

**MINUTES OF THE
SENATE NATURAL RESOURCES, AGRICULTURE & ENVIRONMENT
STANDING COMMITTEE**
Room 415, Utah State Capitol
March 3, 2016

Members Present: Sen. Scott K. Jenkins, Chair
Sen. Margaret Dayton
Sen. Peter C. Knudson
Sen. Brian E. Shiozawa
Sen. Evan J. Vickers

Members Absent: Sen. Allen M. Christensen
Sen. Jani Iwamoto

Staff Present: Brian Allred, Policy Analyst
Karen Allred, Committee Secretary

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

Chair Jenkins called the meeting to order at 4:12 p.m.

MOTION: Sen. Knudson moved to approve the minutes of the March 1, 2016 meeting. The motion passed unanimously with Sen. Dayton absent for the vote.

S.B. 247 Sale of State Land (G. Davis)

MOTION: Sen. moved to adopt the following amendments:

1. *Page 3, Lines 59 through 65:*

- 59 (b) The Legislative Management Committee may:
60 (i) recommend that the agency execute the agreement or proposal;
61 (ii) recommend that the agency reject the agreement or proposal; or
62 (iii) recommend to the governor that the governor call a special session of the
63 Legislature to review and approve or reject the agreement or proposal.
64 (3) Before legally binding the state by executing an agreement to sell or transfer
 fewer
65 than 300 acres of any state land, the state shall notify the Legislative Management
 Committee.

(4) A land exchange, where the state land to be transferred to new ownership is of equal value to the land that the state will receive in the exchange, is exempt from the requirements of Subsections (2) and (3).

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

Sen. Davis explained the bill to the committee.

Carlos Braceros, Utah Department of Transportation expressed concerns with the bill.

Spoke for the bill: Kim Christy, Deputy Director, Utah School and Institutional Trust Lands Administration

MOTION: Sen. Vickers moved to go to the next item on the agenda. The motion passed unanimously with Sen. Dayton absent for the vote.

S.B. 251 Water Infrastructure Funding Amendments (J. S. Adams)

Sen. Adams explained the bill to the committee.

Spoke to the bill: Lisa Rutherford, resident of Ivins
Boyd Clayton, Deputy State Engineer, Water Rights

Spoke for the bill: Rep. M. Noel

Spoke against the bill: Zack Frankel, Utah Rivers Council
Paul Van Dam, citizen

MOTION: Sen. Vickers moved pass the bill out favorably. The motion passed unanimously.

H.B. 269 Recycling of Copper Wire (F. Cox)

Rep. Cox explained the bill to the committee.

Spoke for the bill: Candace Daly, lobbyist

MOTION: Sen. Dayton moved to pass the bill out favorably. The motion passed unanimously.

MOTION: Sen. Vickers moved to place the bill on the Consent Calendar. The motion passed unanimously with Sen. Dayton absent for the vote.

H.B. 276 2nd Sub. Utah Public Land Management Act (M. Noel)

Rep. Noel explained the bill to the committee.

MOTION: Sen. Vickers moved to adopt the following Amendments:

1. Page 14, Lines 399 through 413:

- 399 63L-8-308. Public Land Management Fund.
400 (1) There is created an expendable special revenue fund known as the "Public Land
401 Management Fund."
402 (2) The fund shall consist of:
403 (a) fees collected by the DLM under this chapter;

404 (b) money appropriated to the ~~{restricted account}~~ fund by the Legislature;
405 (c) money collected under Section 63L-8-505;
406 (d) money voluntarily donated or contributed to the fund; and
407 (e) interest earned on the ~~{restricted account}~~ fund .
408 (3) The DLM may expend money in the fund on:
409 (a) administration costs;
410 (b) project planning;
411 (c) a payment authorized by this chapter; and
412 (d) other duties required under this chapter.
(4) The DLM shall annually expend money in the fund to pay a county in lieu of taxes
the county cannot levy on public land owned by the state:
(a) in an amount no less than the highest amount ever fully authorized by
Congress for payment to the county under the federal Payments in Lieu of Taxes and
Secure Rural Schools programs, according to the most recent federal formulas before the
effective date of this chapter, as described in Section 63L-8-602; and
(b) as funding allows.
413 Section 18. Section **63L-8-309** is enacted to read:

