

# UTAH CONSERVATION COMMUNITY

## LEGISLATIVE UPDATE

2018 General Legislative Session

Issue #6

March 4, 2018

### Welcome to the 2018 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 234 – Utah Inland Port Authority (Sen. J. Stevenson) - is a sweeping bill to control development in SLC's Northwest Quadrant, which could strip zoning authority from the City and threaten protections of natural areas, air quality and more. Call House members and urge them to support amendments that would allow planning and creation of a business plan for the global trade port that leaves intact City zoning and protects the environment and natural areas in the NWQ!

Incredibly, Substitute HB 272 (McKell) Utah Lake Amendments, the grandiose scheme to over-develop Utah Lake and call it "restoration" is moving toward final passage. Urge Senators to vote HB 272 down!!

Lastly, if you don't like the idea of some of the most beautiful scenic roads in Utah and the nation being named after Donald J. Trump, oppose HB 481, Rep. Noel's latest affront to decency and the environment.

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

HR 135 – Extra-territorial Jurisdiction Amendments – with a 3<sup>rd</sup> Substitute that removes the state tax on water rates to fund water infrastructure and delays the effective date to 2020, passed the House. It was defeated in Senate Committee Monday (3/5), but sponsor Rep. Noel has inserted the bill’s text into HB 255 to keep it afloat. It’s now circled on the House calendar. Voice your opposition! HB 136 (Rep. Noel), which would chill free speech by requiring all government entities to appear before the NRAE Interim Committee prior to taking a position on federal land designations contrary to that of the legislature, passed the House on a party-line vote.

Amidst all the glum environmental news, a couple of bright spots: SCR 2, our dark skies resolution passed! and HCR 7 acknowledging climate change passed the House.

### **Budget News**

The budget situation is more fluid at this point in the Session than any in recent memory. When there’s “surplus” revenues, it’s always more difficult and complicated to get the deals done, but this year it’s been a highly opaque process.

In part, the budget has stalled as Republicans haggle internally over various proposals for “tax reform” or tax cut initiatives to adjust state taxes to ameliorate tax increases that will result from the recent federal tax reforms/cuts.

There is still a lot of money on the table, but so far, none of our top priorities for funding – Great Salt Lake (salinity) Research and coordinator, Le Ray McAllister open lands preservation, and invasive species mitigation – are on the list to be approved.

Instead, the lengthy list of pork barrel projects funding includes another \$2 million for “sage grouse state plan” (aka Big Game Forever gravy train), \$1.7 million for Energy Solutions, \$350,000 for the dubious sagebrush rebellion front organization FIRM.

The Division of Air Quality is receiving funds for 3 new staff and for SIP implementation.

### **What’s Ahead**

Final Week – whew. Standing Committees will meet Monday 8:00-10:00, 10:00-12:00 and 4:00-5:30. For the rest of the week, it will be floor time all the time, beginning at 8:00 AM and going as long as needed, with sine die at midnight Thursday.

Much remains to be done. Budgets must be passed, tax reforms settled upon and enacted (or not), and major issues like school funding formulas resolved.

## Rules Committees

### Senate Rules Committee:

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

### House Rules Committee:

Rep. Mike Noel, Chair [mikenoel@le.utah.gov](mailto:mikenoel@le.utah.gov)  
Rep. Jon Stanard, Vice-Chair [jstanard@le.utah.gov](mailto:jstanard@le.utah.gov)  
Rep. Val Peterson [vpeterson@le.utah.gov](mailto:vpeterson@le.utah.gov)  
Rep. Rebecca Chavez-Houck [rchouck@le.utah.gov](mailto:rhouck@le.utah.gov)  
Rep. Justin Fawson [justinfawson@le.utah.gov](mailto:justinfawson@le.utah.gov)  
Rep. Christine Watkins [christinewatkins@le.utah.gov](mailto:christinewatkins@le.utah.gov)  
Rep. Carol Spackman-Moss [csmoss@le.utah.gov](mailto:csmoss@le.utah.gov)

