

# UTAH CONSERVATION COMMUNITY

## LEGISLATIVE UPDATE

2015 General Legislative Session

Issue #1

February 1, 2015

### Welcome to the 2015 Legislative Update

This issue includes highlights of week one, what we can expect in the week ahead, and information for protecting wildlife and the environment. Please direct any questions or comments to Steve Erickson: [erickson.steve1@comcast.net](mailto:erickson.steve1@comcast.net).

### About the Legislative Update

The Legislative Update is made possible by the **Utah Audubon Council** and contributing organizations. Each Update provides bill and budget item descriptions and status updates throughout the Session, as well as important Session dates and key committees. For the most up-to-date information and the names and contact information for all legislators, check the Legislature's website at [www.le.utah.gov](http://www.le.utah.gov). The Legislative Update focuses on legislative information pertaining to wildlife, sensitive and invasive species, public lands, state parks, SITLA land management, energy development, renewable energy and conservation, and water issues. The Update will be distributed after each Friday of the Session. We may also send out additional Action Alerts during the Session as issues arise that need quick action. We hope each Update

issue will prepare you to call, email or tweet your legislators with your opinions and concerns!

### ACTION ALERT!

As you may know, the Prison Relocation Commission has included in its recommendations a site near the southwest shore of the Great Salt Lake (80 N. 7200 W.) among its sites for further review. This site has numerous geologic and environmental concerns, including potential flooding, impacts on wetlands, endangered species and wildlife, and cost of sewer and water and road access infrastructure. The PRC will meet on Friday, February 6 to review the progress made on site selection. Contact PRC members to let oppose the Airport West location:

[Sen. Jerry W. Stevenson \(R\)](#), Chair [Mr. Ron Gordon](#)

[Rep. Brad R. Wilson \(R\)](#), Chair

[Rep. Eric K. Hutchings \(R\)](#)

[Sen. Evan J. Vickers \(R\)](#)

[Rep. Mark A. Wheatley \(D\)](#)

[Mr. Rollin Cook](#)

[Sen. Karen Mayne \(D\)](#)

Mark your calendars for a big rally against the "Public Lands Gamble" on Monday, March 2, 4:30-6:00 pm at the Capitol Rotunda. Say NO to the Utah "take over" of our federal public lands!

## **News of the First Week (# One)**

Word around the Hill is that we may be headed for a record number of bills this Session. Only four hours were spent on the floors of the House and Senate voting on bills (mostly those that received endorsements from Interim Committees). The plan for week 2 is also for just one hour of floor time a day, so it's possible we'll see a logjam of legislation in the next couple of weeks.

There's been no progress yet on any of the big issues facing this Session – Medicaid expansion (Healthy Utah), gas or other taxes for transportation (or water), or prison relocation and criminal justice reform, though antidiscrimination got a boost from the LDS Church.

### **Budget News**

The only significant budget news if week one was the party-line vote of the Legislative Management Committee to approve spending \$2 million to issue a request for proposals to law firms to help the state come up with novel new legal theories to get the federal courts to cede the public lands to the State of Utah and to provide “relations services” (i.e. lobbying) Congress to enact legislation to accomplish the land grab.

Appropriations Subcommittees spend the week in a largely symbolic exercise, looking at how each Department in state government could cut 2% below last year's base budget. Because the state has a “surplus” of over \$600 million, no such actual cuts are expected. Executive Appropriations

will meet on 2/5 and 26 to adopt the 2016 Base Budget (SB 5).

The Division of Forestry, Fire and State Lands has several important requests for new funding that are supported by the Governor's Budget. These include money for marina dredging on the Great Salt Lake (\$1 m.) and Utah Lake (\$500,000), Phragmites removal on the GSL (\$300,000), Spatial Data for the Wetlands on the GSL (\$240,000), \$12,000 for salinity sampling relating to the GSL RR Causeway breach, and \$100,000 toward a baseline assessment for the Bear River Comprehensive Management Plan. Unfortunately, the Governor did not support \$100,000 for a Water Specialist to staff the GSL Advisory Council.

There are a number of requests for appropriations related to Air Quality, including \$750,000 for on-going air quality research, funding for 3 new employees in the Air Quality Minor Source Compliance Program, and \$1.35 million for transit passes for state employees.

