

# UTAH CONSERVATION COMMUNITY

## LEGISLATIVE UPDATE

2016 General Legislative Session

Issue #6

March 6, 2016

### Welcome to the 2016 Legislative Update

This issue includes highlights of week six, 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!

SB 80, the Bear River development and Lake Powell pipeline funding bill, will be debated in the House this week. This is our last chance to stop funding for these unnecessary and destructive water development boondoggles. Contact House members and urge them to oppose SB 80!!

Substitute SB 110, Water Quality Amendments, will be heard in the House NRAE Committee on Tuesday morning. Ask House members to Vote NO on this bill.

SB 246 would spend \$53 million in sales tax dollars on a dubious venture in Oakland, CA that would construct facilities to ship commodities overseas to China and elsewhere. Utah leaders will pay to get a piece of the action so that coal from Carbon and Emery Counties could be transported to the coast and exported. Opposition in California is fierce, and there's no guarantee this venture will succeed. Tell your legislators that you oppose this funding and want them to Vote No on SB 246!

## **News of the Sixth Week (Week # 6)**

SB 80 - Water Infrastructure Fund – stayed circled on the House 3<sup>rd</sup> Reading Calendar all week. We still expect floor amendments to the bill as the proponents work to get enough votes to pass it. Opponents have been lobbying House members, too. It's likely to pass, but with less money earmarked to the LPP/Bear River development fund. Sen. Adams felt compelled to offer a process to make the use of these funds more transparent and accountable (see SB 251 in the bill tracker, below), but conservationists were not impressed.

SB 115, Rocky Mountain Power's STEP proposal, passed the Senate and is now in House Rules. Despite some concessions and compromises, the coalition of solar, conservation, manufacturing, and low-income advocacy groups is still working to alter or defeat the bill.

SB 110, Water Quality Amendments (Hinkins), was altered significantly to make the peer review process part of the public process, and allow for public scrutiny after the peer review scientists issue their findings and recommendations. It is now in the House. We still oppose it, but less urgently.

The worst news of the week was the emergence of yet another bad Adams' bill, SB 246. See the bill tracker and the Alert sections for more information.

### **Budget News**

Legislative staff is finalizing several must pass budget bills over the weekend. These include changes to base budgets

adopted earlier in the Session, as well as the current and new year supplemental appropriations. EAC will meet again Wednesday to make last minute adjustments. Legislators will be jockeying to win approval for their bills with fiscal notes to be included in the "bill of bills" that concludes the budget actions for the Session.

Some items of interest funded: \$1.2 for the Jordan River "last bridge project"; \$1.5 m. to cover a serious shortfall in revenue to the Utah Geologic Survey; \$1.2 m. for new equipment and locations for Air Quality monitoring, but no money for updated/replacement equipment; and \$1 m. added back to water conservation efforts. Unfortunately, \$1 m. was earmarked to efforts to prevent sage grouse, and another \$400,000 was appropriated to extend the lobbying contract against wolves. As unnecessary and grating as those two expenditures may be, more outrageous is \$21.5 million in one-time state taxpayer dollars going to pay for a new data center for the Air Force at Falcon Hill – a federal building!!!

### **What's Ahead**

The final week of the Session! Officially, it must end by midnight Thursday. Committees will meet Monday and Tuesday only in the mornings and afternoons. Floor time expands on Monday and Tuesday, and then it's all floor time all the time to the finish. The parties in both chambers will caucus during the lunch hours (12:00 to 2:00) each day.

Bills may get sent back to Rules Committees after Tuesday for prioritization (sifting), and bills with fiscal notes will be held or circled until it's decided whether they will be funded in the bill of bills.

