

**CORRECTED MINUTES OF THE  
SENATE ENERGY, NATURAL RESOURCES AND AGRICULTURE  
STANDING COMMITTEE  
WEDNESDAY, FEBRUARY 6, 2002  
Room 131, State Capitol Building**

Members Present: Sen. Leonard Blackham  
Sen. Mike Dmitrich  
Sen. Beverly Ann Evans  
Sen. Parley Hellewell

Members Excused: Sen. Terry R. Spencer, Chair

Staff Present: J Brian Allred, Research Analyst  
Norda Shepard, Secretary

Public Speakers Present: Sen. Bill Wright  
Sen. Peter C. Knudson  
Rep. Michael R. Styler  
Rep. Fred J. Fife  
JoAnne Casey  
Michael Cushing,  
Heidi Campo  
Alisha Lambert  
Chris Heaton  
Bernell Evans, Payson Mayor  
Bruce Hubbard, President, Utah Onion Growers Association  
Robert Prather  
Michelle Collins  
Scott Hilton  
Ann Kane  
Lowell Braxton, Director, Division of Oil, Gas and Mining  
Steve Erickson, Sierra Club  
Tom Bingham, President, Utah Manufactures Association  
Russ Donohue, Executive Director, Rural Water Users Association  
Wes Quinton, Vice President, Utah Farm Bureau  
Debbie Goodman, Audubon Society  
Kevin Conway, Interim Director, Utah Wildlife Resources

List of Visitors on File:

At the request of the Chair, the meeting was called to order by Acting Chair Hellewell at 8:36 a.m.

**1. S. B. 136 State Vegetable (B. Wright)**

Sen. Bill Wright presented the bill. Teacher, JoAnne Casey, and students Michael Cushing,

Heidi Campo, Alisha Lambert, and Chris Heaton from Lone Peak Elementary distributed a booklet and information to committee members and gave a presentation in support of the bill. Bernell Evans, Mayor of Payson, and Bruce Hubbard, President, Utah Onion Growers Association spoke in support of the bill. Students from Realms of Inquiry, Robert Prather, Michelle Collins, and Scott Hilton, and their teacher, Ann Kane, spoke in opposition to the bill, stating they favored the sugar beet as the state vegetable.

**MOTION:** Sen. Evans moved to pass S. B. 136 out with a favorable recommendation.

**SUBSTITUTE-MOTION:** Sen. Blackham moved to amend S. B. 136 by changing Line 30 to read Sugar Beet in place of Spanish sweet onion.

The substitute-motion failed with Sen. Evans and Sen. Hellewell voting against and Sen. Blackham and Sen. Dmitrich voting in favor.

Sen. Evan's original motion passed unanimously.

**2. S. B. 72 Coal Mining and Reclamation Amendments (M. Dmitrich)**

Sen. Mike Dmitrich presented the bill. Lowell Braxton, Director, Division of Oil, Gas and Mining, spoke in support of the bill.

**MOTION:** Sen. Evans moved to pass S. B. 72 out with a favorable recommendation. The motion passed unanimously with Sen. Blackham absent at the time of voting.

**3. S. J. R. 12 Resolution Urging Federal Government Review of Alternatives for Atlas Mill Tailings (M. Dmitrich)**

**MOTION:** Sen. Dmitrich moved to adopt 1<sup>st</sup> Sub S. J. R. 12, Resolution Urging Federal Government Review of Alternatives for Atlas Mill Tailings. The motion passed unanimously with Sen. Blackham absent at the time of voting.

Steve Erickson, representing Citizens Educations Project, Downwinders, and the Sierra Club spoke in support of the bill.

**MOTION:** Sen. Evans moved to pass 1<sup>st</sup> Sub. S. J. R. 12 out with a favorable recommendation. The motion passed unanimously with Sen. Blackham absent at the time of voting.

**4. H. B. 58 Water Forfeiture Amendments (M. Styler)**

Rep. Michael R. Styler presented the bill and proposed amendments.

**MOTION:** Sen. Evans moved to adopt the following amendment to H. B. 58:

Page 5, line 124: After “state” insert “agreement”

The motion passed unanimously with Sen. Blackham absent at the time of voting.

Tom Bingham President, Utah Association of Manufacturers; Russ Donohue, Rural Water User Association; and Wes Quinton, Vice President, Utah Farm Bureau, spoke in support of the bill.

**MOTION:** Sen. Dmitrich moved to pass H. B. 58 out with a favorable recommendation as amended. The motion passed unanimously with Sen. Blackham absent at the time of voting.

**5. H. B. 223 Hunting License Fee Refund (M. Styer)**

Rep. Styer presented the bill. Debbie Goodman, Audubon Society, spoke in support of the bill.

**MOTION:** Sen. Dmitrich moved to pass H. B. 223 out with a favorable recommendation. The motion passed unanimously with Sen. Blackham absent at the time of voting.

**6. H. B. 81 Youth Fishing License Amendments (F. Fife)**

Rep. Fred J. Fife presented the bill. Kevin Conway, Interim Director, Utah Wildlife Resources, spoke in support of the bill.

**MOTION:** Sen. Evans moved to pass H. B. 81 out with a favorable recommendation. The motion passed unanimously with Sen. Blackham absent at the time of voting.

**7. S. B. 159 Environmental Compliance for Minerals Regulatory Program (P. Knudson)**

Sen. Peter C. Knudson presented the bill and proposed amendments.

**MOTION:** Sen. Dmitrich moved to adopt the following amendment to S. B. 159:

1. Page 8, line 234: After “of the” delete “surface coal”
2. Page 10, line 288: After “cease” delete “surface coal”

The motion passed unanimously with Sen. Blackham absent at the time of voting.

Mr. Braxton spoke in support.

**MOTION:** Sen. Dmitrich moved to pass S. B. 159 out with a favorable recommendation as amended. The motion passed unanimously with Sen. Blackham absent at the time of voting.

**MOTION:** Sen. Evans moved to approve the minutes of 2-04-02. The motion passed unanimously with Sen. Blackham absent at the time of voting.

**MOTION:** Sen. Evans moved to adjourn the meeting. The motion passed unanimously.

Acting Chair Hellewell adjourned the meeting at 9:26 a.m.

Minutes were reported by Norda Shepard, Secretary

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Sen. Parley Hellewell, Acting Committee Chair