Lastly, the Division of Wildlife Resources is seeking \$2.5 million for a new building to replace the Farmington Bay Nature Center.

### **What's Ahead**

Appropriations Committees will begin review of budget “building blocks” in the middle of week 2.

## Rules Committees

### Senate Rules Committee:

Sen. Kevin Van Tassell, Chair [kvantassell@le.utah.gov](mailto:kvantassell@le.utah.gov)  
Sen. Deidre Henderson [dhenderson@le.utah.gov](mailto:dhenderson@le.utah.gov)  
Sen. Mark Madsen [mmadsen@le.utah.gov](mailto:mmadsen@le.utah.gov)  
Sen. Karen Mayne [kmayne@le.utah.gov](mailto:kmayne@le.utah.gov)  
Sen. Jim Dabakis [jdabakis@le.utah.gov](mailto:jdabakis@le.utah.gov)  
Sen. Pete Knudson [pknudson@le.utah.gov](mailto:pknudson@le.utah.gov)  
Sen. Todd Weiler, Vice-Chair [tweiler@le.utah.gov](mailto:tweiler@le.utah.gov)  
Sen. David Hinkins [dhinkins@le.utah.gov](mailto:dhinkins@le.utah.gov)  
Sen. Steve Urquhart [surquhart@le.utah.gov](mailto:surquhart@le.utah.gov)

### House Rules Committee:

Rep. Mike Noel, Chair [mikenoel@le.utah.gov](mailto:mikenoel@le.utah.gov)  
Rep. Jon Cox, Vice-Chair [jcox@le.utah.gov](mailto:jcox@le.utah.gov)  
Rep. Jake Anderegg [janderegg@le.utah.gov](mailto:janderegg@le.utah.gov)  
Rep. Gage Froerer [gfroerer@le.utah.gov](mailto:gfroerer@le.utah.gov)  
Rep. Brad King [bradking@le.utah.gov](mailto:bradking@le.utah.gov)  
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Rep. Carol Spackman-Moss [csmoss@le.utah.gov](mailto:csmoss@le.utah.gov)  
Rep. Mike Schultz [mikeschultz@le.utah.gov](mailto:mikeschultz@le.utah.gov)

## BILL TRACKING LIST

Priority Code: 1=High; 2=Medium; 3=Low

<b>Bill</b>	<b>Sponsor</b>	<b>Description/Status</b>	<b>Priority</b>	<b>Position</b>
HB 15 Clean Fuel Amendments and Rebates	Rep. Handy	Allows a person who converts a motor vehicle to alternative fuel to receive a grant of 50% of the cost of conversion up to \$2,500. In House Natural Resources, Agriculture and Environment Standing Committee.	2	Support
Substitute HB 17 Motor Vehicle Emissions	Rep. Perry	Amends the visible contaminant standard for certain diesel engines and sets fines of \$50 for a first violation and \$100 for a second violation within 3 years. In House Rules.	3	Support
HB 25 Water Law – Applications Revisions	Rep. Snow	Authorizes the State Engineer to determine whether a change application would impair another water right. Places upon the applicant the burden of proof that the proposed change will not result in a quantity impairment. In House Rules Committee.	2	Support
Substitute HB 31 Natural Gas Amendments	Rep. Handy	Increases civil penalties for violations of rules and orders pertaining to intrastate pipeline transmission and requires an inspection plan. Passed House 50-20-3 on 1/27. On Senate 2 <sup>nd</sup> Reading Calendar.	3	Support
HB 43 Water Rights - Change Application Amendments	Rep. McIff	Modifies the procedures for a change application filed on water rights held by water companies (shareholder change applications). Requires affected parties to mediate issues before administrative review or litigation. In House Rules.	2	Support
HB 44 Surface Leases Procedure Amendments	Rep. McKell	Prohibits a lease to construct a highway over sovereign lakebed lands (Utah Lake). In House NRAE.	1	Support