## 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 Revenue and Taxation Committee:

Rep. Dan McCay, Chair [dmccay@le.utah.gov](mailto:dmccay@le.utah.gov)  
Rep. Jeremy Peterson, Vice-Chair [jpeterson@le.utah.gov](mailto:jpeterson@le.utah.gov)  
Rep. Joel Briscoe [jbriscoe@le.utah.gov](mailto:jbriscoe@le.utah.gov)  
Rep. Rich Cunningham [rcunningham@le.utah.gov](mailto:rcunningham@le.utah.gov)  
Rep. Gage Froerer [gfroerer@le.utah.gov](mailto:gfroerer@le.utah.gov)  
Rep. Brian Greene [bgreene@le.utah.gov](mailto:bgreene@le.utah.gov)  
Rep. Eric Hutchings [ehutchings@le.utah.gov](mailto:ehutchings@le.utah.gov)

### House Rules Committee:

Rep. Mike Noel, Chair [mikenoel@le.utah.gov](mailto:mikenoel@le.utah.gov)  
Rep. John Knotwell, Vice-Chair [jknotwell@le.utah.gov](mailto:jknotwell@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)  
Rep. Jon Stanard [jstanard@le.utah.gov](mailto:jstanard@le.utah.gov)  
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)

Rep. Ken Ivory [kivory@le.utah.gov](mailto:kivory@le.utah.gov)  
Rep. Brian King [briansking@le.utah.gov](mailto:briansking@le.utah.gov)  
Rep. John Knotwell [jknotwell@le.utah.gov](mailto:jknotwell@le.utah.gov)  
Rep. Mike McKell [mmckell@le.utah.gov](mailto:mmckell@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>
<a href="#">HB 5</a> Natural Resources, Agriculture and Environmental Quality Base Budget	Rep. McKell	Appropriates funds for the operation of these agencies for FY 2017. The base budget will be augmented in separate legislation later in the Session. Passed House and Senate.	3	Support
<a href="#">HB 52 Sub</a> Office of Outdoor Recreation Amendments	Rep. Arent	Modifies provisions of the Utah Office of Outdoor Recreation, creates an Outdoor Recreation Infrastructure Grant Program, and grants the Office rule-making authority. Passed House. Passed Senate 25-0-4 on 3/2. Tabled on House 3 <sup>rd</sup> Reading Calendar due to \$5 m. Fiscal Note.	3	Support
<a href="#">HB 82</a> Property Tax Authority for Public Water Providers	Rep. Powell	Modifies the maximum property tax rate that the water districts served by Colorado River water and cuts that rate in half by 2021. This would force the districts to make up this decrease with higher water rates. In House Revenue and Taxation Standing Committee.	1	Support
<a href="#">HB 84 Sub</a> Wildlife Amendments	Rep. McIff	States that a license, permit, tag, or certificate issues by the Division of Wildlife Resources is a privilege, not a right. Passed House. Passed Senate.	2	Support
<a href="#">HB 87 3<sup>rd</sup> Sub</a> Clean Fuel Conversion Amendments	Rep. Handy	Creates the Conversion to Alternative Fuels Grant Program Fund, authorizing DEQ to make grants to persons who install conversion equipment to an eligible vehicle. Also extends the tax credit for energy efficient vehicles. Passed House. Passed Senate 2 <sup>nd</sup> Reading 16-4-9 on 2/24. Tabled on Senate 3 <sup>rd</sup> Reading Calendar due to \$500,000 Fiscal Note of one-time General Funds.	2	Support

<a href="#">HB 121</a> Building Code Amendments	Rep. Edwards	Updates the State Construction Code. In House Rules.	3	Support
<a href="#">HB 130</a> Electric Vehicle Infrastructure Amendments	Rep. Arent	Authorizes an interlocal entity and other government entities to issue bonds for electric vehicle charging infrastructure. Passed House. Passed Senate Transportation and Public Utilities Committee 3-0-3 on 3/4. On Senate 2 <sup>nd</sup> Reading Calendar.	3	Support
<a href="#">HB 134</a> State Work of Art	Rep. Edwards	Designates the Spiral Jetty as the state work of art. Passed House. Passed Senate Economic Development and Workforce Services Committee 4-0-3 on 3/4. On Senate 2 <sup>nd</sup> Reading Calendar.	3	Support
<a href="#">HB 135</a> Sub State Parks Fees Amendments	Rep. Hemingway	Provides free admission to state parks for veterans with 50% or more disabilities. Passed House. Passed Senate.	3	Support
<a href="#">HB 169</a> Sub - Little Sahara State Park Designation	Rep. Eliason	Substitute authorizes the Division of Parks and Recreation to enter into an agreement with the BLM to acquire Little Sahara and would designate the Rockwell Outstanding Natural Area as the Bill Orton State Wilderness Area. Passed House. On Senate 2 <sup>nd</sup> Reading Calendar.	2	Neutral
<a href="#">HB 213</a> Agriculture Modifications	Rep. Sandall	Amends composition of certain agricultural boards and commissions. Passed House. Passed Senate 21-0-8 on 3/3.	3	Neutral
<a href="#">HB 218</a> Utah Revised Nonprofit Corporation Act	Rep. McIff	Allows for the transfer of water shares in a mutual benefit corporation and clarifies the property rights of a member of a nonprofit corporation. In House NRAE.	3	Neutral

