

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

Room W125, West Office Building, State Capitol Complex

February 7, 2007

**Members Present:** Rep. Roger E. Barrus, Chair  
Rep. Kerry Gibson, Vice Chair  
Rep. Sylvia Andersen  
Rep. Mel Brown  
Rep. Glenn Donnelson  
Rep. Jack Draxler  
Rep. Carl Duckworth  
Rep. James Gowans  
Rep. Neal Hendrickson  
Rep. John Mathis  
Rep. Mike Noel  
Rep. Patrick Painter  
Rep. Phil Riesen  
Rep. Steve Sandstrom  
Rep. Richard Wheeler

**Staff Present:** Brian Allred, Policy Analyst  
Carrie Griffith, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes

Rep. Gibson called the meeting to order at 8:03 a.m.

MOTION: Rep. Hendrickson moved to pass the minutes of the February 2, 2007 meeting. The motion passed unanimously with Rep. Andersen, Rep. Brown, Rep. Mathis and Rep. Sandstrom absent for the vote.

**H.B. 321 Off-highway Vehicle Amendments (Rep. M. Noel)**

Rep. Noel explained the bill to the committee.

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

*1. Page 1, Lines 14 through 16:*

- 14       ▶ requires that a person that is under 12 years of age and is operating an  
            off-highway vehicle with an appropriate safety  
15 certificate issued or approved by the Division of Parks and Recreation shall be

16 under the direct supervision of a person who is at least 18 years of age;

2. *Page 1, Lines 17 through 19:*

17       ▶     ~~{changes the penalty}~~     increases the fine for violating the off-highway  
                  vehicle supervision, safety  
18 certificate, or driver license operating requirement from     ~~{an infraction to a class C~~  
19 ~~misdemeanor}~~     \$50 to \$100 ;

3. *Page 1, Line 22:*

22 law enforcement agency in certain circumstances;  
                  ▶ provides an exception to the off-highway vehicle accident notice  
                  requirement;

4. *Page 2, Lines 56 through 58:*

56       (ii) is under the direct supervision of a person who is at least 18 years of age if the  
                  person is under 12 years of age and is  
57 operating on a public highway that is:  
58       (A) open to motor vehicles; and

5. *Page 3, Lines 62 through 63:*

62       ~~{(2)}~~ (3) (a) ~~[Any]~~ A person convicted of a violation of this section is guilty of  
                  ~~{+}~~ an  
63 infraction and shall be fined not more than     ~~{-\$50}~~     \$100 per offense     ~~{+}~~     ~~{a~~  
                  class C misdemeanor} .

6. *Page 3, Lines 70 through 72:*

70       ~~{(3)}~~ (4) The requirements of this section do not apply to an operator of     ~~{an~~  
                  all-terrain  
71 type I vehicle with a properly displayed and current}     an off-highway implement  
                  of husbandry  
72 ~~{—sticker}~~ .

7. *Page 3, Line 83:*

83       (3) The provisions of Section 41-6a-402 apply to accidents reported under this  
                  section.

**(4) The requirements of this section do not apply to an operator of an off-highway implement of husbandry if the off-highway implement of husbandry is being operated on public lands or designated trails.**

The motion passed unanimously with Rep. Andersen, Rep. Brown and Rep. Mathis absent for vote

Spoke to the bill: Reed Richards, Weber County Sheriffs Office

MOTION: Rep. Noel moved to amend the bill by deleting paragraphs #1 and #4 from the above amendment. The motion passed unanimously with Rep. Andersen and Rep. Brown absent for the vote.

Spoke for the bill: Mike Swensen, Director Utah Shared Alliance Association

MOTION: Rep. Donnelson moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Anderson and Rep. Brown absent for the vote.

**H.B. 237 Requirements for Off-highway Vehicles (Rep. A. Tilton)**

Rep. Tilton explained the bill to the committee.

MOTION: Rep. Sandstrom moved to delete in title and body **H.B. 237** and replace it with **1st Sub. H.B. 237**. The motion passed unanimously with Rep. Andersen, Rep. Brown, Rep. Mathis and Rep. Noel absent for the vote.

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

1. Page 1, Lines 21-23: Delete lines 21-23

The motion passed unanimously with Rep. Andersen, Rep. Brown, Rep. Mathis and Rep. Noel absent for the vote.

Spoke for the bill: Mike Swensen, Utah Shared Alliance Association  
Joseph Sloat, citizen  
Dale Bartholomew, Instructor ATV Safety Institute  
JoAnn Butts, citizen  
Dustin Stanworth, citizen, Utah Racing Association

Spoke against the bill: Fred Hayes, Utah State Parks and Recreation

MOTION: Rep. Noel moved to pass the bill out favorably as amended. The bill passed with Rep. Riesen voting in opposition. Rep. Andersen and Rep. Brown were absent for the vote.

**H.B. 339 Regulation of Cottage Food Production Operation (Rep. R. Barrus)**

Rep. Barrus, accompanied by Janie Wilkinson and Lisa Harrison, explained the bill to the committee.

MOTION: Rep. Barrus moved to delete in title and body **H.B. 339** and replace it with **1st Sub. H.B. 339**. The bill passed unanimously with Rep. Andersen absent for the vote.

Spoke for the bill: Janie Wilkinson, citizen  
Kyle Stevens, Deputy Commissioner Department of Agriculture and Food  
Robin Riggs, Salt Lake Chamber  
Teresa Garrett, Utah Dept. of Health

Spoke against the bill: Jim Olsen, President Utah Food Industry Association

MOTION: Rep. Donnelson moved to pass the bill out favorably. The motion passed with Rep. Draxler, Rep. Gowans and Rep. Hendrickson voting in opposition. Rep. Mathis and Rep. Wheeler were absent for the vote.

**H.B. 140 Safe Drinking Water Amendments (Rep. S. Andersen)**

Rep. Andersen explained the bill to the committee. (handout)

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

1. Page 2, Lines 37 through 38:

37 (3) "Drinking water source protection ordinance" means a land use ordinance that  
38 protects existing {~~and potential~~} public drinking water sources .

The motion passed unanimously with Rep. Barrus, Rep. Mathis, Rep. Riesen and Rep. Wheeler absent for the vote.

Spoke for the bill: Paul Ashton, Manager White City Water Improvement District  
Todd Bingham, Utah Farm Bureau

Spoke to the bill: Ken Bousfield, Acting Director Division of Drinking Water

MOTION: Rep. Donnelson moved to proceed to the next item on the agenda. The motion passed unanimously with Rep. Mathis and Rep. Riesen absent for the vote.

**H.C.R. 6 Utah Farming Heritage District Resolution (Rep. P. Painter)**

Rep. Painter explained the bill to the committee. (handouts, including chocolate-covered cherries)

Spoke for the bill: Filip Askerlund, Santaquin City Councilman  
Stefan Chatwin, Santaquin City Manager  
Todd Bingham, Utah Farm Bureau  
Kyle Stevens, Deputy Commissioner, Department of Agriculture and Food

MOTION: Rep. Wheeler moved to pass the bill out favorably. The motion passed unanimously with Rep. Mathis and Rep. Riesen absent for the vote.

MOTION: Rep. Painter moved to place the bill on the consent calendar. The motion passed unanimously with Rep. Mathis and Rep. Riesen absent for the vote.

MOTION: Rep. Duckworth moved to adjourn.

Rep. Gibson adjourned the meeting at 9:59 a.m.

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Rep. Roger E. Barrus, Chair