HB 47 Protection of Water Rights	Rep. McIff	Limits the public trust obligations and declares certain water rights as private property rights protected by the Utah Constitution. In House Rules.	1	Oppose
Substitute HB 49 Clean Fuel School Buses and Infrastructure	Rep. Handy	Provides a one-time appropriation of \$20 million for replacing or retrofitting older, high-emissions school buses with new clean fuel buses or engines. On House 3 <sup>rd</sup> Reading Calendar.	2	Support
HB 58 Water Law – Change Application Amendments	Rep. Grover	Requires that a person applying for a change to a water right be a holder of an approved but unperfected water right, an owner of a perfected water right, or a shareholder in a water company. In House Rules.	3	Support
HB 59 Agriculture Modifications	Rep. McKell	Regulates the killing of feral swine and prohibits the release of swine for hunting purposes. On House 3 <sup>rd</sup> Reading Calendar.	2	Support
HB 78 Generator Site Access Permits Amendments	Rep. Dee	Modifies the criteria under which the director of the Department of Environmental Quality may grant a generator of radioactive material a site access permit. Passed House 73-0-2 on 2/2. In Senate Rules.	3	Support
HB 95 Extension of Tax Credits for Energy Efficient Vehicles	Rep. Snow	Extends the credit through 2016. In House Revenue and Taxation Standing Committee.	2	Support
HB 102 Agriculture Tourism	Rep. Perry	States that a participant in an agriculture tourism activity may not make a claim against or recover damages from an operator for injury resulting from inherent risk or failure to exercise reasonable care. In House NRAE.	3	Studying
HB 108 Public Waters Access Act	Rep. Pitcher	Allows public access to waters and streams at or below the ordinary high water mark for boating, fishing, swimming, and wading. Allows reasonable portage across private	1	Support

		property to avoid obstructions in the waterway. In House Rules.		
HB 110 Motor Vehicle Emissions Amendments	Rep. Arent	Provides authority to the Division of Motor Vehicles to revoke a vehicle's registration if the vehicle is not in compliance with air emissions standards. In House Transportation Standing Committee.	2	Support
HB 132 Interstate Compact on Public Lands Transfers	Rep. Stratton	Adds financing provisions to the Interstate Compact. In House NRAE.	2	Oppose
HB 140 Sovereign Lands Around Bear Lake	Rep. Webb	Modifies requirements of the Division of Forestry, Fire and State Lands to issue permits to launch and retrieve boats on Bear Lake. In House NRAE.	3	Studying
HB 161 Utah Revised Non Profit Corporation Amendments	Rep. McIff	Allows for the transfer of water shares in a mutual benefit corporation. In House Rules.	3	Studying
HB 169 Home Energy Rating Index Score Disclosure	Rep. Powell	Requires that new residential buildings have a home energy efficiency score available for the buyer. In House Rules.	3	Support
HB 196 Wildfire Mitigation Amendments	Rep. Briscoe	Provides a tax credit for wildfire mitigation efforts by land owners. In House Rules.	3	Support
Tire Fee Amendments	Rep. Chavez-Houck	Increases the tire recycling fee to raise \$1.5 million to fund the Division of Air Quality CARROT program (Clean Air Retrofit, Replacement and Off-Road Technology).		
	Rep. Edwards	Allows the Division of Air Quality to establish different fees for different pollutants.		

	Rep. Edwards	Allows Utah to create state-specific rules to achieve EPA air quality standards.		
Amendments to Powers and Duties of State Parks	Rep. Powell	No text yet.		
Clean Air Amendments	Rep. Cutler	No text yet.		
Wild Horse and Burro Stewardship Act	Rep. McKell	No text yet.		
Concurrent Resolution on Carbon Sequestration on Rangelands	Rep. Noel	No text yet.		
Fishing License Amendments	Rep. Cutler	No text yet.		
Public Roads Amendments	Rep. McCay	No text yet.		
Little Sahara State Park Designation	Rep. Eliason	No text yet.		
Off-Highway Husbandry Vehicle Amendments	Rep. Sandalld	No text yet.		
Legislative Approval of Land Transfers	Rep. Stratton	No text yet.		
SITLA Amendments	Rep. Cunningham	No text yet.		
Water Conveyance	Rep. Moss	No text yet.		