<a href="#">HB 219</a> Resource Management Planning	Rep. Stratton	Modifies requirements for a county resource plan and provides that the Commission on the Stewardship of Public Lands can pay counties for up to \$25,000 or half of the cost of completing the plan, under certain circumstances. Passed House 67-0-8 on 3/1. In Senate NRAE.	2	Oppose
<a href="#">HB 232</a> Scenic Byway Amendments	Rep. Noel	Requires segmentation of a Scenic Byway if requested by an adjacent property owner and the legislative body of the local government to allow billboards or other development. Passed House. On Senate 2nd Reading Calendar.	3	Oppose
<a href="#">HB 237</a> Income Tax Contribution for Clean Air	Rep. Arent	Creates an income tax check-off to contribute to a Clean Air Fund. Passed House Revenue and Taxation Committee 12-0-1 on 2/18. Passed House. Passed Senate Revenue and Taxation Committee 5-0-2 on 3/2. On Senate Consent Calendar.	3	Support
<a href="#">HB 242</a> 2 <sup>nd</sup> Sub. Alternative Energy Development Tax Amendments	Rep. Handy	Modifies an exemption from sales tax related to alternative energy. Passed House Revenue and Taxation Standing Committee 8-3-2 on 2/29. Circled on House 3 <sup>rd</sup> Reading Calendar.	3	Support
<a href="#">HB 244</a> Independent Energy Producers Amendments	Rep. Gibson	Exempts from authority of the Public Service Commission an independent energy producer (Vivint) that provides electricity to a customer in a net metering program in an area served by an electric corporation (Rocky Mt. Power) with more than 200,000 customers. Passed House. Passed Senate 28-0-1 on 3/3.	2	Support

<a href="#">HB 250</a> Air Quality Amendments	Rep. Redd	Requires the Air Quality Board to make rules regarding nitrogen oxide (NOX) limits for natural gas-fired water heaters and prohibits the sale or purchase of a water heater that exceeds limits set by the AQ Board. Passed House 39-25-11 on 3/1. Will be heard in Senate NRAE on 3/7.	2	Support
<a href="#">HB 253</a> Public Trust Amendments	Rep. Hawkes	Creates a presumption that when the State Engineer approves an application for a water right or change application, that approval is made with due regard to and in full compliance with the state's public trust obligation. In House Rules.	1	Oppose
<a href="#">HB 256</a> Net Metering of Electricity Amendments	Rep. Cox	Requires an electric corporation to pay cash to customers who produce electricity if they prefer that to credit toward their electric power bills. Caps an interconnection fee at \$2 per month. In House Rules.	2	Oppose unless amended
<a href="#">HB 257</a> Water Funding Revisions	Rep. Perry	This House version is identical to SB 80. It would shift the 1/16 cent sales tax now earmarked for roads to water infrastructure (Lake Powell pipeline and Bear River dam/diversion project). In House NRAE.	1	Oppose
<a href="#">HB 261</a> Wood Burning Stoves	Rep. Cox	Permits a person to transfer, sell, supply, or install a wood burning stove that is not certified by the EPA if it is accordance with the federal Clean Air Act. In House Rules.	2	Oppose
<a href="#">HB 270</a> Constitutional Defense Fund Restricted Account Amendments	Rep. Noel	Provides that the Attorney General's Office or any other state or local government entity may bring an action to establish the right of a state or local government official to enter on to federal land or road when acting in his or her official capacity to protect the health, safety or welfare of a citizen of the state. Passed House. On Senate Consent Calendar.	3	Oppose

