



# MINUTES

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

Monday, January 31, 2022 | 2:00 p.m. | 120 Senate Building

**Members Present:**

Rep. Keven J. Stratton, Chair  
Rep. Michael L. Kohler, Vice Chair  
Rep. Carl R. Albrecht  
Rep. Gay Lynn Bennion  
Rep. Joel K. Briscoe  
Rep. Stephen G. Handy  
Rep. Timothy D. Hawkes  
Rep. Phil Lyman  
Rep. Douglas V. Sagers

Rep. Rex P. Shipp  
Rep. Casey Snider  
Rep. Christine F. Watkins

**Members Absent:**

Rep. Scott H. Chew  
Rep. Mike Schultz

**Staff Present:**

Nathan W. Brady, Policy Analyst  
Lorna Wells, 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 Stratton called the meeting to order at 2:04 p.m.

Rep. Lyman assumed the chair.

**1. H.B. 160 State Resource Management Plan Amendments (Stratton, K.)**

Rep. Stratton presented the bill with the assistance of Redge Johnson, Executive Director, Governor's Public Lands Policy Coordinating Office.

**MOTION:** Rep. Albrecht moved to pass H.B. 160 out favorably. The motion passed with a vote of 8 - 0 - 6.

Yeas - 8

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 6

Rep. G. Bennion  
Rep. S. Chew  
Rep. T. Hawkes  
Rep. D. Sagers  
Rep. M. Schultz  
Rep. C. Snider

Chair Stratton assumed the chair.

**2. H.B. 21 School and Child Care Center Water Testing Requirements (Handy, S.)**

Rep. Handy presented the bill with the assistance of Tim Davis, Director of the Division of Drinking Water, Utah Department of Environmental Quality.

Linda Hanks, President, Utah School Boards Association spoke in favor of the bill.

Dale Pierson, Executive Director at Rural Water Association of Utah, spoke in favor of the bill.

Gaylia Tanner, Learning Disabilities Association of Utah, spoke in favor of the bill.

[HB 21 Lead in Drinking Water](#)

Audry Wood, Utah Private Childcare Association, spoke in favor the bill.

**MOTION:** Rep. Shipp moved to replace H.B. 21 with 1st Substitute H.B. 21. The motion passed with a vote of 9 - 0 - 5.

Yeas - 9

Rep. C. Albrecht  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. R. Shipp  
Rep. C. Snider  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 5

Rep. G. Bennion  
Rep. S. Chew  
Rep. T. Hawkes  
Rep. D. Sagers  
Rep. M. Schultz

**MOTION:** Rep. Shipp moved to pass 1st Substitute H.B. 21 out favorably. The motion passed with a vote of 8 - 2 - 4.

Yeas - 8

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. M. Kohler  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 2

Rep. P. Lyman  
Rep. C. Snider

Absent - 4

Rep. S. Chew  
Rep. T. Hawkes  
Rep. D. Sagers  
Rep. M. Schultz

**3. H.B. 121 Water Conservation Modifications (*Spendlove, R.*)**

Rep. Robert Spendlove presented the bill with the assistance of Brian Steed, Executive Director, Utah Department of Natural Resources.

**MOTION:** Rep. Sagers moved to replace H.B. 121 with 1st Substitute H.B. 121. The motion passed with a vote of 11 - 0 - 3.

Yeas - 11

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 3

Rep. S. Chew  
Rep. M. Schultz  
Rep. C. Snider

**MOTION:** Rep. Sagers moved to pass 1st Substitute H.B. 121 out favorably. The motion passed with a vote of 11 - 0 - 3.

Yeas - 11

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 3

Rep. S. Chew  
Rep. M. Schultz  
Rep. C. Snider

**4. 2nd Sub. H.B. 64 Drinking Water Amendments (Watkins, C.)**

Rep. Watkins presented the bill with the assistance of Tim Davis.

Dale Pierson spoke in favor of the bill.

**MOTION:** Rep. Watkins moved to pass 2nd Substitute H.B. 64 out favorably. The motion passed with a vote of 10 - 0 - 4.