## BILL TRACKING LIST

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

| Bill   | Sponsor       | Description/Status  | Priority | Position |
|--|---------------|---|----------|----------|
| HB 5 Natural Resources, Agriculture and Environmental Quality Base Budget    | Rep. Barlow   | This bill supplements or reduces appropriations previously provided for the support and operation of state government for the fiscal year beginning July 1, 2017 and ending June 30, 2018; and appropriates funds for the support and operation of state government for the fiscal year beginning July 1, 2018 and ending June 30, 2019. Passed House and Senate. Enrolled. | 1        | Support  |
| <a href="#">HB 27</a> Underground Storage Tank Amendments                    | Rep. Eliason  | Requires an applicant for a loan to upgrade or replace an underground storage tank to participate in the Environmental Assurance Program, and increases the maximum loan amount. Passed House. Passed Senate.   | 2        | Support  |
| <a href="#">HB 33</a> Energy States Agreement Amendments                     | Rep. Albrecht | Modifies a reporting requirement for legislators appointed to work on an energy producers states agreement. Passed House. Passed Senate. Enrolled.  | 3        |          |
| <a href="#">HB 38</a> Fireworks Restrictions                                 | Rep. Dunnigan | Amends and clarifies the dates on which a person may legally discharge fireworks, increases the fine for discharging fireworks outside the permitted dates and times, and makes other changes. Passed House. Passed Senate. Enrolled.   | 2        | Support  |
| 2 <sup>nd</sup> Substitute <a href="#">HB 59</a> Unmanned Aircraft Revisions | Rep. Pitcher  | Prohibits flight of unmanned aircraft within a certain radius of a correctional facility. Passed House. Passed Senate. Enrolled.  | 2        | Support  |
| <a href="#">HB 60</a> Water Commissioner                                     | 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   | 3        | Neutral  |

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| Amendments  |               | incurred when the commissioner is fulfilling his duties. Passed House. Circled on Senate 2 <sup>nd</sup> Reading Calendar.  |   |         |
| <a href="#">HB 73</a> Instream Flow Water Rights Amendments                               | Rep. Hawkes   | Removes the sunset from the existing instream flow water right for trout habitat, making it permanent. Will be held all Session in House NRAE Standing Committee. SB 35 will be enacted instead.  | 2 | Support |
| 2 <sup>nd</sup> Substitute <a href="#">HB 74</a> Emissions Inspections Modifications      | Rep. Sandall  | Exempts from an emissions inspection a motor vehicle owned and operated by a canal or irrigation company that is used solely for canal or irrigation purposes. Held in House Transportation Standing Committee.   | 3 | Oppose  |
| <a href="#">HB 76</a> Tire Recycling Amendments   | Rep. Sandall  | States the director of the Division of Waste Management and Radiation Control may authorize 100% reimbursement of a waste tire transporter's or recycler's cost if requested by a rural county or small town. Has a fiscal note of \$120,000/year. Passed House. On Senate 2 <sup>nd</sup> Reading. | 3 | Neutral |
| <a href="#">HB 93</a> Agricultural Commodity Zone Amendments                              | Rep. Stratton | Expands the Utah Grazing Agricultural Commodity Zones in Garfield County. Passed House. Passed Senate.  | 3 | Oppose  |
| <a href="#">HB 96</a> Amendment to the Constitutional and Federalism Defense Act Repealer | Rep. Ivory    | Extends the repeal date for the Constitutional and Federalism Defense Act. Passed House. Passed Senate 2 <sup>nd</sup> Reading Calendar. Passed Senate 19-6-4 on 2/28.  | 3 | Oppose  |
| Substitute <a href="#">HB 97</a> Local Food Advisory Council Amendments                   | Rep. Handy    | Modifies the membership of the Local Food Advisory Council. Passed House. Passed Senate.  | 3 | Support |
| 2 <sup>nd</sup> Substitute <a href="#">HB 101</a> Air Quality Emissions                   | Rep. Arent    | Second Substitute creates a pilot program to test diesel emissions in non-attainment counties. Passed House. On   | 2 | Support |

