



MINUTES

HOUSE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT STANDING COMMITTEE

LEGISLATURE

Friday, February 7, 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. Douglas V. Sagers
Rep. Christine F. Watkins

Members Absent:

Rep. Susan Duckworth
Rep. Derrin R. Owens

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.

Chair Stratton called the meeting to order at 2:08 p.m.

MOTION: Rep. Wilde moved to approve the minutes of the February 5, 2020 meeting. The motion passed with a vote of 8 - 0 - 5.

Yeas-8

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

Nays-0

Absent-5

Rep. S. Duckworth
Rep. T. Hawkes
Rep. M. McKell
Rep. D. Owens
Rep. C. Watkins

1 . S.B. 26 Water Banking Amendments (Iwamoto, J.)

Sen. Iwamoto explained the bill assisted by Emily Lewis, Attorney, Clyde Snow, Nathan Brackan, Attorney, Smith Hartvigsen, Nathan Daus, Manager, Cache Water District, and Rep. Tim Hawks. She distributed documents.

[Water Banking Local Voluntary Temporary](#)

[Water Banking Legislative Summary and Key Considerations](#)

[Rep. Hawkes letter](#)

Peter Gessel, Utah Department of Agriculture and Food, spoke in favor of the bill.

Garrick Hall, Utah Farm Bureau, spoke in favor of the bill.

Boyd Clayton, Interim State Engineer, Utah Division of Water Rights, spoke in favor of the bill.

MOTION: Rep. Wilde moved to pass S.B. 26 out favorably. The motion passed with a vote of 10 - 1 - 2.

Yeas-10

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

Nays-1

Rep. S. Chew

Absent-2

Rep. S. Duckworth
Rep. D. Owens

2 . H.B. 228 Livestock Predators Removal Amendments (Snider, C.)

Rep. Snider explained the bill assisted by Riley Peck, Utah Division of Wildlife Resources.

Paul Zuckerman, citizen, spoke in opposition of the bill.

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

Perk Robinson, citizen, spoke in opposition to the bill.

Bret Selman, rancher, spoke in favor of the bill.

Troy Justeson, Sportsmen for Fish and Wildlife, spoke in favor of the bill.

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

Maximillan Werner, citizen, spoke in opposition to the bill.

MOTION: Rep. Wilde moved to pass H.B. 228 out favorably.

SUBSTITUTE MOTION: Rep. Chew moved to amend H.B. 228 with Amendment #1. The substitute motion passed with a vote of 9 - 0 - 4.

**Amendment 1
H.B. 228**

1. Page 2, Lines 34 through 36:
 - 34 (c) "Division" means the Division of Wildlife Resources.
 - 35 (d) "Livestock" means cattle, sheep, goats, horses, or turkeys.
 - 36 (e) "Predator" means a mountain lion or bear.

Yeas-9

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

Nays-0

Absent-4

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

MOTION: Rep. Wilde moved to pass H.B. 228 out favorably as amended. The motion passed with a vote of 8 - 0 - 5.

Yeas-8

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

Nays-0

Absent-5

Rep. J. Briscoe
Rep. S. Duckworth
Rep. T. Hawkes
Rep. M. McKell
Rep. D. Owens

3 . H.B. 134 Raw Milk Products Amendments (Coleman, K.)

Rep. Coleman explained the bill.

Melissa Dimond, Director, Bureau of Epidemiology , Department of Health, spoke to the bill.

Mike Kohler, Executive Director, Dairy Producers of Utah, spoke in favor of the bill.

Garrick Hall, Utah Farm Bureau, spoke in favor of the bill.

Kelly Pehrson, Acting Commissioner, Utah Department of Agriculture and Food, spoke to the bill.

Sundays Hunt, citizen, spoke in favor of the bill.

MOTION: Rep. Wilde moved to pass H.B. 134 out favorably. The motion passed with a vote of 10 - 0 - 3.

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

4 . H.B. 66 Wildland Fire Planning and Cost Recovery Amendments (Albrecht, C.)

MOTION: Rep. Albrecht moved to hold H.B. 66. The motion passed with a vote of 10 - 0 - 3.

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

5 . H.B. 105 Water Facilities Amendments (Wilde, L.)

Rep. Wilde explained the bill assisted by Chris Bramhall , attorney, Kirton McConkie, and Mike Johanson, President, Cottonwood Mutual Water Company.

David Hartvigson, attorney, Smith Hartvigson, spoke in favor of the bill.

SUBSTITUTE MOTION: Rep. Chew moved to amend H.B. 105 with Amendment #2. The substitute motion passed with a vote of 6 - 3 - 4.

Amendment 2
H.B. 105

1. Page 3, Lines 63 through 65:
63 or title for ~~[any canal or other watercourse it shall be]~~ a water facility, as defined in Section
64 73-1-14, it is unlawful for ~~[any]~~ a person to place or maintain in place any permanent obstruction, or
65 change of the water flow by fence or otherwise, along, ~~[or]~~ across, ~~[or in such canal or~~
2. Page 3, Lines 67 through 69:
67 inflicts damage to private property, without first:
68 (i) receiving written permission for the change or permanent obstruction and providing gates
69 sufficient for the passage of the owner or owners of ~~[such canal or watercourse]~~ the water

Yeas-6

Rep. C. Albrecht
Rep. S. Chew
Rep. P. Lyman
Rep. D. Sagers
Rep. K. Stratton
Rep. C. Watkins

Nays-3

Rep. J. Ferry
Rep. T. Hawkes
Rep. L. Wilde

Absent-4

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

MOTION: Rep. Hawkes moved to hold H.B. 105. The motion passed with a vote of 10 - 0 - 3.

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. Hawkes moved to adjourn. The motion passed with a vote of 10 - 0 - 3.

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

Chair Stratton adjourned the meeting at 4:39 p.m.