Facilities Amendments				
Wildlife Interface Zone Amendments	Rep. Briscoe	No text yet.		
Wildlife Amendments	Rep. Schultz	No text yet.		
Operating Permit Amendments	Rep. Arent	No text yet.		
Predator Control Amendments	Rep. Handy	No text yet.		
Tax Incentives for Alternative Fuel Trucks	Rep. Handy	Applies government-backed incentives for the purchase of large commercial/industrial use trucks.		
Motor Vehicle Registration Fee Amendments	Rep. Anderson	Allows an additional registration fee for electric vehicles to fund additional charging stations.		
	Rep. Anderson	Transit funding.		
Vapor Recovery Amendments	Rep. Eliason	Provides criminal penalties and fines for truck drivers who don not capture vapors from underground tanks when refilling them.		
HJR 3 Joint Resolution for a Constitutional Convention	Rep. Nelson	Joint Resolution Calling for a Constitutional Convention of the States for the Sole Purpose of Proposing a Countermand Amendment to the U.S. Constitution. In House Judiciary Standing Committee.	2	Oppose
SB13 Income Tax Amendments	Sen. Henderson	Eliminates certain income tax credits, including the Non-Game Wildlife Check-Off, due to underuse. We will try to restore the check-off next legislative session. Passed Senate Revenue & Taxation Standing Committee, on	2	Neutral



		Senate 2 <sup>nd</sup> Reading Calendar.		
SB 14 Renewable Energy Tax Credit Amendments	Sen. Okerlund	Clarifies eligibility for renewable energy tax credits. On Senate 2 <sup>nd</sup>	2	Support
SB 15 Water Law – Forfeiture Exemptions	Sen. Dayton	Clarifies that forfeiture of water provisions to not apply to non-use while that water right is subject to an approved change application where the applicant it pursuing certification. Passed Senate 28-0-1 on 1/27. In House Rules.	3	Support
SB 35 Water Rights Amendments	Sen. Dayton	Requires that a person applying for a change to a water right be a holder of an approved but unperfected water right, an owner of a perfected water right, or a shareholder in a water company. On Senate 2 <sup>nd</sup> Reading Calendar.	3	Support
SB 40 Water Law – Application Withdrawal	Sen. Dayton	Requires that a person who wishes to withdraw an unperfected application to send a written notice to the State Engineer. On Senate 2 <sup>nd</sup> Reading Calendar.	3	Support
SB 45 Crossbow Hunting Provisions	Sen. Jenkins	Allows use of a crossbow during an archery hunt. On Senate 2 <sup>nd</sup> Reading Calendar.	3	Neutral
SB 48 Evaluation of Federal Lands	Sen. Osmund	Directs the State Tax Commission to determine the property valuation of all federal land in Utah and the property tax revenues that would be generated if those lands were privately owned. In Senate Revenue and Tax.	3	Oppose
SB 49 Bear Lake Sovereign Lands Amendments	Sen. Iwamoto	Amends provisions related to launching and retrieving a boat on Bear Lake. In Senate NRAE.	3	Studying
SB56 Wildland Fire Policy	Sen. Vickers	Requires the director of the Division of Forestry, Fire and State Lands to coordinate a statewide wildland fire policy. On 2 <sup>nd</sup> Reading Calendar.	2	Support

SB 66 Unauthorized Activity on State Lands	Sen. Dayton	Prohibits campfires on the bed of a navigable lake or river, prohibits obstructing a public entry onto state land where it is authorized. On Senate Consent Calendar.		
SB 69 Clean-burning fuel for Motor Pools	Sen. Jenkins	Requires at least half of all new or replacement motor vehicles owned by government entities are alternative-fuel or high-efficiency vehicles by 8/30/19. In Senate Government Operations Committee.	2	Support
SB 87 Environmental Protection Amendments	Sen. Davis	Repeals provisions prohibiting the Division of Air Quality from adopting pollution rules that more stringent than the federal rules. In Senate Rules.	1	Support
SB 89 Aquatic Invasive Species Fee	Sen. Jenkins	Imposes a fee on certain boats to be used for invasive species interdiction. In Senate Rules.	3	Support
SB 105 Public Lands Act Amendments	Sen. Dabakis	Requires the Attorney General to file a petition in federal court by June 30, 2015, demanding a determination on the issue of ownership of public lands.	2	Support
SB 126 Water Amendments	Sen. Dayton	Requires the State Engineer to consider whether an application is detrimental to the public welfare.	1	Studying
Clean Fuel Tax Exemptions for Motorcycles	Sen. Dayton	No text yet.		
Quagga Mussel Prevention	Sen. Jenkins	No text yet.		
	Sen. Escamilla	Increases air quality regulations and penalties for unlawful incineration.		
SJR 7 Joint Resolution on Wild Horses and Burros	Sen. Vickers	Urges Congress to create a process for transferring to Utah authority to protect and manage wild horses and burros within its borders.	3	Studying