<a href="#">HB 276</a> Utah Public Lands Management Act	Rep. Noel	Creates the Division of Land Management within the Department of Natural Resources and an administrative framework for management, planning, and financing state ownership of public lands to be put in place upon receiving title to federal public lands. Establishes the Public Land Protection Fund, Public Land Management Fund, Timber Fund, and Grazing Land Fund, and a procedure for issuing a right-of-way on public land. Passed House. On Senate Consent Calendar.	2	Oppose
<a href="#">3<sup>rd</sup> Sub HB 284</a> Injured or Crippled Wildlife Amendments	Rep. Liffert	Substitute is a major improvement, limiting the circumstances in which a person may humanely kill an injured animal and claim defense to the crime of cruelty to animals for humane destruction of an animal injured in a motor vehicle accident. Held in House NRAE.	3	Studying
<a href="#">HB 287</a> Sub Commission for the Stewardship of Public Lands and Private Donations for Public Lands Litigation	Rep. Christofferson	Creates the Public Lands Litigation Account, establishes its purposes and uses, and allows for contributions to the Account for litigation related to the public lands. The Substitute provides more control and accountability for the use of funds. Passed House. Passed Senate NRAE Committee 4-1-2 on 3/1. On Senate 2 <sup>nd</sup> Reading Calendar.	2	Oppose
<a href="#">HB 305</a> 2 Sub - Water Rights and Resources Amendments	Rep. Briscoe	Substitute authorizes the Divisions of Water Rights to collect and verify water use and supply data, and requires DWRe to validate the accuracy of water use data reported by public water suppliers. Passed House 67-0-8 on 2/29. On Senate 2 <sup>nd</sup> Reading Calendar.	2	Support
<a href="#">HB 309</a> Sales and Use Tax Earmark Amendments	Rep. McCay	Repeals sales tax earmarks to water and wildlife projects and programs, including earmarks that could finance the Lake Powell pipeline and Bear River development. Would restore \$38+ million annually to the General Fund.	1	Support



		In House Revenue and Taxation Standing Committee.		
<a href="#">6th Sub. HB 316</a> Building Code Review and Adoption Amendments	Rep. Wilson	Pushes back the adoption of up-dated building codes that would incorporate new technologies that would improve air quality and produce consumer savings from energy efficiencies from 3 to 9 years. Passed House. On Senate 2 <sup>nd</sup> Reading Calendar.	1	Oppose
<a href="#">HB 327</a> Energy Tax Credit Amendments	Rep. Peterson	Reduces the tax credit for residential and commercial solar over time and repeals the credit on 1/1/2021. Returned to House Rules.	2	Oppose
<a href="#">HB 348</a> Mountainous Planning District Amendments	Rep. Dee	Removes the repeal date relating to mountainous planning districts. Passed House 68-6-1 on 3/3. In Senate Government Operations and Political Subdivisions Committee.	2	Support
<a href="#">HB 356</a> Taxation of Solar Energy Devices	Rep. Knotwell	Creates a sales tax exemption for solar energy machinery, equipment, parts, and materials for residential solar. Will reduce General Fund revenue by \$500,000/year. Passed House Revenue and Taxation Standing Committee 10-3 on 2/29. Circled on House 3 <sup>rd</sup> Reading Calendar.	3	Studying
<a href="#">HB 361</a> Air Quality Modifications	Rep. Cox	Requires the Air Quality Board to make rules regarding nitrogen oxide limits for a natural gas-fired water heater by 1/1/17 and prohibits the sale of water heaters that exceed those limits after 6/30/18. In House Rules.	2	Support
<a href="#">HB 363</a> Grazing Zone Amendments	Rep. Noel	Adds lands in Beaver County to the Utah Grazing Agricultural Zones. Passed House. Passed Senate 21-0-8 on 3/4.	3	Neutral
<a href="#">HB 367</a> National Forest Road Obstructions	Rep. Noel	Allows a County Sheriff to remove road obstructions under certain circumstances on roads in the Dixie National Forest in Kane, Garfield, Iron, and Wayne Counties.	3	Studying

