

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT INTERIM
COMMITTEE**

Wednesday, October 19, 2005 – 2:00 p.m. – Room W125 House Building

Members Present:

Sen. Thomas V. Hatch, Senate Chair
Rep. Roger E. Barrus, House Chair
Sen. Gene Davis
Sen. Beverly Ann Evans
Sen. Parley G. Hellewell
Sen. Michael G. Waddoups
Rep. Jackie Biskupski
Rep. Craig W. Butters
Rep. Margaret Dayton
Rep. Carl W. Duckworth
Rep. James R. Gowans
Rep. Kory M. Holdaway
Rep. Bradley T. Johnson

Rep. Ronda Rudd Menlove
Rep. Michael E. Noel
Rep. David Ure
Rep. Richard W. Wheeler

Members Absent:

Rep. John G. Mathis
Rep. Mark A. Wheatley

Staff Present:

Mr. J Brian Allred, Policy Analyst
Mr. John L. Fellows, Deputy General Counsel
Ms. Emily Brown, Associate General Counsel
Ms. Joy L. Miller, Legislative Secretary

Note: A list of others present, copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Barrus called the meeting to order at 2:35 p.m.

MOTION: Sen. Hellewell moved to approve the minutes of the September 21, 2005 meeting. The motion passed unanimously. Sen. Davis, Sen. Waddoups, Rep. Dayton, Rep. Johnson, and Rep. Ure were absent for the vote.

2. Funds Expended for Species Protection

Ms. Brown explained that the Species Protection Account consists of revenue generated by the brine shrimp tax and any interest earned on that tax. It is used to protect species identified as sensitive by the state or threatened or endangered under federal law.

Mr. Mike Styler, DNR (Department of Natural Resources), distributed “FY 2004 - 2005 Annual Report & Directory of Services” and “Utah Species Recovery Program.”

Mr. Reed Harris, Recovery Programs Director, DNR, reviewed the efforts taken by DNR on the June Sucker Recovery Implementation Program, Virgin River Resource Management & Recovery Program, and the Upper Colorado River Endangered Fish Recovery Program.

MOTION: Sen. Hatch moved to request a legislative audit of the Endangered Species Mitigation Fund to determine if the funds are being spent according to statute.

Mr. Mike Swensen, Utah Shared Access Alliance, spoke in support of the motion.

The Committee voted on the motion which passed unanimously. Sen. Davis, Sen. Waddoups, and Rep. Ure were absent for the vote.

3. Draft Legislation "County Option Sales and Use Tax for Agricultural Land and Open Land"

Rep. Buttars distributed a packet of information on "Preservation of Cache County's Agricultural Lands and Open Spaces: Need for Local Option Sales Tax to Support a County Purchase of Conservation Easement Program." He reviewed Draft Legislation, "County Option Sales and Use Tax for Agricultural Land and Open Land."

Ms. Cindy Hall, Director of Community and Economic Development, Bear River Association of Governments, stated that Cache County is losing more than a square mile of its most productive agricultural land each year. She encouraged the Committee to support the bill.

Mr. Evan Olsen, farmer, indicated that farmers and ranchers are becoming an endangered species. He stated that they want the opportunity to solve their own problems. He supported the legislation.

Mr. Clark Israelson, Agricultural Extension Agent, Utah State University, stated that agriculture is an essential industry. He stressed the need for change and indicated that the proposed legislation is a good option for those who want to exit the business without selling to development.

Mr. Jack Draxler, Cache County Planning Commission, urged the Committee to allow Cache County the opportunity to have an election on an optional sales tax. He stated that conservation easements have an excellent track record and he urged the Committee to support the bill.

Mr. Todd Bingham, Utah Farm Bureau, stressed the need for incentive-based solutions. He encouraged support of the bill.

Mr. Jim Olsen, Utah Food Industry and Utah Retail Merchants Association, expressed concern that by using a local option sales tax, it would only further complicate the already complex sales and use tax.

Mr. Dave Rayfield, Cache County, stated there are many projects in Cache County that could go forward if the legislation were to be adopted. He expressed support for the bill.

MOTION: Rep. Buttars moved to adopt Draft Legislation, "County Option Sales and Use Tax for Agricultural Land and Open Land" as a committee bill. The motion failed with Sen. Hatch, Sen. Hellewell, Rep. Barrus, Rep. Buttars, Rep. Gowans, Rep. Holdaway, Rep. Johnson, and Rep. Menlove voting in favor.

4. Draft Legislation "Resolution Approving Expansion of Commercial Radioactive and Mixed Waste Facility"

This agenda item was not discussed.

5. Other Items / Adjourn

MOTION: Sen. Evans moved to adjourn. The motion passed unanimously.

Chair Barrus adjourned the meeting at 4:10 p.m.