

UTAH CONSERVATION COMMUNITY

LEGISLATIVE UPDATE

2017 General Legislative Session

Issue #1

January 29, 2017

Welcome to the 2017 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.

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. 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!

Two House Concurrent Resolutions dealing with National Monuments in Utah will be debated on the House floor on Tuesday. HCR 11 urges the President to rescind Bears Ears NM and HCR 12 urges congress to reduce the boundaries of the Grand Staircase-Escalante NM. Contact your Representatives and Senators and urge them to oppose both Resolutions!

HB 11 is another bill on the House Calendar (circled) that we should oppose. It would eliminate the requirements for political balance on 29 different Boards and Commissions, including the Public Service Commission, 3 Department of Environmental Quality Boards, 3 Dept. of Natural Resources Boards, and more! Contact House members to object to this effort to stack important Boards and Commissions.

News of the First Week (Week # 1)

The first week starts out with ceremony, speeches and traditions, and as the week unfolds and the Legislature gets down to business, the top issues begin to emerge. It's clear that increasing education funding – and tax policy changes that could accomplish that - is the prevailing concern.

Action in some arenas like health may be quieter than usual due to uncertainty about the direction of the new Trump Administration. And air quality legislation likely will be less dramatic and impactful, as it becomes more difficult – and more necessary - to produce big results. But it's clear that the Republican-dominated Legislature will be pressing its states' rights, take-back-the-public-lands agenda aggressively.

Budget News

The first week of appropriations subcommittees was spent in reviewing the base budgets for FY 2018 of the various state agencies, hearing from those agencies about their goals, recent progress, and performance measures. The subcommittees also reviewed programs and services where possible reductions in expenditures could be made. (This Update tracks and concentrates upon the Natural Resources, Agriculture and Environment Appropriations Subcommittee, which oversees the budgets for the Departments of Natural Resources, Agriculture, and Environmental Quality.)

The subcommittees will finalize their recommendations for the base budgets and vote upon them at the end of this week. Next week, the base budget bills will be voted on by the full House and Senate, and later appropriations subcommittee meetings will focus on the need for and requests for additions to the base budgets based upon revenue projections.

What's Ahead

Standing Committees will meet more frequently, with meeting running from 2:00 to 4:00 and from 4:00 to 6:00 each day. Bills will begin to accumulate on both House and Senate floor calendars (display boards) as they are approved by Standing Committees. Floor time will continue to run for only an hour each day – from 11:00 to noon.

Executive Appropriations Committee (EAC) is expected to hold its first meeting of the Session and begin its work on the budget toward the end of week two.

Rules Committees

Senate Rules Committee:

Sen. Deidre Henderson dhenderson@le.utah.gov
Sen. Dan Hemmert, Vice Chair dhemmert@le.utah.gov
Sen. Ann Milner amilner@le.utah.gov
Sen. Wayne Harper wharper@le.utah.gov
Sen. Karen Mayne kmayne@le.utah.gov
Sen. Jani Iwamoto jiwamoto@le.utah.gov
Sen. Evan Vickers evickers@le.utah.gov
Sen. Todd Weiler tweiler@le.utah.gov
Sen. David Hinkins dhinkins@le.utah.gov

House Rules Committee:

Rep. Mike Noel, Chair mikenoel@le.utah.gov
Rep. Jon Stanard, Vice-Chair jstanard@le.utah.gov
Rep. Val Peterson vpeterson@le.utah.gov
Rep. Rebecca Chavez-Houck rchouck@le.utah.gov
Rep. Justin Fawson justinfawson@le.utah.gov
Rep. Christine Watkins christinewatkins@le.utah.gov
Rep. Mike Schultz mikeschultz@le.utah.gov
Rep. Carol Spackman-Moss csmoss@le.utah.gov

BILL TRACKING LIST

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

Bill	Sponsor	Description/Status	Priority	Position
HB 11 State Boards and Commissions Amendments	Rep. Thurston	Removes the requirement for balance in the party affiliation for the membership of numerous boards and commissions, including all DEQ boards and several DNR boards. On House 3 rd Reading Calendar.	2	Oppose
HB 23 Income Tax Credit Modifications	Rep. Peterson	Phases out the individual income tax credit for residential solar and other renewable energy systems by \$500 per year until there is zero credit given after 2021. In House Revenue and Taxation Standing Committee.	2	Oppose
HB 29 Energy Efficient Vehicle Tax Credit	Rep. Handy	Extends the income tax credits for the purchase of energy efficient vehicles. In House Rev & Tax Committee.	2	Support
HB 33 Mercury Switch Removal Act Reauthorization	Rep. Perry	Extends the repeal date of the Act until July 2027. Passed House 64-0-11 on 1/23. In Senate Natural Resources, Agriculture and Environmental Quality Committee.	3	Support
HB 48 Wildlife Species Introduction Amendments	Rep. Albrecht	Prohibits release or transplantation of wildlife into the wild without a certificate of registration from the Division of Wildlife Resources and states the conditions that must be met in order to obtain approval. In House NRAE.	3	Support
HB 51 Off-Highway Vehicle Amendments	Rep. Owens	Modifies provisions related to safety requirements and safety courses for use of off-highway vehicles. Passed House Transportation Committee 10-0-2 on 1/26. On House Consent Calendar.	3	Support
HB 63 Hole in the Rock State Park	Rep. Stratton	Authorizes the Division of Parks and Recreation to enter into an agreement with the U.S. BLM and National Park	3	Oppose