		Passed House 58-11-6 on 3/1. In Senate NRAE.		
<a href="#">HB 372</a> Sub - Refiner and Importer Reporting Provisions	Rep. Ward	Requires that a refiner or importer of gasoline report annually to the Natural Resources, Agriculture and Environment Interim Committee on progress in implementing Tier III sulfur standards. Substitute bill requires DAQ interim report.	2	Support
<a href="#">HB 385</a> Petroleum Vapor Recovery Amendments	Rep. Eliason	Requires an operator of a gasoline cargo tank with a capacity of 250 gallons or more to control emission of vapors, and sets fines. Passed House Public Utilities and Transportation Committee 9-0-2 on 2/29. On House 2 <sup>nd</sup> Reading Calendar.	3	Support
<a href="#">HB 413</a> Falconry Amendments	Rep. J. Peterson	Prohibits a local government from enacting an ordinance that limits a registered falconer from keeping a raptor at the falconer's residence. In House NRAE.	3	Support
<a href="#">HB 418</a> Local Incentives for Energy Efficient Buildings	Rep. Edwards	Allows local governments to establish zoning district regulations for buildings that meet Energy Star home energy ratings of 85 or higher and commercial buildings that meet LEED standards. Allows local government to offer higher densities and other incentives, including expedited review and permitting processes for buildings meeting these standards. In House Business and Labor Committee on Monday, 3/7 at 10 AM in Capitol 445.	2	Support
<a href="#">HB 430</a> Hole in the Rock State Park Designation	Rep. Stratton	Authorizes the Division of Parks and Recreation to enter into an agreement with the U.S. BLM and National Park Service to acquire the Hole in the Rock area as a State Park. On House Consent Calendar.	3	Studying
<a href="#">HB 451</a> Solar Access Protection Amendments	Rep. Snow	Provides that a community association may not prohibit or unreasonably restrict a lot owner from installing or operating a solar energy system on the owner's lot. In	3	Support

		House Public Utilities and Technology Committee.		
<a href="#">HB 457</a> Water Quality Revisions	Rep. Dee	States that an inadvertent release of water from a publicly owned water system is not considered a discharge of a pollutant. In House Rules.	3	Support
<a href="#">HB 466</a> Renewable Energy Systems Tax Credits	Rep. Handy	Provides a tax credit for a “combined heat and power system”, which includes co-generation of thermal or geothermal energy. Passed House Revenue and Taxation Committee 9-0-4 on $\frac{3}{4}$ . On House 3 <sup>rd</sup> Reading Calendar.	3	Support
<a href="#">HCR 1</a> Concurrent Resolution on Waters of the United States	Rep. Noel	Expresses disapproval of the EPA “Waters of the United States” rule, which was finalized last year. Passed House. Passed Senate.	3	Oppose
<a href="#">HCR 5 Sub</a> Concurrent Resolution on the 100 Year Anniversary of the National Parks	Rep. Fawson	HCR recognizes the anniversary. Passed House. Passed Senate.	3	Support
<a href="#">HCR 8 Sub</a> Concurrent Resolution on the Bonneville Salt Flats International Speedway	Rep. Handy	CR calls attention to the deterioration of the Bonneville Salt Flats and International Speedway and urges the BLM to restore the Speedway to safe high-speed racing conditions. Passed House. Passed Senate.	3	Neutral
<a href="#">HCR 11</a> Concurrent Resolution Encouraging Repayment of Funds Used to Keep National Parks, Monuments and Recreation Areas Open	Rep. Ivory	Urges the Utah congressional delegation to introduce new legislation to reimburse Utah \$1 million not yet repaid for costs incurred during the shut-down of the federal government in 2014. Passed House 67-0-8 on 2/29. On Senate Consent Calendar.	3	Neutral