## Important Dates

- January 26 **First day of session**
- February 5 Last day to request bills (by noon)  
Last day to approve bills for numbering (by noon)
- February 28 Last day for legislators to prioritize bills and other programs with fiscal impact
- March 6 Last day for the Executive Appropriations Committee to complete all budget decisions necessary to draft the final appropriations bills
- March 9 Bonding bill available to legislators by noon and final action taken on it by calendared closing time.  
Last day to pass bills with fiscal note of \$10,000 or more  
Last day for a motion to reconsider previous actions  
Last day to consider bills from own house
- March 11 General appropriations bill, supplemental appropriations bill, and school finance bill available to legislators by calendared floor time and final action taken on each bill by calendared closing time
- March 12 Second supplemental appropriations bill available to legislators by calendared floor time and final action taken by noon
- Last day of session**
- April 1 Last day governor may sign or veto bills
- May 11 Last day a veto-override session may begin
- May 12 Normal effective date for bills  
First day to file bills for the 2014 General Session

**Executive Appropriations Committee**

Sen. Lyle Hillyard, Co-Chair [lhillyard@le.utah.gov](mailto:lhillyard@le.utah.gov)  
 Rep. Dean Sanpei, Co-Chair [dsanpei@le.utah.gov](mailto:dsanpei@le.utah.gov)  
 Sen. Jerry Stevenson, Vice Chair [jwstevenson@le.utah.gov](mailto:jwstevenson@le.utah.gov)  
 Rep. Brad Dee, Vice Chair [bdee@le.utah.gov](mailto:bdee@le.utah.gov)  
 Sen. Stuart Adams [jsadams@le.utah.gov](mailto:jsadams@le.utah.gov)  
 Rep. Brad Wilson [bradwilson@le.utah.gov](mailto:bradwilson@le.utah.gov)  
 Rep. Greg Hughes [greghughes@le.utah.gov](mailto:greghughes@le.utah.gov)  
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 Sen. Wayne Niederhauser [wniederhauser@le.utah.gov](mailto:wniederhauser@le.utah.gov)  
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 Sen. Jim Dabakis [jdabakis@le.utah.gov](mailto:jdabakis@le.utah.gov)  
 Sen. Ralph Okerlund [rokerlund@le.utah.gov](mailto:rokerlund@le.utah.gov)

**Senate Natural Resources, Agriculture and Environment Standing Committee**

Sen. Scott Jenkins, Chair [sjenkins@le.utah.gov](mailto:sjenkins@le.utah.gov)  
 Sen. Allen Christensen [achristensen@le.utah.gov](mailto:achristensen@le.utah.gov)  
 Sen. Ralph Okerlund [rockerlund@le.utah.gov](mailto:rockerlund@le.utah.gov)  
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 Sen. Evan Vickers [evickers@le.utah.gov](mailto:evickers@le.utah.gov)  
 Sen. Margaret Dayton [mdayton@le.utah.gov](mailto:mdayton@le.utah.gov)  
 Sen. Jani Iwamoto [jiwamoto@le.utah.gov](mailto:jiwamoto@le.utah.gov)

**Natural Resources, Agriculture and Environmental Quality Appropriations Subcommittee**

Sen. David Hinkins, Co-Chair [dhinkins@le.utah.gov](mailto:dhinkins@le.utah.gov)  
 Rep. Mike McKell, Co-Chair [mmckell@le.utah.gov](mailto:mmckell@le.utah.gov)  
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**House Natural Resources, Agriculture and Environmental Quality Standing Committee**

Rep. Lee Perry, Chair [leeperry@le.utah.gov](mailto:leeperry@le.utah.gov)  
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House NRAE Standing (cont.)

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Rep. Mike Schultz

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