

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

Room C445, State Capitol, State Capitol Complex
January 29, 2010

Members Present: 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

Members Absent: Rep. Roger E. Barrus, Chair

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 2:04 p.m.

MOTION: Rep. Brown moved to approve the minutes of the January 26, 2010 meeting. The motion passed unanimously with Rep. Barrus absent for the vote.

H.B. 68 Habitual Wanton Destruction of Wildlife (Rep. C. Oda)

Rep. Oda explained the bill to the committee, assisted by Michael Fowlks, Law Enforcement Chief, Department of Natural Resources, and Martin Bushman, Assistant Attorney General.

MOTION: Rep. Draxler moved to pass the bill with a favorable recommendation. The motion failed with Rep. Dee, Rep. Draxler, Rep. Noel, Rep. Riesen, Rep. Watkins, Rep. Wright voting in favor of the motion. Rep. Brown, Rep. Gibson, Rep. Hendrickson, Rep. Painter, Rep. Wilcox, Rep. Mathis voted in opposition to the motion and Rep. Gowans absent for the vote.

H.B. 226 Well Driller's License - Pump Installation (Rep. P. Painter)

Rep. Painter explained the bill to the committee, assisted by Kent Jones, State Engineer.

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

1. *Page 1, Lines 18 through 19:*

18 { ~~→ requires the state engineer to create a registration system for well drilling~~
~~without a~~
19 ~~license;~~ } and

2. *Page 2, Lines 42 through 44:*

42 well on the person's own property for the person's own use { ~~→~~ }
43 { ~~(i)~~ } is not required to obtain a license under this section { ~~→~~ **and**
44 ~~—(ii) shall register with the state engineer in accordance with Subsection~~
~~(2)(c)~~ } .

3. *Page 2, Lines 48 through 49:*

48 { ~~(c) The state engineer shall establish a process for a person who installs or~~
~~repairs a~~
49 ~~pump in accordance with Subsection (2)(a) to register.~~ }

The motion to amend the bill passed unanimously.

MOTION: Rep. Gibson moved to hold the bill for further amendments. The motion passed unanimously.

H.B. 231 Water Rights Priorities in Times of Shortage (Rep. K. Gibson)

This bill was not considered.

H.B. 98 State Engineer Bonding Requirements (Rep. R. Wilcox)

Rep. Wilcox explained the bill to the committee.

Spoke in favor of the bill: John Reidhead, Director, Division of Finance

MOTION: Rep. Gibson moved to pass the bill with a favorable recommendation. The motion passed unanimously with Rep. Painter absent for the vote.

H.C.R. 3 Italian-american Heritage Month Concurrent Resolution (Rep. C. Watkins)

MOTION: Rep. Watkins moved to amend the resolution as follows:

1. *Page 2, Lines 45 through 47:*

- 45 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the
46 Italian-American Lodge of Helper, Utah, ~~{and}~~ the Italian-American Civic League of
Salt Lake
47 City, Utah ,the Trentini Group of West Weber, Utah, the Italian Consul of Utah, and
Joanne Milner .

The motion to amend the resolution passed unanimously with Rep. Painter absent for the vote.

Rep. Watkins explained the amended resolution to the committee with the assistance of Joanne Milner and Dr. Giovanni Maschero, Italian Consul, who presented excerpts from a documentary and provided handouts to the committee.

MOTION: Rep. Gibson moved to pass the resolution with a favorable recommendation. The motion passed unanimously with Rep. Dee and Rep. Noel absent for the vote.

H.B. 229 Water Right General Adjudication Amendments (Rep. P. Painter)

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

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

H.B. 226 Well Driller's License - Pump Installation (Rep. P. Painter)

Rep. Painter presented the bill to the committee again.

MOTION: Rep. Painter moved to delete Amendment 2 passed previously. The motion passed unanimously with Rep. Dee, Rep. Noel, and Rep. Wright absent for the vote.

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

1. *Page 1, Lines 18 through 19:*

18 { ~~→~~ **requires the state engineer to create a registration system for well
drilling without a**
19 **license;** } and

2. *Page 2, Lines 42 through 45:*

42 well on the person's own property for the person's own use { ~~→~~ }
43 { ~~(i)~~ } is not required to obtain a license under this section { ~~;~~ **and**
44 ~~—(ii) shall register with the state engineer in accordance with Subsection~~
~~(2)(c)~~ } .
45 (b) { ~~A~~ } **Except as provided in Subsection (2)(c), a** person who installs or
repairs a pump in a well for compensation:

3. *Page 2, Lines 48 through 49:*

48 (c) { ~~The state engineer shall establish a process for a person who installs or~~
~~repairs a~~
49 ~~pump in accordance with Subsection (2)(a) to register.~~ } **Notwithstanding the**
requirements of Subsection (2)(b), a person who performs electrical repairs on a
pump in a well is not required to obtain a license as required by Subsection (3).

The motion to amend the bill passed unanimously.

MOTION: Rep. Brown moved to further amend the bill as follows:

1. *Page 1, Lines 14 through 15:*

14 ▶ allows pump installation or repair without a license { ~~but with registration;~~
~~in certain~~
15 ~~circumstances~~ } on a person's own property;

The motion to amend the bill passed unanimously with Rep. Dee and Rep. Noel absent for the vote.

MOTION: Rep. Riesen moved to pass the bill as amended with a favorable recommendation. The motion passed unanimously with Rep. Dee and Rep. Noel absent for the vote.

MOTION: Rep. Hendrickson moved to adjourn. The motion passed unanimously with Rep. Dee and Rep. Noel absent for the vote.

Rep. Mathis adjourned the meeting at 3:15 p.m.

Rep. Roger E. Barrus, Chair