<a href="#">HCR 13</a> Concurrent Resolution Urging Congress to Support the Implementation of Utah's Sage-Grouse Conservation Plan	Rep. Sandall	CR urges Congress to protect the state's plan and enact legislation recognizing and encouraging state primacy in long-term management of sage-grouse and sage-grouse habitat. Passed House 58-8-9 on 3/2. In Senate NRAE.	3	Studying
<a href="#">HCR 16</a> Concurrent Resolution on Utah Public Lands	Rep. Stratton	Encourages legal action against the United States to obtain control of public land within Utah. On House 3 <sup>rd</sup> Reading Calendar.	3	Oppose
<a href="#">HCR 17</a> Concurrent Resolution Opposing Use of the Antiquities Act	Rep. Stratton	Expresses strong opposition to a new National Monument in Utah and states that the federal land "take over" is unconstitutional and violates the equal sovereignty principle. In House Rules.	3	Oppose
<a href="#">HJR 4</a> Sub Joint Resolution on Water Infrastructure	Rep. McKell	Urges Utah's congressional delegation to secure title transfer of federal Bureau of Reclamation projects and associated water rights for Strawberry Valley, Moon Lake, and Emery County Projects. Passed House. Passed Senate.	3	Studying
<a href="#">HJR 8</a> Joint Resolution Calling for a Convention to Amend the Constitution of the United States	Rep. Ivory	Calls for a Constitutional Convention to amend the U.S. Constitution. Passed House 41-33-1 on 3/1. In Senate Business and Labor Committee.	2	Oppose
<a href="#">HJR 13</a> Joint Resolution on Non-Hazardous Solid Waste	Rep. McKell	Urges DEQ to study the disparate fee structures for commercial and state and/or local government non-hazardous solid waste facilities. In House NRAE.	2	Studying

<a href="#">SB 13</a> State Facilities Energy Efficiency Fund Amendments	Sen. Jenkins	Requires the Building Board to make rules to monitor financial savings from energy efficiency measures made using loans from the State Facility Energy Efficiency Fund. Passed Senate. Passed House.	3	Support
<a href="#">2<sup>nd</sup> Substitute SB 17</a> Revenue and Tax Amendments	Sen. Van Tassell	Changes the formula for calculating the oil and gas severance tax. Will cost the Public Education Fund \$500,000 one-time and \$6.8 million on-going. Passed Senate. Passed House Revenue and Taxation Committee 9-1-2 on 3/3. Returned to House Rules due to Fiscal Note.	3	Oppose
<a href="#">1<sup>st</sup> Substitute SB 23</a> Water Law – Protected Purchaser Amendments	Sen. Dayton	Modifies the definition of a protected purchaser of a share of stock in a water company, requiring that purchaser to show that he or his predecessors in interest have paid assessments on and used that water share for four of the last seven years. Passed Senate. Passed House.	3	Support
<a href="#">SB 28</a> Water System Conservation Pricing	Sen. Jenkins	Requires that retail water providers establish an increasing (progressive) rate structure for culinary water. Passed Senate. Passed House.	2	Support
<a href="#">SB 49</a> Statute of Limitations on Environmental Code Violations	Sen. Escamilla	Extends the statute of limitations for violations from 1 to 2 years. Passed Senate. Passed House.	3	Support
<a href="#">SB 66</a> Environmental Code Fines	Sen. Escamilla	Increases penalties for violations of the Air Conservation Act. Held in Senate NRAE.	2	Support
<a href="#">SB 72</a> SITLA Management Act Amendments	Sen. Dayton	Makes technical changes regarding the withdrawal of State land from public target shooting. Passed Senate. Passed House.	3	Neutral

