

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

Room C445, State Capitol, State Capitol Complex  
January 27, 2010

**Members Present:** Rep. Roger E. Barrus, Chair  
Rep. John Mathis, Vice Chair  
Rep. Mel Brown  
Rep. Brad Dee  
Rep. Jack Draxler  
Rep. Kerry Gibson  
Rep. James Gowans  
Rep. Neal Hendrickson  
Rep. Mike Noel  
Rep. Patrick Painter  
Rep. Phil Riesen  
Rep. Christine Watkins  
Rep. Ryan D. Wilcox  
Rep. Bill Wright

**Staff Present:** Brian Allred, Policy Analyst  
Dora Soto, Committee Secretary

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

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

**H.B. 63 Tire Recycling Fee Modification (Rep. N. Hendrickson)**

Rep. Hendrickson explained the bill to the committee, assisted by Dennis Downs, Director, Department of Environmental Quality.

**MOTION:** Rep. Gowans moved to pass the bill with a favorable recommendation. The motion passed with Rep. Mathis voting in opposition to the motion and Rep. Brown, and Rep. Dee absent for the vote.

**H.B. 60 Water Conveyance Facilities Safety Act (Rep. F. Hunsaker)**

**MOTION:** Rep. Painter moved to amend the bill as follows:

1. Page 13, Lines 383 through 387:

- 383           (ii) identification of the points at which any storm structures introduce water into the  
384 water conveyance facility and the anticipated flow that may occur at each structure ➤  
based on information provided in accordance with Subsection (4) ; and  
385           (iii) the name of each governmental agency that has responsibility for storm water

386 management within the area from which storm water drains into the water conveyance facility.

**(4) A private or public entity that introduces storm water into a water conveyance facility shall provide the water conveyance facility owner or operator with an estimate of the maximum volume and flow of water that may occur at each structure that introduces storm water into the water conveyance facility.**

387 ~~{(4)}~~ (5) A facility owner or operator shall give notice to the planning and zoning

2. *Page 13, Line 390:*

390 ~~{(5)}~~ (6) The division or an association comprised of conservation districts may provide

3. *Page 14, Line 401:*

401 ~~{(6)}~~ (7) (a) A facility owner or operator shall:

4. *Page 14, Line 410:*

410 ~~{(7)}~~ (8) The board shall report concerning compliance with this section to the Natural

5. *Page 14, Line 413:*

413 ~~{(8)}~~ (9) A water conveyance facility owner or operator may not receive loans from the

6. *Page 14, Line 416:*

416 ~~{(9)}~~ (10) The division and board may make rules, in accordance with Title 63G, Chapter 3,

7. *Page 14, Line 418:*

418 ~~{(10)}~~ (11) This section does not:

8. *Page 14, Line 423:*

423 ~~{(11)}~~ (12) The following may not be introduced as evidence in any civil litigation on the

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

Spoke in favor of the bill: Rep. Ben Ferry, Utah House of Representatives  
Terel Brimley, General Manager, Pine View Water Systems

Spoke in opposition to the bill: Linda Peterson, Utah Foundation for Open Government  
Joel Campbell, Utah Press Association

Spoke to the bill: Gordon Younkens, Utah Association of Conservation Districts  
Bob Fotheringham, Cache County Water Manager

**MOTION:** Rep. Brown moved to hold the bill.

**SUBSTITUTE**

**MOTION:** Rep. Draxler moved to pass the bill with a favorable recommendation. The motion failed with Rep. Draxler and Rep. Painter voting in favor of the motion. Rep. Dee and Rep. Gowans were absent for the vote.

The original motion to hold the bill passed with Rep. Dee and Rep. Gowans absent for the vote.

**H.B. 69 State Engineer's Plugging of Wells Repealer (Rep. J. Gowans)**

Rep. Painter explained the bill to the committee, assisted by Kent Jones, State Engineer who provided a handout to the committee.

**MOTION:** Rep. Wilcox moved to pass the bill with a favorable recommendation. The motion passed unanimously with Rep. Dee, Rep. Draxler, Rep. Gibson, Rep. Gowans, and Rep. Wright absent for the vote.

**MOTION:** Rep. Hendrickson moved to place H.B. 69 on the Consent Calendar. The motion passed unanimously with Rep. Dee, Rep. Draxler, Rep. Gibson, Rep. Gowans, and Rep. Wright absent for the vote.

**MOTION:** Rep. Hendrickson moved to adjourn. The motion passed unanimously with Rep. Dee, Rep. Draxler, Rep. Gibson, Rep. Gowans, and Rep. Wright absent for the vote.

Rep. Barrus adjourned the meeting at 9:55 a.m.