

**MINUTES OF THE  
SENATE NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT  
STANDING COMMITTEE  
WEDNESDAY, FEBRUARY 5, 2003  
Room 131, State Capitol Building**

Members Present                    Sen. Beverly Ann Evans, Chair  
  Sen. Gene Davis  
  Sen. Parley Hellewell  
  Sen. Scott K. Jenkins  
  Sen. Paula Julander  
  Sen. Bill Wright

Members Excused:                Sen. Leonard M. Blackham

Members Absent:                 Sen. Thomas Hatch

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

Public Speakers Present:        Sen. Mike Dmitrich  
  Lowell Brackston, Director, Division of Oil, Gas, and Mining  
  Greg Fredde, President, Utah Mining Association  
  Rep. Michael Styler  
  Jerry Olds, State Director of Division of Water Rights  
  Sterling Brown, Utah Farm Bureau  
  Rep. Bradley Johnson  
  Steve Roberts, Division of Parks and Recreation  
  Courtland Nelson, Utah State Parks  
  Sen. Carlene Walker  
  Fred Finlinson, Attorney, Water Coalition  
  Russ Donoghue, Executive Director, Rural Water Association  
  Bob Flowers, Commissioner of Public Safety

List of Visitors on File:

Meeting was called to order by Chair Evans at 8:14 a.m.

**1. S.B. 65     Reclamation Surety for Mining Operations (M. Dmitrich)**

Sen. Mike Dmitrich presented the bill. Lowell Brackston, Director, Division of Oil, Gas, and Mining; and Greg Fredde, President, Utah Mining Association, spoke in support of the bill.

**MOTION:** Sen. Davis moved to adopt the following amendments to S.B. 65:

1.     Page 1, Line 18:            After "The" remove the brackets and restore the deleted language

2. Page 2, Line 31: After "~~of this chapter~~" restore the deleted language
3. Page 2, Line 39: After "mining" remove the brackets and restore the word "operations"
4. Page 2, Line 40: After "~~mining operations]~~" delete "operation impacts"
5. Page 2, Lines 52 -55: Remove the brackets and restore the deleted language
6. Page 2, Line 56: Delete "(2)" and insert "(3)"
7. Page 3, Line 71: After "(iv)" insert "accurate"
8. Page 4, Line 93: After "(5)" bracket "Approval" and insert "Except for the form and amount of surety, an approval"

The motion passed unanimously with Sen. Jenkins and Sen. Julander absent at the time of the vote.

**MOTION:** Sen. Davis moved to pass S.B. 65 Reclamation Surety for Mining Operations (*M. Dmitrich*) out favorably as amended.

The motion passed unanimously.

## **2. H.B. 42 Water User Notification Amendments (M. Styler)**

Rep. Michael Styler presented the bill and distributed copies of the sample advertisements.. Jerry Olds, State Director Division of Water Rights spoke in support of the bill.

**MOTION:** Sen. Wright moved to pass H.B. 4 Water User Notification Amendments (*M. Styler*) out with a favorable recommendation.

The motion passed unanimously.

Sen. Evans returned the chair to Sen. Hellewell

## **3. S.B. 123 Inherent Risk of Livestock Activities (B. Evans)**

**MOTION:** Sen. Evans moved to adopt 1st Sub S.B. Inherent Risk of Livestock Activities (*B. Evans*).

The motion passed unanimously

Sen. Evans presented the substitute bill. Sterling Brown, Utah Farm Bureau, spoke in support.

**MOTION:** Sen. Davis moved to pass 1<sup>st</sup> Sub. S.B. 123 Inherent Risk of Livestock Activities (*B. Evans*) out with a favorable recommendation.

The motion passed unanimously.

Sen. Hellewell returned the chair to Sen. Evans.

**4. H.B. 188 State Park Fee Amendments (B. Johnson)**

Rep. Bradley Johnson presented the bill. Steve Roberts and Courtland Nelson from Utah State Parks Division spoke in support.

**MOTION:** Sen. Wright moved to pass H.B. 188 State Park Fee Amendments (*B. Johnson*) out with a favorable recommendation.

The motions passed with Sen. Evans, Sen. Hellewell, Sen. Jenkins and Sen. Wright voting in favor and Sen. Davis and Sen. Julander voting in opposition.

**5. H.C.R. 6 Resolution Urging Approval Process Required Before Federal Wild and Scenic River Designation (B. Johnson)**

Rep. Johnson presented the resolution. Greg Fredde, Utah Mining Association, spoke in support.

**MOTION:** Sen. Hellewell moved to pass H.C.R. 6 Resolution Urging Approval Process Required Before Federal Wild and Scenic River Designation (*B. Johnson*) out with a favorable recommendation.

The motion passed unanimously with Sen. Davis absent at the time of the vote.

**6. S.B. 75 Criminal Background Checks by Political Subdivisions Operating Water Systems (C. Walker)**

Sen. Carlene Walker presented the bill. Fred Finlinson, Attorney for Water Coalition; Russ Donoghue, Executive Director, Rural Water Association; and Bob Flowers, Commissioner of Public Safety spoke in support.

**MOTION:** Sen. Julander moved to pass S.B. 75 Criminal Background Checks by Political

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Subdivisions Operating Water Systems (*C. Walker*) out with a favorable recommendation.

The motion passed with Sen. Evans, Sen. Hellewell, Sen. Julander and Sen. Wright voting in favor; Sen. Jenkins voting in opposition and Sen. Davis absent at the time of the vote.

**MOTION:** Sen. Wright moved to adjourn. The motion passed unanimously with Sen. Davis absent at the time of the vote.

Chair Evans adjourned the meeting at 9:16 a.m.

Minutes were reported by Norda Shepard, Secretary

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Sen. Beverly Ann Evans, Committee Chair