<a href="#">SB 75</a> Water Rights Adjudication Amendments	Sen. Dayton	Makes several changes to the general adjudication statutes. Passed Senate. Passed House 66-0-9 on 3/2.	3	Studying
<a href="#">SB 80</a> Infrastructure Funding Amendments	Sen. Adams	Would divert an existing 1/16 cent sales tax earmark for transportation to water development – mainly the Lake Powell pipeline and Bear River dam(s) and diversions. This bill would double the existing revenue to the Water Resources Board, about \$35 million per year. Passed Senate. Passed House Revenue and Taxation Standing Committee 7-5-1 on 2/24. Floor amendments or a substitute bill are anticipated. On House 3 <sup>rd</sup> Reading Calendar.	1	Oppose
<a href="#">SB 102</a> High Cost Infrastructure Tax Credit	Sen. Okerlund	Allows a qualifying business to apply to the Utah Energy Infrastructure Board to receive a tax credit for retrofitting a refinery to produce Tier III gasoline, makes other changes to the credit. Passed Senate 23-1-5 on 3/3. In House Public Utilities and Technology Committee.	3	Support
<a href="#">SB 109</a> Sub SITLA Amendments	Sen. Milner	Makes technical changes related to distributions to the Uniform School Fund and creates a Trust Distribution Account. Passed Senate. Passed House Education Committee 13-0-1 on 2/29. On House 3 <sup>rd</sup> Reading Calendar.	3	Neutral
<a href="#">SB 110</a> Sub Water Quality Amendments	Sen. Hinkins	This bill, promoted by the Publicly Owned Water Treatment (sewer) facilities, would establish an independent peer review process for challenges made to proposals from the Division of Water Quality. The Substitute attempts to address EPA concerns that the bill violates provisions of the Clean Water Act, including its restrictions on public input. Conservation organizations will petition EPA to withdraw its delegation of authority (primacy) for Utah to administer the Clean Water Act if	1	Oppose

		the bill passes. Passed Senate 18-2-9 on 2/24. In House Rules due to Fiscal Note of \$40,500.		
<a href="#">SB 115</a> 3 <sup>rd</sup> Substitute Sustainable Transportation and Energy Program	Sen. Adams	Requires the Public Service Commission to authorize Rocky Mountain Power to divert \$10 million in ratepayer funds to a 10 year pilot project to fund various programs that RMP touts will improve air quality. This bill is opposed by a broad coalition of environmental, mining, manufacturing, and independent producers groups. Passed Senate 20-7-2 on 3/4. In House Rules.	1	Oppose
<a href="#">SB 116</a> Water Law – Nonprofit Corporation Amendments	Sen. Bramble	Allows for the transfer of water shares in a mutual benefit corporation and clarifies the property rights of a member of a nonprofit corporation. In Senate Rules.	3	Studying
<a href="#">SB 118</a> Uintah Basin Air Quality Research Project	Sen. Van Tassell	Creates the Uintah Basin Air Quality Research Project and requires it be conducted by the Utah State University Bingham Entrepreneurship and Energy Research Center. Passed Senate. Passed House 67-0-8.	3	Support
2 <sup>nd</sup> Sub <a href="#">SB 122</a> Wildfire Fire Policy Updates	Sen. Vickers	Requires a municipality to abate uncontrolled wildfire within its boundaries in certain circumstances, and authorizes a local government or special district to enter into a cooperative agreement with the Division of Forestry, Fire and State Lands to be eligible for reimbursement of costs of suppression of a catastrophic wildfire. Passed Senate. Passed House NRAE 7-0-6 on 3/4. In House Rules due to Fiscal Note.	3	Support
<a href="#">SB 134</a> Oil and Gas Conservation Account Amendments	Sen. Okerlund	Changes the balance limit in and the amount of money that is transferred to the General Fund from the Oil and Gas Conservation Account. There is no fiscal impact from this bill. Passed Senate. Passed House 69-0-6 on 3/2.	3	Neutral

