

**MINUTES OF THE SENATE
TRANSPORTATION & PUBLIC UTILITIES & TECHNOLOGY
STANDING COMMITTEE
MONDAY, FEBRUARY 18, 2007, 8:00 A.M.
ROOM W020, WEST OFFICE BUILDING
STATE CAPITOL COMPLEX**

Members Present: Sen. Carlene Walker, Chair
Sen. Mike Dmitrich
Sen. Scott Jenkins
Sen. Karen Mayne
Sen. Sheldon Killpack
Sen. Kevin VanTassel

Staff Present: Leif Elder, Policy Analyst
Karen Allred, Secretary

Public Speakers Present: Christopher Thomas, Policy Director, HEAL Utah
Tammi Diaz, citizen, Transit Rider Union
Michael Packard, community advocate
Leon Pexton, Utah Municipal Power Agency
Ted Rampton, Government Affairs, Utah Associated Municipal
Power Systems
James O'Neal, Tennessee Rules of Civil Procedure
Rich Walje, President, Rocky Mountain Power
Kathy Van Dame, Policy Coordinator, Wasatch Clean Air
Coalition
Mike Peterson, Utah Rural Electric Association
Dianne R.Nielson, Energy Advisor, Office of the Governor
Shelly Teuscher, lobbyist, Parsons, Behle and Latimer
Todd Bingham, Vice President, Utah Farm Bureau
Shannon Strickland, business man
Linda Hull, Government Affairs Director, Utah Department of
Transportation
Bill Lloyd, Department of Public Safety, Manager, Driver Licence
Division
David Creer, Executive Director, Utah Trucking Association

A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Jenkins assumed the Committee Chair and called the meeting to order at 8:04 a.m.

Approval of Minutes

MOTION: Sen. VanTassell moved to approve the minutes of February 14, 2008.

The motion passed unanimously.

1. S.B. 231 Transportation Governance (*S. Killpack*)

Sen. Walker resumed the Committee Chair.

Sen. Killpack explained the bill.

A hand out was distributed and Tammi Diaz, citizen, Transit Rider Union, and Michael Packard, community advocate, spoke in opposition to the bill.

MOTION: Sen. Jenkins moved to pass the bill out favorably.

The motion passed unanimously.

2. S.B. 202 Energy Resource and Carbon Emission Reduction Initiative (*C. Bramble*)

Sen. Bramble introduced the bill and the following amendments were distributed:

1. *Page 23, Lines 686 through 687:*

686 (2) (a) Cost-effectiveness under Subsection (1) **for other than a cooperative**
association is determined in comparison to other viable

687 resource options using the criteria provided by Subsection 54-17-201(2)(c)(ii).

(b) For an electrical corporation that is a cooperative association, cost-effectiveness is determined using criteria applicable to the cooperative association's acquisition of a significant energy resource established by the cooperative association's board of directors.

2. *Page 24, Lines 736 through 737:*

736 (3) The commission may **:**

(a) consult with another state or a federal agency and any

737 regional system or trading program to fulfil Subsection (1) **{-}** **;** **and**

(b) allow use of a renewable energy certificate that is issued, monitored, accounted for, or transferred by or through a regional system or trading program,

including the Western Renewable Energy Generation Information system, to fulfil this part's provisions.

3. Page 26, Lines 776 through 777:

776 (2) **(a)** A progress report concerning a plan under Subsection (1) **for other**
than a cooperative association shall be filed with the
777 commission by January 1 of each of the years 2010, 2015, 2020, and 2024.

(b) For an electrical corporation that is a cooperative association, a progress report shall be filed with the cooperative association's board of directors by January 1 of each of the years 2010, 2015, 2020, and 2024.

4. Page 26, Lines 781 through 786:

781 (c) **(i)** an analysis of the cost-effectiveness of renewable energy sources **for**
other than a cooperative association; or

(ii) an estimate of the cost of achieving the target for an electrical corporation that is a cooperative association ;

782 (d) a discussion of conditions impacting the renewable energy source and qualifying
783 electricity markets;

784 (e) any recommendation for a suggested legislative or program change; and

785 (f) **for other than a cooperative association,** any other information requested by
the commission or considered relevant by the
786 electrical corporation.

