



# MINUTES

## SENATE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT STANDING COMMITTEE

Thursday, February 27, 2020 | 8:00 a.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

**Members Absent:**

Sen. Jerry W. Stevenson  
Sen. Evan J. Vickers

**Staff Present:**

Nathan W. Brady, Policy Analyst  
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](http://www.le.utah.gov).

Chair Okerlund called the meeting to order at 8:02 a.m.

**MOTION:** Sen. Hinkins moved to approve the minutes for February 24, 2020. The motion passed with a vote of 4 - 0 - 5.

Yeas-4

Sen. A. Christensen  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. S. Sandall

Nays-0

Absent-5

Sen. J. Iwamoto  
Sen. D. Kitchen  
Sen. R. Okerlund  
Sen. J. Stevenson  
Sen. E. Vickers

**1 . S.B. 106 Agricultural Amendments (Sandall, S.)**

Sen. Sandall explained the bill.

Mark Whitney, Beaver County Commissioner, spoke to the bill.

Michael Dalton, Beaver County Commissioner, spoke to the bill.

Garrick Hall, Utah Farm Bureau, spoke to the bill.

Mike Kohler, Dairy Producers, spoke to the bill.

**MOTION:** Sen. Sandall moved to return S.B. 106 to the Rules Committee The motion passed with a vote of 6 - 0 - 3.

Yeas-6

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

Nays-0

Absent-3

Sen. D. Kitchen  
Sen. J. Stevenson  
Sen. E. Vickers

**2 . H.B. 96 Water Forfeiture Amendments (Ferry, J.)**

Rep. Ferry explained the bill.

Boyd Clayton, Interim State Engineer, spoke to the bill.

**MOTION:** Sen. Iwamoto moved to pass H.B. 96 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. D. Kitchen  
Sen. R. Okerlund  
Sen. S. Sandall

Nays-0

Absent-2

Sen. J. Stevenson  
Sen. E. Vickers

**3 . 3rd Sub. H.B. 66 Wildland Fire Planning and Cost Recovery Amendments (Albrecht, C.)**

Rep. Albrecht distributed a document.

[HB66 Wildland Fire Planning and Cost Recovery](#)

Rep. Albrecht explained the bill.

**MOTION:** Sen. Christensen moved to amend 3rd Substitute H.B. 66 with Amendment #1. The motion passed with a vote of 7 - 0 - 2.

Amendment 1  
3rd Sub. H.B. 66

1. Page 5, Line 125:

125 potential wildland fire.

(4) No later than June 1, 2021, and each year after 2021, a qualified utility shall submit to the commission a report detailing the qualified utility's compliance with the qualified utility's wildland fire protection plan.

2. Page 8, Line 236:

236 (b) An award ~~{of}~~ for damages to ~~{a}~~ real property resulting from a wildland fire, including the

Yeas-7

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

Nays-0

Absent-2

Sen. J. Stevenson  
Sen. E. Vickers

Jeff Peterson, Executive Director, Utah Rural Electric Cooperative Association, spoke to the bill.

Brian Cottam, State Forester, spoke in favor of the bill.

John Cox, Vice President, Rocky Mountain Power, spoke in favor of the bill.

Russell Hymas, Utah Association for Justice, spoke in opposition to the bill.

Colin Jack, Chief Operating Officer, Engineer, Dixie Power Coop, spoke in favor of the bill.

**MOTION:** Sen. Hinkins moved to pass 3rd Substitute H.B. 66 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. D. Kitchen  
Sen. R. Okerlund  
Sen. S. Sandall

Nays-0

Absent-2

Sen. J. Stevenson  
Sen. E. Vickers

**4 . 1st Sub. H.B. 92 Fire Amendments (Snider, C.)**

Rep. Snider explained the bill.

Brian Cottam, Director of Forestry, Fire and State Forester, spoke in favor of the bill.

Bryce Bird, Director of Air Quality, Department of Environmental Quality, spoke in favor of the bill.

**MOTION:** Sen. Hinkins moved to pass 1st Substitute H.B. 92 out favorably. The motion passed with a vote of 6 - 0 - 3.

Yeas-6

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

Nays-0

Absent-3

Sen. K. Grover  
Sen. J. Stevenson  
Sen. E. Vickers

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

Rep. Wilde explained the bill.

**MOTION:** Sen. Iwamoto moved to pass H.B. 105 out favorably. The motion passed with a vote of 6 - 0 - 3.

Yeas-6

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

Nays-0

Absent-3

Sen. K. Grover  
Sen. J. Stevenson  
Sen. E. Vickers

**MOTION:** Sen. Iwamoto moved to place H.B. 105 on the Consent Calendar. The motion passed with a vote of 6 - 0 - 3.

Yeas-6

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

Nays-0

Absent-3

Sen. K. Grover  
Sen. J. Stevenson  
Sen. E. Vickers

**6 . H.B. 130 Water Use Amendments (Hawkes, T.)**

Sen. Iwamoto explained the bill.

Rep. Hawkes spoke to the bill.

Steven Clyde, Attorney, Utah Water Task Force, spoke in favor of the bill.

**MOTION:** Sen. Christensen moved to pass H.B. 130 out favorably. The motion passed with a vote of 6 - 0 - 3.

Yeas-6

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

Nays-0

Absent-3

Sen. K. Grover  
Sen. J. Stevenson  
Sen. E. Vickers

**MOTION:** Sen. Hinkins moved to adjourn. The motion passed with a vote of 6 - 0 - 3.

Yeas-6

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

Nays-0

Absent-3

Sen. K. Grover  
Sen. J. Stevenson  
Sen. E. Vickers

Chair Okerlund adjourned the meeting at 9:12 AM.