

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

Room C445, State Capitol, State Capitol Complex

February 17, 2010

**Members Present:** Rep. Roger E. Barrus, Chair  
Rep. John Mathis, Vice Chair  
Rep. Mel Brown  
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. Brad Dee

**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 8:04 a.m.

**MOTION:** Rep. Barrus moved to approve the minutes of the February 12, 2010 meeting. The motion passed unanimously with Rep. Brown, Rep. Gowans, Rep. Noel, Rep. Painter and Rep. Wright absent for the vote.

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

Rep. Gibson explained the bill to the committee, assisted by Kent Jones, State Engineer, Division of Water Rights.

Spoke in favor of the bill: Kent Jones, State Engineer, Division of Water Rights  
Todd Bingham, President, Utah Mining Association  
Jody Hoffman, Policy Analyst, The League of Cities and Towns  
Vern Steel, Chief Financial Officer, Utah Rural Water Association

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

0. Page 2, Line 52:

52 (3) A person using water preferentially during a temporary water {  
~~storage~~} shortage emergency

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

**S.B. 19 Vehicle Safety Flags on Off-highway Vehicles** (*Sen. B. Goodfellow*) (**Rep. L. Wiley**)  
Rep. Goodfellow explained the bill to the committee.

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

**S.B. 104 Renewable Energy Modifications** (*Sen. S. Urquhart*) (**Rep. D. Ipson**)  
Rep. Urquhart explained the bill to the committee.

Spoke to the bill: Nathan Hansen, Citizen  
James O'Neal, Citizen

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

**H.B. 107 Animal Shelter Amendments** (*Rep. J. Seelig*)  
Rep. Seelig explained the bill to the committee, assisted by Thomas Vaughn, Office of Legislative Research and General Council.

Spoke in favor of the bill: Lincoln Shurtz, Utah League of Cities and Towns  
David Patten, Department Director, UDOTs

Spoke to the bill: Daniel Alex. Citizen

**MOTION:** Rep, Mathis moved to amend the bill as follows:

1. Page 1, Lines 20 through 24:

20 • the animal shelter has made {~~a~~} every reasonable effort to find the  
rightful owner of the  
21 animal {~~or~~} and to make it available to others; and  
22 {~~→ when an animal is voluntarily surrendered to an animal shelter,~~  
prohibits the  
23 provision of the animal for research or educational purposes if the owner signs a

24 ~~document prohibiting that action; and~~ }

2. Page 2, Line 38:

38 [The] (1) Subject to ~~{-Subsections (2) and (4)-}~~ Subsection (2) , the  
governing body of the county or

3. Page 2, Line 52 through Page 3, Line 67:

52 (c) the establishment has made ~~{-a-}~~ every reasonable effort to:

53 (i) find the rightful owner of ~~[such]~~ the animal ~~{+}~~ , ~~{+}~~ including  
checking if the animal has a tag or microchip ; and

54 (ii) if the owner is not found, ~~[shall make a reasonable effort to]~~ make the animal  
55 available to others during the impound period. ~~{+}~~ **Owners of animals who**  
**voluntarily provide**

56 **their animals to an establishment may, by signature, determine whether or not the**  
**animal may**

57 **be provided to an institution or used for research or educational purposes.** ~~{+}~~

58 ~~{(3) If the owner of an animal voluntarily provides the animal to an~~  
establishment, the

59 establishment shall:

60 ~~—(a) notify the owner that the owner may sign a document that prohibits the~~  
animal from

61 being:

62 ~~—(i) provided to an institution; or~~

63 ~~—(ii) used for research or educational purposes; and~~

64 ~~—(b) upon request, provide the document described in Subsection (3)(a) to the~~  
owner;

65 ~~—(4) An animal may not be provided to an institution or used for research or~~  
educational

66 purposes if permission for that provision or use is prohibited in accordance with  
Subsection

67 ~~(3)-}~~

**MOTION:** Rep. Gibson moved to pass the bill as amended with a favorable recommendation.

**SUBSTITUTE**

**MOTION:** Rep. Noel moved to amend the bill as follows and pass the bill with a favorable recommendation:

1. Page 1, Lines 21 through 24:

21 animal {~~or~~} and to make it available to others; and  
22 {~~→ when an animal is voluntarily surrendered to an animal shelter;~~  
prohibits the  
23 provision of the animal for research or educational purposes if the owner signs a  
24 document prohibiting that action; and }

2. Page 2, Line 38:

38 [The] (1) Subject to {~~Subsections (2) and (4)~~} Subsection (2), the  
governing body of the county or

3. Page 2, Line 53 through Page 3, Line 67:

53 (i) find the rightful owner of [such] the animal {+} , {+} including  
checking if the animal has a tag or microchip ; and  
54 (ii) if the owner is not found, [shall make a reasonable effort to] make the animal  
55 available to others during the impound period. {+} Owners of animals who  
voluntarily provide  
56 their animals to an establishment may, by signature, determine whether or not the  
animal may  
57 be provided to an institution or used for research or educational purposes. {+}  
58 {~~(3) If the owner of an animal voluntarily provides the animal to an~~  
establishment, the  
59 establishment shall:  
60 —(a) notify the owner that the owner may sign a document that prohibits the  
animal from  
61 being:  
62 —(i) provided to an institution; or  
63 —(ii) used for research or educational purposes; and

- 64    — ~~(b) upon request, provide the document described in Subsection (3)(a) to the~~  
~~owner.~~
- 65    — ~~(4) An animal may not be provided to an institution or used for research or~~  
~~educational~~
- 66    ~~purposes if permission for that provision or use is prohibited in accordance with~~  
~~Subsection~~
- 67    ~~(3).~~}

The motion to amend the bill and pass the bill with a favorable recommendation passed unanimously with Rep. Painter absent for the vote.

**H.B. 102    Agriculture Sustainability Act (Rep. J. Draxler)**

Rep. Draxler explained the bill to the committee, assisted by Leonard Blackman, Commissioner, Utah Department of Agriculture and Jody Hoffman, Policy Analyst, Utah Cities and Towns

**MOTION:** Rep. Mathis moved to adjourn. The motion passed with Rep. Draxler, Rep. Gibson and Rep. Hendrickson voting in opposition to the motion.

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

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Rep. Roger E. Barrus, Chair