5. Page 27, Line 816:

816 (b) force majeure.

(11) By July 1, 2026, an electrical corporation that is a cooperative association shall file a final progress report demonstrating:

(a) how Subsection 54-17-602(1) is satisfied for the year 2025; or

(b) the reason why Subsection 54-17-602(1) is not satisfied for the year 2025 if it is not satisfied.

(12) The plan and any progress report filed under this section by an electrical corporation that is a cooperative association shall be publicly available at the cooperative association's office or posted on the cooperative association's website.

MOTION: Sen. Dmitrich moved to adopt the amendments.

The motion passed unanimously.

Christopher Thomas, HEAL Utah, and Michael Packard, citizen, spoke to the bill.

Leon Pexton, Utah Municipal Power Agency; Ted Rampton, Government Affairs, Utah Associated Municipal Power Systems; Rich Walje, President, Rocky Mountain Power; Mike Peterson, Utah Rural Electric Association; Dianne R. Nielson, Energy Advisor, Office of the Governor; and Shelly Teuscher, lobbyist, Parsons, Behle and Latimer, spoke in support of the bill.

James O'Neal, Tennessee Rules of Civil Procedure; Kathy Van Dame, Policy Coordinator, Wasatch Clean Air Coalition, spoke in opposition to the bill.

MOTION: Sen. Mayne moved to pass the bill out favorably as amended.

The motion passed unanimously.

3. S.B. 203 Highway Abandonment Amendments (D. Peterson)

Sen. Peterson explained the bill.

Todd Bingham, Vice President, Utah Farm Bureau, further clarified the bill.

MOTION: Sen. Killpack moved to pass the bill out favorably.

The motion passed unanimously.

4. S.B. 212 Funeral Processions (B. Goodfellow)

Sen. Goodfellow explained the bill.

Shannon Strickland, businessman, further clarified the bill.

MOTION: Sen. Dmitrich moved to pass the bill out favorably.

The motion failed with Sens. Killpack, Dmitrich and Mayne voting in favor of the bill and Sens. Walker, Jenkins and VanTassell voting in opposition.

5. H.B. 320 Vehicle Impound Yard Requirements (C. Oda)

Rep. Oda explained the bill.

Linda Hull, UDOT, further clarified the bill.

MOTION: Sen. Mayne moved to pass the bill out favorably.

The motion passed unanimously.

6. 2nd Sub. H.B. 72 Motorcycle License and Endorsement Amendments
(*P. Neuenschwander*)

Rep. Neuenschwander explained the bill.

Bill Lloyd, Manager, Driver License Division, further clarified the bill.

MOTION: Sen. VanTassell moved to pass the bill out favorably.

The motion passed unanimously.

7. H.B. 292 Legislative Task Force to Study Radio Communication System in Utah
(*B. Dee*)

Rep. Dee explained the bill.

MOTION: Sen. Dmitrich moved to pass the bill out favorably.

The motion passed unanimously.

8. H.J.R. 8 Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities (*Julie Fisher*)

Rep. Fisher explained the bill and the following amendment was distributed:

1. *Page 2, Lines 39a through 39b*
House Committee Amendments
2-4-2008:

39a ~~_____ H →~~ Be it further resolved that the Legislature of the State of Utah strongly opposes any
39b increase in the Federal Gas Tax. ← H }

David Creer, Utah Trucking Association, spoke in opposition to the bill.

MOTION: Sen. Dmitrich moved to adopt the amendment.

The motion passed unanimously.

MOTION: Sen. Jenkins moved to pass the bill out favorably.

The motion passed unanimously with Sen. VanTassell absent for the vote.

MOTION: Sen. Killpack moved to adjourn.

The motion passed unanimously with Sen. VanTassell absent for the vote.

Sen. Walker adjourned the meeting at 9:35 a.m.

Sen. Carlene Walker, Committee Chair