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| Testing Amendments  |              | Senate 2 <sup>nd</sup> Reading Calendar.  |   |         |
| Substitute <a href="#">HB 103</a><br>Water Conservation<br>Revisions                                    | Rep. Froerer | Modifies provisions related to water conservation plans, and requires that plans include conservation measures for residential, commercial and industrial uses, including landscaping. Passed House. On Senate 2 <sup>nd</sup> Reading.   | 2 | Support |
| <a href="#">HB 114</a> Street-Legal<br>ATV Amendments   | Rep. Noel    | Modifies provisions related to street-legal all-terrain vehicles. Passed House. On Senate 2 <sup>nd</sup> Reading Calendar.   | 3 | Neutral |
| Substitute <a href="#">HB 124</a><br>Water Holdings<br>Accountability and<br>Transparency<br>Amendments | Rep. Coleman | Requires a city or special service district that supplies municipal water outside the city or special service district's jurisdictional boundaries to post certain information publicly and provide it to the state engineer. Passed House. In Senate Rules.  | 1 | Oppose  |
| <a href="#">HB 130</a> Resource<br>Conservation<br>Amendments   | Rep. Sandall | Modifies the membership and duties of the Conservation Commission. Modifies the procedure for making loans or grants from the Agriculture Resource Development Fund, and modifies the duties of a conservation district to include responsibility for planning watershed and flood control projects. Passed House. Passed Senate.   | 3 | Support |
| 3 <sup>rd</sup> Substitute <a href="#">HB 135</a><br>Extraterritorial<br>Jurisdiction<br>Amendments     | Rep. Noel    | Third Substitute bill still reduces the extent of extraterritorial jurisdiction but allows municipalities to protect their water works and watersheds from pollution. It drops the \$1 fee on water bills to pay for drinking water projects, half of which would fund state priority projects (Lake Powell pipeline and Bear River development). Passed House 42-26-7. In Senate NRAE Committee. | 1 | Oppose  |
| Substitute <a href="#">HB 136</a><br>Federal Designations   | Rep. Noel    | Substitute states that a governmental entity that is advocating for a federal designation of land within the state must bring their proposal to the NRAE Interim Committees for feedback. Passed House. On Senate 2 <sup>nd</sup> .   | 1 | Oppose  |

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| <a href="#">HB 140</a> Air Quality Technical Amendments                          | Rep. Hawkes   | This technical corrections bill moves two sections of the Environmental Quality Code; and creates a new chapter in the Environmental Quality Code. Passed House. Passed Senate.  | 3 | Support |
| 2 <sup>nd</sup> Substitute <a href="#">HB 143</a> Off Highway Vehicle Amendments | Rep. Noel     | Modifies the registration fee and uniform statewide fee for all-terrain vehicles, certain motorcycles, snowmobiles, and street-legal all-terrain vehicles. Passed House. Passed Senate 25-0-4 on 3/2.  | 3 | Neutral |
| Substitute <a href="#">HB 169</a> Commercial Waste Fee Amendments                | Rep. Knotwell | Requires that the annual fee (approximately \$1.7 million) paid by Energy Solutions for permitting and oversight by the State Division of Solid of commercial radioactive waste treatment or disposal be paid by the State General Fund. This would amount to a fee reduction for Energy Solutions. Passed House. On Senate 3rd.   | 2 | Oppose  |
| Substitute <a href="#">HB 171</a> Motor Vehicle Emissions Amendments             | Rep. Romero   | Increases the penalties for a vehicle that violates emission standards because of deliberate disabling of its pollution control equipment from \$50 to \$100 for a first offense. The fine for a second offense is \$500, and a second offense requires a peace officer to report repeat offenders of emission standards to the local health department which is then required to report repeat offenders to the Motor Vehicle Division. Passed House. On Senate 2 <sup>nd</sup> . | 2 | Support |
| Substitute <a href="#">HB 172</a> Greenbelt Amendments                           | Rep. Wilde    | Amends property tax provisions related to property assessed under the Farmland Assessment Act when bona fide range improvement efforts are undertaken. Held in House NRAE.   | 3 | Support |
| <a href="#">HB 182</a> Local Option Sand and Gravel Tax                          | Rep. Nelson   | Authorizes a county or municipality to impose a tax on certain sand and gravel that is extracted and then sold or transported. Passed House. In Senate Rules Committee.  | 3 | Support |

