11 - 0 - 2.

Yeas-11

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

Nays-0

Absent-2

Rep. S. Duckworth
Rep. D. Sagers

3 . H.B. 28 Legislative Water Development Commission Sunset Amendments (*Stratton, K.*)

Rep. Stratton explained the bill.

MOTION: Rep. Albrecht moved to pass H.B. 28 out favorably. The motion passed with a vote of 11 - 0 - 2.

Yeas-11

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

Nays-0

Absent-2

Rep. S. Duckworth
Rep. D. Sagers

4 . S.B. 19 Land Exchange Distribution Account Amendments (*Okerlund, R.*)

Sen. Okerlund explained the bill.

MOTION: Rep. McKell moved to pass S.B. 19 out favorably. The motion passed with a vote of 11 - 0 - 2.

Yeas-11

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

Nays-0

Absent-2

Rep. S. Duckworth
Rep. D. Sagers

5 . S.B. 20 Hazardous Substances Mitigation Act Sunset Extension (*Okerlund, R.*)

Sen. Okerlund explained the bill.

MOTION: Rep. Albrecht moved to pass S.B. 20 out favorably. The motion passed with a vote of 11 - 0 - 2.

Yeas-11

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

Nays-0

Absent-2

Rep. S. Duckworth
Rep. D. Sagers

Rep. Stratton assumed the chair.

6 . H.B. 125 Division of Wildlife Resources Amendments (*Albrecht, C.*)

Rep. Albrecht explained the bill assisted by Mike Fowlks, Director, Division of Wildlife Resources, and Justin Shannon, Division of Wildlife Resources.

Dan MacNulty, Associate Professor, Utah State University, answered questions from committee members.

Scott Johnson, Sevier County Commissioner, spoke in favor of the bill.

Sierra Nelson, Director, Utah Wool Growers Association, spoke in favor of the the bill.

Allison Jones, wildlife biologist, spoke in opposition to bill.

Kirk Robinson, Executive Director, Western Wildlife Conservancy, spoke in opposition to the bill.

Mike McCandless, Director, Government Relations, Prolific Mining, spoke in favor of the bill.

Sundays Hunt, Utah State Director, Humane Society, spoke in opposition to the bill.

Stanton Gleave, Kingston Utah, spoke in favor of the bill.

Brian Perkes, Executive Director, Voices of Wildlife, spoke in opposition to the bill.

MOTION: Rep. McKell moved to replace H.B. 125 with 1st Substitute H.B. 125. The motion passed with a vote of 12 - 0 - 1.

Yeas-12

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
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-1

Rep. S. Duckworth

MOTION: Rep. Owens moved to amend 1st Substitute H.B. 125 with Amendment #1. The motion passed with a vote of 12 - 0 - 1.

Amendment 1
1st Sub. H.B. 125

1. Page 2, Lines 33 through 35:
33 (2) As used in this section:
34 (a) "Big game" includes ~~{ mule }~~ deer, elk, big horn sheep, moose, mountain goats,
35 pronghorn, and bison.
2. Page 2, Lines 38 through 40:
38 Division of Wildlife Resources for the purpose of managing a species of big game animal.
39 (d) "Predator" means a cougar, bear, ~~and coyote { , and bobcat }~~.
40 (3) (a) Unless the condition described in Subsection (3)(b) is proven, the director shall
3. Page 2, Lines 47 through 49:
47 tools:
48 (a) increasing take permits or tags for cougar, ~~and~~ bear ~~{ , and bobcat }~~ until the herd size
49 objective is met;

Yeas-12

Rep. C. Albrecht
Rep. J. Briscoe
Rep. S. Chew
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-1

Rep. S. Duckworth

MOTION: Rep. McKell moved to pass 1st Substitute H.B. 125 out favorably as amended. The motion passed with a vote of 10 - 2 - 1.

Yeas-10

Rep. C. Albrecht
Rep. S. Chew
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-2

Rep. J. Briscoe
Rep. T. Hawkes

Absent-1

Rep. S. Duckworth

MOTION: Rep. McKell 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. 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-1

Rep. S. Duckworth

Chair Stratton adjourned the meeting at 4:10 p.m.