Yeas - 10

Rep. G. Bennion  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 4

Rep. C. Albrecht  
Rep. S. Chew  
Rep. M. Schultz  
Rep. C. Snider

**5. H.B. 115 Water Distribution Efficiency (Ballard, M.G.)**

Rep. Ballard presented the bill.

Todd Adams, Deputy Director, Utah Department of Natural Resources commented on the bill.

Scott Paxman, Weber Basin Water Conservancy District ,spoke in favor of the bill.

**MOTION:** Rep. Handy moved to amend H.B. 115 with Amendment #2. The motion passed with a vote of 11 - 0 - 3.

Amendment 2  
H.B. 115

1. Page 2, Lines 45 through 47:

45 (5) "Water loss" means the difference between :

46 (a) the annual volume of water entering a

46 water distribution system ; and

47 (b) the annual volume of metered water{-} and unmetered water{-or both-}

47 taken by {registered consumers} customers , a water provider, and others authorized to take water.

2. Page 2, Lines 48 through 50:

48 (6) "Water provider" means a:

49 (a) retail water supplier, as defined in Section 19-4-102 , with 1,500 or more service connections ; or

50 (b) a water conservancy district.

Yeas - 11

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 3

Rep. S. Chew  
Rep. M. Schultz  
Rep. C. Snider

**MOTION:** Rep. Handy moved to pass H.B. 115 as amended out favorably. The motion passed with a vote of 10 - 1 - 3.

Yeas - 10

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Kohler  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 1

Rep. P. Lyman

Absent - 3

Rep. S. Chew  
Rep. M. Schultz  
Rep. C. Snider

Rep. Hawkes assumed the chair.

**6. H.B. 180 Off-road Vehicle Safety Education (*Albrecht, C.*)**

Rep. Albrecht presented the bill with the assistance of Brett Stewart, President of Utah OHV Advocates.

Chair Stratton resumed the chair.

Pitt Grewe, Director, Division of Recreation, UHV program spoke in favor of the bill.

Jason Bickmore, Assistant Director, New Car Dealers of Utah spoke in favor of the bill.

Steven Hawkins, President, Utah ATV Association, spoke in favor of the bill.

Budd Bruening, President, UTV, Utah spoke in favor of the bill.

Wayne Jones, Executive Director, Utah Power Sport Dealers Association and representing the used car Industry spoke in favor of the bill.

Brian Merrill, Moab Adventure Center and Western River Expeditions commented on the bill.

Nathan Curtis, Sevier County Sheriff spoke in favor of the bill.

Lyza Wolfram, commented on the bill.

**MOTION:** Rep. Shipp moved to replace H.B. 180 with 3rd Substitute H.B. 180. The motion passed with a vote of 11 - 0 - 3.

Yeas - 11

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. C. Snider  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 3

Rep. S. Chew  
Rep. T. Hawkes  
Rep. M. Schultz

**MOTION:** Rep. Shipp moved to pass 3rd Substitute H.B. 180 out favorably. The motion passed with a vote of 11 - 0 - 3.

Yeas - 11

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. S. Handy  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. C. Snider  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 3

Rep. S. Chew  
Rep. T. Hawkes  
Rep. M. Schultz

**7. H.C.R. 4 Concurrent Resolution Encouraging Protection of Archaeological Sites (Kwan, K.)**

Rep. Michelle Kwan presented the bill and distributed a handout.

[HCR 4 Protection of Archaeological Sites](#)

Chris Merritt, State Historic Preservation Officer at Utah Division of State History, spoke in favor of the bill.

Margaret Yee, Chinese Railroad Workers Association, spoke in favor of the bill.