<a href="#">SB 159</a> Severance Tax Exemption Extension	Sen. Van Tassell	Extends for 10 years the exemption for the state severance tax on oil and gas and for oil and gas produced by coal-to-liquids technology, oil sands and oil shale. Passed Senate. On House 3 <sup>rd</sup> Reading Calendar.	2	Oppose
<a href="#">SB 186</a> Sub - Air Quality Incentives	Sen. Bramble	Authorizes the use of funds from the Industrial Assistance Account to help a company in a non-attainment area to purchase and install best available air quality control technologies. Passed Senate 27-0-1 on 3/1. On House Consent Calendar.	2	Studying
2 <sup>nd</sup> Sub <a href="#">SB 196</a> Retail Bag Impact Reduction Program	Sen. Iwamoto	Creates the Retail Bag Impact Reduction Program and Fund and imposes a fee of 10 cents on single use retail bags. Revenues go into the Fund, which can be used by the Dept. of Environmental Quality and local governments for educating consumers, promoting use of re-usable bags, preventing litter, and encouraging environmental sustainability. On Senate 2 <sup>nd</sup> Reading Calendar.	2	Support
<a href="#">SB 200</a> Compensatory Mitigation Program for Sage Grouse	Sen. Van Tassell	Creates the Sage Grouse Mitigation Program to avoid, minimize, rectify, reduce, or eliminate impacts on sage grouse habitat through conservation and conservation banks. Provides for the administration of the program. Passed Senate 21-0-8. In House NRAE.	2	Studying
<a href="#">SB 231</a> Waste Management Amendments	Sen. Adams	Modifies the Radiation Control Act to define an “unlicensed facility” and establish financial assurance requirements for closure and post-closure care of an unlicensed facility. Passed Senate NRAE on 2/29. On Senate 2 <sup>nd</sup> Reading Calendar.	3	Support



<a href="#">SB 246</a> Sub Funding For Infrastructure Revisions	Sen. Adams	Redirects sales tax revenue earmarked for transportation to the Industrial Assistance Account, and replaces the road funds with Mineral Lease Account funds in order to invest \$53 million in a coal port venture in Oakland, CA. This money shuffle is a means of avoiding legal challenges of the use of Mineral Lease funds for an out-of-state project. Utah coal producers would benefit from participation in a deep water port from which to export coal overseas. Passed Senate NRAE 4-1-1 on 3/2. On Senate 2 <sup>nd</sup> Reading Calendar.	1	Oppose
<a href="#">SB 247</a> Sale of State Land Act	Sen. Davis	Declares that the policy and preference of the state is to lease state lands over selling state lands, and establishes requirements and limitations for the approval of the sale of state land. At request of sponsor, the bill will be sent to Interim Study.	2	Support
<a href="#">SB 251</a> Water Infrastructure Funding Amendments	Sen. Adams	Requires the Board and Division of Water Resources, in conjunction with the State Water Development Commission, to establish new conservation targets, criteria for better water data and data reporting, invite public comment, and set appropriate financing and repayment terms. Passed Senate NRAE 5-0-2 on 3/3. On Senate 2 <sup>nd</sup> Reading Calendar.	2	Support if amended
<a href="#">SCR 1</a> Concurrent Resolution Encouraging Universal Metering of Water Systems	Sen. Jenkins	CR encouraging public water suppliers to meter all retail public and private water systems, including secondary water systems, which encourages voluntary conservation. Passed Senate. Passed House.	2	Support

<p><a href="#">SCR 4</a> Concurrent Resolution - Old Spanish Trail Designation</p>	<p>Sen. Okerlund</p>	<p>Urges the National Park Service to include the Fish Lake Cutoff in the official designation of the Old Spanish Trail. Passed Senate. Passed House 72-0-3 on 2/24.</p>	<p>3</p>	<p>Support</p>
<p><a href="#">SCR 8</a> Concurrent Resolution Approving the Test and Training Range Land Expansion</p>	<p>Sen. Stevenson</p>	<p>Approves exchange of lands proposed in Congress by Senator Orrin Hatch in S. 2383 – Utah Test and Training Range Encroachment Prevention and Temporary Closure Act. Passed Senate 24-0-5 on 2/22. On House Consent Calendar.</p>	<p>1</p>	<p>Oppose</p>

## Important Dates

### January 25 **First day of session**

February 4 Last day to request bills (by noon)

Last day to approve bills for numbering (by noon)

March 4 Last day for the Executive Appropriations Committee to complete all budget decisions necessary to draft the final appropriations bills

March 7 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 8 Last day for legislators to prioritize bills and other programs with fiscal impact

March 8 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 10** Second supplemental appropriations bill available to legislators by calendared floor time and final action taken by noon

### **Last day of session**

March 30 Last day governor may sign or veto bills

May 9 Last day a veto-override session may begin

May 10 Normal effective date for bills

First day to file bills for the 2014 General Session

## Executive Appropriations Committee

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