

**MINUTES OF THE HOUSE
NATURAL RESOURCES, AGRICULTURE, & ENVIRONMENT
STANDING COMMITTEE**

ROOM 129 STATE CAPITOL BUILDING

February 26, 2002

Members Present: Rep. Bradley T. Johnson, Chair
Rep. Stephen H. Urquhart, Vice Chair
Rep. Eli H. Anderson
Rep. Roger E. Barrus
Rep. Jackie Biskupski
Rep. Craig W. Buttars
Rep. David N. Cox
Rep. Margaret Dayton
Rep. Glenn A. Donnelson
Rep. Fred J. Fife III
Rep. James R. Gowans
Rep. Tom Hatch
Rep. Darin G. Peterson
Rep. J. Morgan Philpot
Rep. Michael R. Styler

Staff Present: J Brian Allred, Research Analyst
Sylvia Newton, Committee Secretary

Visitors List: List filed with Committee Minutes

Rep. Johnson called the meeting to order at 7:40 a.m.

MOTION: Rep. Anderson moved to approve the minutes from the February 5, 2002 and February 7, 2002 meetings. The motion passed unanimously with Rep. Cox, Rep. Dayton, and Rep. Styler absent for the vote.

H.B. 299 Agricultural Sustainability Task Force (C. Buttars)

MOTION: Rep. Buttars moved to amend H.B. 299 as follows:

1. Page 1, Line 23: After "members." insert "appointed jointly by the President of the Senate and the Speaker of the House of Representatives."
2. Page 2, Line 42: After "(5)" delete "Members of the Agricultural Sustainability Task Force" and insert "(a) Legislators on the task force"

3. Page 2, Line 43: After line 43 insert
"(b) Task force members who are employees of the state shall receive no additional compensation or expenses.
(c) Other task force members shall receive no compensation or expenses from the state for service on the task force."

The motion to amend the bill passed unanimously with Rep. Dayton absent for the vote.

Rep. Buttars introduced the amended bill and explained it to the committee.

Spoke in favor of the bill: Wes Quinton, Utah Farm Bureau

MOTION: Rep. Anderson moved to pass the bill out favorably. The motion passed unanimously with Rep. Dayton absent for the vote.

H.B. 152 Oil and Gas Severance Tax - Board, Special Revenue Fund, and Use of Revenues (*J. Seitz*)

MOTION: Rep. Hatch moved to replace in title and body H.B. 152 with 1st Substitute H.B. 152. The motion passed unanimously with Rep. Dayton absent for the vote.

Rep. Seitz introduced the substitute bill and explained it to the committee. He was assisted by Larry Ross, Duchesne County Commission, and Mark Walsh, Utah Association of Counties.

Spoke in favor of the bill: Lee Peacock, Utah Petroleum Association

MOTION: Rep. Hatch moved to pass the bill out favorably. The motion passed unanimously with Rep. Buttars and Rep. Dayton absent for the vote.

H.B. 155 Property Taxes - Farmland Assessment Act (*T. Hatch*)

MOTION: Rep. Hatch moved to amend H.B. 155 as follows:

1. Page 11, Line 312: Delete "creation of the"
2. Page 11, Line 313: Delete "conversation easement described in Subsection (1)(a)(i)" and insert "tax year that the land does not meet the requirements of Section 59-2-503"