**MOTION:** Rep. Hawkes moved to amend H.C.R. 4 with Amendment #1. The motion passed with a vote of 10 - 0 - 4.

Amendment 1  
H.C.R. 4

1. Page 1, Lines 1 through 2:

1           CONCURRENT RESOLUTION {~~ENCOURAGING~~} CALLING FOR PROTECTION  
2           OF ARCHAEOLOGICAL SITES

2. Page 1, Line 15:

15        ▸ {~~encourages~~} calls for law enforcement to enforce existing laws to protect Utah's

3. Page 1, Lines 17 through 19:

17        ▸ {~~encourages~~} calls for the federal government to {~~protect~~} properly fund protection of archaeologically  
significant sites

18{~~—~~}{~~—within its jurisdiction~~} on lands managed by the federal government;

19 ▶ ~~{encourages}~~ calls for the Department of Cultural and Community Engagement working with

4 . Page 1, Line 21:

21 ▶ ~~{encourages}~~ calls for education of the public.

5 . Page 3, Lines 63 through 75:

63 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
64 Governor concurring therein, ~~{encourages}~~ calls for law enforcement to enforce existing laws to protect  
65 Utah's archaeological sites.

66 BE IT FURTHER RESOLVED that the Legislature and Governor ~~{encourage}~~ calls for the federal  
67 government to ~~{protect}~~ properly fund the protection of archaeologically significant sites ~~{within the~~  
68 jurisdiction of} on lands managed by the federal  
68 government.

69 BE IT FURTHER RESOLVED that the Legislature and Governor ~~{encourage}~~ calls for the  
70 Department of Cultural and Community Engagement, working with other government  
71 agencies, to protect archaeological sites on state lands.

72 BE IT FURTHER RESOLVED that the Legislature and Governor ~~{encourage}~~ calls for efforts to  
73 educate the public, especially the youth, on the importance of protecting cultural heritage and  
74 archaeological sites, including education efforts by the Department of Cultural and Community  
75 Engagement, other government agencies, non-profits, and other interested parties.

Yeas - 10

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. T. Hawkes  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 4

Rep. S. Chew  
Rep. S. Handy  
Rep. M. Schultz  
Rep. C. Snider

**MOTION:** Rep. Hawkes moved to hold H.C.R. 4. The motion passed with a vote of 9 - 1 - 4.

Yeas - 9

Rep. C. Albrecht  
Rep. G. Bennion  
Rep. J. Briscoe  
Rep. T. Hawkes  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. C. Watkins

Nays - 1

Rep. K. Stratton

Absent - 4

Rep. S. Chew  
Rep. S. Handy  
Rep. M. Schultz  
Rep. C. Snider

**8. H.B. 131 Watershed Restoration Initiative (Bennion, G.)**

Rep. Bennion presented the bill with the assistance of Tyler Thompson, Utah Watershed Program Director.

Jordan Nielson, Trout Unlimited, spoke in favor of the bill.

Nell Larson, Director, director of Swaner Preserve and EcoCenter, USU, spoke in favor of the bill.

Soren Simonsen, Director, Jordan River Commission, spoke in favor of the bill.

Jessica Kirby, Public Lands Manager, Summit County spoke in favor of the bill.

**MOTION:** Rep. Bennion moved to pass H.B. 131 out favorably. The motion passed with a vote of 7 - 0 - 7.

Yeas - 7

Rep. G. Bennion  
Rep. J. Briscoe  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 7

Rep. C. Albrecht  
Rep. S. Chew  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Kohler  
Rep. M. Schultz  
Rep. C. Snider

**9. S.C.R. 2 Concurrent Resolution Highlighting Utah's Willingness to Cooperate with the Federal Partners for Efficient and Sustainable Management of Public Lands (*Winterton, R.*)**

Due to the time, this legislation will be considered at the next meeting.

Dillon Hoyt, Project Manager, Public Lands Policy Coordinating Office spoke in favor of the bill.

**MOTION:** Rep. Sagers moved to adjourn. The motion passed with a vote of 8 - 0 - 6.

Yeas - 8

Rep. G. Bennion  
Rep. J. Briscoe  
Rep. M. Kohler  
Rep. P. Lyman  
Rep. D. Sagers  
Rep. R. Shipp  
Rep. K. Stratton  
Rep. C. Watkins

Nays - 0

Absent - 6

Rep. C. Albrecht  
Rep. S. Chew  
Rep. S. Handy  
Rep. T. Hawkes  
Rep. M. Schultz  
Rep. C. Snider

Chair Stratton adjourned the meeting at 5:13 p.m.