Designation		Service to acquire the Hole in the Rock area as a State Park. Passed House 68-4-3 on 1/26.		
HB 65 Air Conservation Act Amendments	Rep. Schultz	States that the Division of Air Quality should allow burning of solid fuel if the primary purpose is to cook food. Opposed by clear air advocates. Passed House NRAE on 1/26. On House 3 rd Reading Calendar.	3	Oppose
HB 67 Wildlife Amendments	Rep. McKell	Prohibits an individual from acquiring or possessing a hunting license or permit unless that person has completed a DWR-approved hunting and fur-harvester education course. Passed House NRAE 9-0-4 on 1/26. On House Consent Calendar.	3	Support
HB 84 Water Law – Nonuse Applications	Rep. Hawkes	Modifies provisions relating to nonuse applications. In House NRAE.	3	Support
HB 85 Quality Growth Commission Amendments	Rep. Froerer	Requires the Quality Growth Commission to provide an annual written report on its activities to the Infrastructure and General Government Appropriations Subcommittee. In House NRAE.	3	Support
HB 95 Little Sahara State Park Designation	Rep. Eliason	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.	2	Neutral
HB 96 Petroleum Vapor Recovery Amendments	Rep. Eliason	Requires the operator of a gasoline cargo tank to meet certain requirements to control vapor emissions, and establishes penalties. In House Business and Labor.	3	Support
HB 115 Solid Waste Revisions	Rep. McKell	Requires the approval of the Director of the Division of Solid Waste of an operating plan for construction or operation of a nonhazardous solid waste facility or site. In House Business and Labor Committee.	3	Support

HB 118 Authority of the State Engineer	Rep. Hawkes	States that the State Engineer shall make rules regarding the duty of water. In House NRAE.	2	Support
HB 134 Emissions Testing Amendments	Rep. Arent	Restricts the authority of a county to exempt motor vehicles from emissions testing requirements. In House Rules.	2	Support
HB 166 School and Institutional Trust Lands Administration Amendments	Rep. J. Moss	Exempts SITLA from Utah Procurement Code and requires the agency to create rules to ensure competitive procurement of goods and services. In House Rules.	3	Studying
HB 180 Water Rights Addendum Amendments	Rep. Wilde	Provides that a transfer or assignment of a water right may include an addendum that the state engineer must consider. In House Rules.	2	Studying
HB 181 State Engineer Fee Applications Amendments	Rep. Wilde	Clarifies that the state engineer shall charge a fee for a nonuse application. In House NRAE.	3	Support
HB 183 Emissions Settlement Amendments	Rep. Hawkes	Establishes the Environmental Mitigation and Response Act and Fund, which may use monies from the Volkswagen settlement and other funds to address contaminants in the environment. In House Rules.	2	Support
HB 203 Open Burning of Yard Waste	Rep. Froerer	States that the Division of Air Quality may not prohibit rural cities and towns from open burning of yard waste under certain circumstances. In House Rules.	3	Studying
HB 207 Federalism Amendments	Rep. Ivory	Modifies the duties of the Commission on Federalism, requires legislators to attend a seminar on federalism, and appropriates \$350,000 in General Funds to the Commission. In House Rules.	3	Oppose
HB 211 State Work of Art	Rep. Edwards	Designates the Spiral Jetty as the State Work of Art. In House Rules.	3	Support

HB 225 Water Commissioner Amendments	Rep. Chew	Requires the Division of Finance to establish a rule for governing and providing reimbursement for damages and wear and tear on a water commissioner's personal vehicle incurred when the commissioner is fulfilling his duties. In House Rules.	3	Studying
HCR 1 Concurrent Resolution on Public Land Litigation	Rep. Stratton	Encourages the state to pursue legal action to obtain state control over public lands within Utah. In NRAE.	2	Oppose
HCR 5 CR on Clean Fuel School Buses	Rep. Handy	Urges the state to use \$20 million of the approximately \$32 million from the Volkswagen settlement to begin replacing dirty diesel school buses with clean energy school buses. In House Public Utilities and Transportation Committee.	3	Support
HCR 6 CR Supporting the Re-Empowerment of the States Amendment	Rep. Nelson	Supports the Re-Empowerment of the States Amendment before Congress (HJ Res. 100 – Reps. Bishop and Rodgers), which allows repeal of any Presidential executive or regulatory action if two-thirds of the states agree. In House Judiciary Committee.	2	Oppose
HCR 7 CR Supporting Ranchers Grazing Livestock on Public Lands	Rep. Westwood	Expresses support of Utah ranchers grazing livestock on public lands. In House NRAE.	3	Support
HCR 11 CR Urging the President to Rescind the Bears Ears NM Designation	Rep. Hughes	Expresses strong opposition to the Bears Ears National Monument designation and urges the President of the United States to rescind it. Placed by House Rules on the top of the 3 rd Reading Calendar Monday, so it will be debated and voted on Tuesday between 11:00 and 12:00.	2	Oppose