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| Substitute <a href="#">HB 203</a><br>Construction Noise<br>Amendments | Rep.<br>Christofferson | The Substitute bill tightens the expansion of the definition of noisy activities allowed that occur between the hours of 7:00 p.m. and 7:00 a.m. that are related to and necessary for highway construction, including the preparation and transportation of equipment or materials and the manufacture of materials at a gravel pit, mixing plant, or similar site. On House 3 <sup>rd</sup> Reading Calendar. | 2 | Oppose   |
| <a href="#">HB 211</a> Freight<br>Switcher Emissions<br>Mitigation    | Rep. Handy             | Appropriates \$2,000,000 one-time from the General Fund in Fiscal Year 2019 to the Department of Environmental Quality for grants to reduce freight switcher emissions. Passed House. In Senate Rules.  | 3 | Support  |
| <a href="#">HB 214</a> Agricultural<br>Advisory Board<br>Amendments   | Rep. McKell            | Modifies the duties of the Agricultural Advisory Board relating to best management practices for certain agricultural industries. Passed House. In Senate NRAE Committee.   | 3 | Support  |
| Substitute <a href="#">HB 215</a><br>Navajo Trust Fund<br>Amendments  | Rep. Westwood          | Requires that the chair of the Diné Advisory Committee or the chair's designee be a member of the Navajo Revitalization Fund Board, addresses appointments to the Diné Advisory Committee, and makes technical changes. Passed House 69-0-6 on 2/23. In Senate Rules Committee.   | 3 | Neutral  |
| 2 <sup>nd</sup> Substitute <a href="#">HB 216</a><br>Jordan River     | Rep. Winder            | Authorizes the Division of Parks and Recreation, in consultation with the Jordan River Commission and the relevant land owning jurisdiction, to expend money as appropriations allow on projects around a segment of the Jordan River. The bill appropriates \$500,000 in one-time and \$500,000 on-going General Funds to the Division of Parks and Recreation. Passed House. On Senate 2 <sup>nd</sup> .      | 2 | Support  |
| Substitute <a href="#">HB 242</a><br>Local Animal Control             | Rep. Roberts           | Allows an individual to keep one or more animals on the individual's property unless the presence of the animal or  | 3 | Studying |



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| Regulation Amendments   |               | animals violates certain standards established by the municipality or county. In House NRAE Committee.   |   |         |
| <a href="#">HB 244</a> Culinary Water Discount                                | Rep. Daw      | Provides that a retail water provider may offer a discount water rate to a culinary water customer that uses culinary water for irrigation or landscaping purposes, if the customer meets certain conservation best practices or irrigation efficiencies prescribed by the retail water provider. In House Government Operations Committee.  | 2 | Oppose  |
| Substitute <a href="#">HB 249</a> Statewide Resource Management Plan Adoption | Rep. Stratton | Adopts the statewide resource management plan, which incorporates RMPs compiled by all counties, and requires the Public Lands Policy Coordinating Office, as funding allows, to monitor the implementation of the statewide resource management plan at the state and local levels. These local plans are inadequate and were required largely to justify the kind of public lands management preferred by the Constitutional Defense Council and the Commission for the Stewardship of Public Lands. Passed House. On Senate 2 <sup>nd</sup> Reading Calendar.   | 2 | Oppose  |
| Substitute <a href="#">HB 253</a> Trust Lands Amendments                      | Rep. Snow     | States that the director of the School and Institutional Trust Lands Administration may make determinations on state lands regarding the management, protection, and conservation of plant species proposed for designation as endangered or threatened under the Endangered Species Act of 1973, and modifies the procedure for the sale of trust lands. The substitute withdraws the authorization for the director of the School and Institutional Trust Lands Administration to enter into an agreement with a county or a municipality concerning the applicability of a local ordinance to trust lands. Passed House. Passed Senate. | 2 | Neutral |