3. Page 11, Line 314: After "(iv)" insert "after" and after "Subsection (1)(a)(i)" delete "results in" and insert a comma
4. Page 11, Line 315: Delete "being ineligible for assessment under this part" and insert "does not meet the requirements of Section 59-2-503"
5. Page 11, Line 316: Delete Line 316
6. Page 11, Line 317: Delete "cause for the land to be ineligible for assessment under this part"
7. Page 11, Line 318: Delete "(vi)" and insert "(v)"
8. Page 11, Line 321: Delete "conservation easement is created in accordance with Subsections (1)(a)(i) and (ii)" and insert "land does not meet the requirements of Section 59-2-503"
9. Page 11, Line 322: Delete "the land described in Subsection (1) is subject"
10. Page 11, Line 323: Delete "to a conservation easement rollback tax imposed in accordance with this section" and after "if" delete "the" and insert "a"
11. Page 11, Line 324: At the end of Line 324 delete the period and insert a colon and after Line 324 insert:
"(i) the land described in Subsection (1) is subject to a conservation easement rollback tax imposed in accordance with this section; or (ii) if the land described in Subsection (1) is owned by a governmental entity as defined in Section 59-2-511, the land is subject to a one-time in lieu fee payment that is: (A) in an amount equal to the conservation easement rollback tax imposed in accordance with this section; and (B) paid, collected, and distributed in the same manner as the conservation easement rollback tax imposed in accordance with this section."
12. Page 11, Line 325: Delete "sum" and insert "product" and delete "1% of" and insert ";
(i)"
13. Page 11, Line 327: Delete "(i)" and insert "(A)"

14. Page 11, Line 329: Delete "(ii)" and insert "(B)" and at the end of Line 329 delete the period and insert "; and (ii) 20."
15. Page 12, Line 342: After "rollback" insert "tax"
16. Page 12, Line 349: After "tax" insert "or the one-time in lieu fee payment required by Subsection (2)"
17. Page 12, Line 360: After "tax" insert "or the one-time in lieu fee payment required by Subsection (2)"
18. Page 12, Line 362: After "tax" insert "or a one-time in lieu fee payment"

The motion to amend the bill passed unanimously with Rep. Buttars and Rep. Dayton absent for the vote.

Rep. Hatch introduced H.B. 155 and explained it to the committee. He was assisted by Art Partridge, Washington County Assessor.

Spoke in favor of the bill: Wes Quinton, Utah Farm Bureau

MOTION: Rep. Gowans moved to pass the amended bill out favorably. The motion passed unanimously with Rep. Dayton absent for the vote.

H.B. 164 Wildlife Remediation on Private Property (M. Styler)

MOTION: Rep. Styler moved to amend H.B. 164 as follows:

Page 2, Line 54: After "crops" delete the brackets and reinstate "from or upon" and delete "on"

The motion passed unanimously with Rep. Buttars, Rep. Dayton, Rep. Hatch, and Rep. Urquhart absent for the vote.

Rep. Styler introduced H.B. 164 and explained it to the committee. He was assisted by Wes Quinton, Utah Farm Bureau, and Kevin Conway, Division of Wildlife Resources.

Spoke in favor of the bill: Debbie Goodman, Audubon Council

MOTION: Rep. Urquhart moved to amend the bill as follows:

Page 2, Line 58: After “days” insert “, or some longer period if approved in writing by the division,”

The motion passed unanimously with Rep. Dayton and Rep. Hatch absent for the vote.

MOTION: Rep. Urquhart moved to pass the amended bill out favorably. The motion passed unanimously with Rep. Dayton and Rep. Hatch absent for the vote.

H.J.R. 29 Resolution Asserting Water Rights Issued Under the Authority of the State Are Subject to State Law (*M. Young*)

MOTION: Rep. Fife moved to amend the resolution as follows:

Line 14: After “specific;” delete “and” and insert:

WHEREAS, the United States Congress has repeatedly recognized and upheld the State of Utah’s right to control, adjudicate, and administer the public waters of the state;

WHEREAS, the United States Congress has specifically granted to the State of Utah, the State of Utah’s Compact allocations of the waters of the Colorado River and other interstate waters; and

The motion to amend the resolution passed unanimously with Rep. Dayton, Rep. Hatch, Rep. Styler, and Rep. Urquhart absent for the vote.

Rep. Young introduced H.J.R. 29 and explained it to the committee. He was assisted by Bill Howell, Southeastern Utah Association of Local Governments, and Ron Christensen, private attorney.

Spoke to the bill: Bob Morgan, Executive Director, Department of Natural Resources

MOTION: Rep. Biskupski moved to pass the resolution out favorably. The motion passed with Rep. Barrus, Rep. Buttars, Rep. Cox, Rep. Dayton voting in opposition to the motion. Rep. Hatch and Rep. Styler were absent for the vote.