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

MOTION: Sen. Vickers moved to adopt the following Amendments:

2. *Page 29, Lines 863 through 882:*

863 (2) The board consists of the following 11 members:
864 (a) the lieutenant governor, or the lieutenant governor's designee;
865 ~~{(b) the speaker of the House, or the speaker's designee;~~
866 ~~{(c) the president of the Senate, or the president's designee;}~~
867 ~~{(d)}~~ (b) one representative, appointed by the governor, who represents the
interests of oil,
868 gas, and mining;
869 ~~{(e)}~~ (c) one representative, appointed by the governor, who represents the
interests of
870 agriculture;
871 ~~{(f)}~~ (d) one representative, appointed by the governor, who represents the
interests of
872 outdoor recreation;
873 ~~{(g)}~~ (e) one representative, appointed by the governor, who represents the
interests of
874 environmental groups;
875 ~~{(h)}~~ (f) one representative} ~~three representatives~~, appointed by the
governor, who ~~{represents}~~ ~~represent~~ the interests of
876 county commissioners;
877 ~~{(i)}~~ (g) one representative, appointed by the governor, who represents the
interests of rural
878 transportation;
879 ~~{(j)}~~ (h) one representative, appointed by the governor, who represents the
interests of
880 wildlife management; and

881 ~~(1k)~~ (i) one representative, appointed by the governor, who represents the
882 interests of forest
management.

3. *Page 29, Lines 884 through 887:*

884 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the
885 time of appointment or reappointment, adjust the length of terms of the members
886 described in
886 Subsections (2) ~~(d)~~ (b) through ~~(k)~~ (i) to ensure that the terms of board
887 members are staggered so that
887 half of the appointed board is appointed every two years.

4. *Page 30, Lines 899 through 910:*

899 (9) Six members constitute a quorum at a meeting, and the action of a majority of
900 members present is the action of the board.
901 (10) A member ~~who is not a legislator~~ may not receive compensation or
902 benefits for
902 the member's service, but may receive per diem and travel expenses in accordance with:
903 (a) Section 63A-3-106;
904 (b) Section 63A-3-107; and
905 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
906 63A-3-107.
907 ~~Salaries and expenses of a member who is a legislator shall be paid in~~
accordance
908 with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator
Compensation.
909 Section 43. Section **79-6-105** is enacted to read:
910 79-6-105. Division of Land Management duties.

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

Spoke to the bill: Lisa Rutherford, citizen

Spoke for the bill: Stan Rasmussen, Sutherland Institute

Spoke against the bill: Steve Erickson, Utah Auduban Society

MOTION: Sen. Vickers moved to pass the bill out favorably. The motion passed unanimously with Sen. Dayton absent for the vote.

H.B. 360 2nd Sub. Land Use Amendments (M. Brown)

Rep. Brown explained the bill to the committee.

Spoke for the bill: Rep. Fred Cox

Spoke against the bill: Keith Brady, County Commissioner

Jodi Hoffman, Utah League of Cities and Towns

MOTION: Sen. Dayton moved to pass the bill out favorably. The motion passed with Sen. Schiozawa voting in opposition.

H.B. 305 2nd Sub. Water Rights and Resources Amendments (*J. Briscoe*)

Rep. Briscoe explained the bill to the committee.

A Handout was distributed.

Boyd Clayton, Utah Division of Water Rights further explained the bill.

MOTION: Sen. Dayton moved to pass the bill out favorably. The motion passed unanimously.

H.C.R. 11 Concurrent Resolution Encouraging the Repayment of Funds Used to Keep National Parks, Monuments, and Recreation Areas Open (*K. Ivory*)

Rep. Ivory explained the bill to the committee.

MOTION: Sen. Knudson to pass the bill out favorably. The motion passed unanimously.

MOTION: Sen. Dayton moved to place the bill on the Consent Calendar. The motion passed unanimously.

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

Chair Jenkins adjourned the meeting at 6:03 p.m.

Sen. Scott K. Jenkins, Chair