HCR 12 CR Urging Federal Legislation to Reduce or Modify the Boundaries of the Grand Staircase – Escalante NM	Rep. Noel	Identifies benefits that could result from modified or reduced boundaries of the GSENM and urges Utah’s congressional delegation to support legislative actions to reduce or modify the boundaries of GSENM. Placed by House Rules on the top of the 3 rd Reading Calendar Monday, so it will be debated and voted on Tuesday between 11:00 and 12:00.	2	Oppose
State Park Development and Improvement	Rep. Perry	No text yet.		
Great Salt Lake Commission	Rep. Nelson	No text yet.		
Public Water Supplier Modifications	Rep. Nelson	No text yet.		
Wild Horse Impacts on States	Rep. Ivory	No text yet.		
Transparency in Funding Litigation	Rep. Ivory	No text yet.		
Building Code Amendments	Rep. Redd	No text yet.		
Clean Fuel School Buses and Infrastructure	Rep. Handy	No text yet.		
Department of Natural Resources Amendments	Rep. Perry	No text yet.		

DNR Changes	Rep. Perry	No text yet.		
Private Property Rights Amendments	Rep. Wilson	No text yet.		
SB 5 Natural Resources, Agriculture and Environmental Quality Base Budget	Sen. Hinkins	Appropriates funds for the operation of these agencies for FY 2018. The base budget will be augmented in separate legislation later in the Session.	3	Support
SB 11 1st Substitute Water Development Commission Amendments	Sen. Dayton	Renames and modifies the membership of the Legislative Water Development Commission, removing executive branch members from the Commission. Passed Senate NRAE 6-0-1 on 1/25. On Senate 2 nd Reading Calendar.	2	Oppose
SB 23 Sales Tax Exemption for Guides and Outfitters	Sen. Dayton	Provides a sales tax exemption for purchases of hunting guides and services. Held in Senate Rev & Tax on 1/26.	3	Oppose
SB 63 Nonprofit Corporation Amendments - Water	Sen. Dayton	Permits the transfer of water shares under certain circumstances, and clarifies rights of a shareholder in a water company. In Senate NRAE.	2	Support
SB 79 Waste Management Amendments	Sen. Adams	Defines an unlicensed facility as a structure or road on property adjacent to but outside of a licensed or permitted waste management or disposal area that is not used for waste management or disposal. Establishes financial assurance requirements (surety bond) for closure and post-closure of an unlicensed facility. Passed Senate NRAE 5-1-1 on 1/25. On Senate 2 nd Reading Calendar.	3	Oppose
SB 105 Sale of State Lands Amendments	Sen. Davis	Establishes a preference for leasing over selling of state lands, and establishes approval requirements for the sale of	3	Support

		state land. In Senate NRAE.		
SB 113 Natural Resources Modifications	Sen. Dayton	Decreases the percentage of sales tax revenue earmarked to the Division of Water Resources and shifts that percentage of revenue to the Division of Water Rights. In Senate Rules.	2	Studying
SCR 1 Concurrent Resolution Requesting the U.S. Department of Energy to Adequately Fund the Uranium Mill Tailings Remedial Action Program	Sen. Hinkins	Urges the U.S. Department of Energy to adequately fund the removal of the remaining 8 million tons of uranium mill tailings from the Atlas Mill site on the Colorado River and to complete the project by 2025. On Senate 2 nd Reading Calendar.	3	Support
Public Water Supplier Amendments	Sen. Iwamoto	No text yet.		
Energy Development Amendments	Sen. Adams	No text yet.		
Energy Policy Amendments	Sen. Bramble	No text yet.		
UTA Amendments	Sen. Weiler	No text yet.		
High Priority Transportation Corridors Amendments	Sen. Harper	No text yet.		
Solar Access Amendments	Sen. Fillmore	No text yet.		

Important Dates

January 23 First day of session

February 2 Last day to request bills (by noon)

Last day to approve bills for numbering (by noon)

March 3 Last day for the Executive Appropriations Committee to complete all budget decisions necessary to draft the final appropriations bills

March 6 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 7 Last day for legislators to prioritize bills and other programs with fiscal impact

March 7 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

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

March 9 Last day of session

March 29 Last day governor may sign or veto bills

May 8 Last day a veto-override session may begin

May 9 Normal effective date for bills

First day to file bills for the 2014 General Session

Executive Appropriations Committee

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Rep. Dean Sanpei, Co-Chair

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