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| Substitute <a href="#">HB 255</a><br>Extra-jurisdictional<br>Municipal Property         | Rep. Coleman  | Limits the circumstances in which a municipality may own property outside the municipality's boundaries. Passed House Business and Labor Committee 9-5 on 3/1. Returned to House Rules Committee.  | 1 | Oppose   |
| Substitute <a href="#">SB 261</a><br>Renewable Energy<br>Amendments                     | Rep. Knotwell | The Substitute is a substantial re-write that requires Public Service Commission for approval of a rate adjustment clause to acquire or construct a photovoltaic or thermal solar energy resource using a rate based on the prevailing market for solar energy projects under certain circumstances. Passed House 71-0-4 on 2/27. On Senate 2 <sup>nd</sup> .  | 2 | Support  |
| <a href="#">HB 267</a> Oil, Gas and<br>Mining Amendments                                | Rep. Chew     | Modifies the duties of an owner or operator in regard to a surface land owner. In House NRAE Committee.  | 2 | Studying |
| Substitute <a href="#">HB 272</a><br>Utah Lake<br>Amendments                            | Rep. McKell   | The Substitute bill drops the new review panel and instead gives the Division of Forestry, Fire and State Lands the authority to dispose of state sovereign lands beneath Utah Lake as compensation for the comprehensive restoration of Utah Lake. It is still an unacceptable compromise of the public trust for a sketchy plan to build islands housing ½ million people in the middle of the lake. Passed House 54-18-3 on 2/27. On Senate 2 <sup>nd</sup> Reading Calendar. | 1 | Oppose   |
| 2 <sup>nd</sup> Substitute <a href="#">HB 274</a><br>Brine Shrimp Royalty<br>Amendments | Rep. Barlow   | Substitute reduces the royalty rate by 50 cents per pound on the total number of pounds of unprocessed brine shrimp eggs that a person harvests within the state during a tax year. Directs \$125,000/yr to the Sovereign Lands Restricted Account. Passed House 65-0-10 on 2/27. In Senate Rules Committee.   | 2 | Support  |
| Substitute <a href="#">HB 275</a><br>State Monuments Act<br>Amendments                  | Rep. Eliason  | Requires the Division of State Parks and Recreation to annually evaluate and report on state property for state monument status; and create rules for the management of  | 2 | Support  |

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|  |              | prospective state monuments. Passed House 66-0-9 on 2/27. On Senate 2 <sup>nd</sup> Reading Calendar.   |   |         |
| 2 <sup>nd</sup> Substitute <a href="#">HB 303</a><br>Drinking Source<br>Sizing Amendments            | Rep. Sandall | Requires the Drinking Water Board to withhold approval of plans for the substantial addition to a community water system under certain circumstances; requires certain public water systems to provide certain water use data; and requires the director of the Division of Drinking Water to establish water source sizing requirements for certain public water systems. <b>Passed House</b> On House 3 <sup>rd</sup> Reading Calendar. | 2 | Support |
| 2 <sup>nd</sup> Substitute <a href="#">HB 314</a><br>Class B and Class C<br>Road Funds<br>Amendments | Rep. Noel    | Amends provisions to allow a certain amount of class B and class C road funds for maintenance and development of additional roads that may be added to class B and class C inventory, and administering, managing, and planning for new class B, class C, or class D roads and adjacent lands. Passed House. On Senate 2 <sup>nd</sup> Reading Calendar.  | 2 | Neutral |
| <a href="#">HB 318</a> Stray Current<br>Remediation Act  | Rep. Handy   | Enacts the Stray Current or Voltage Remediation Act, including: providing legislative findings; defining terms; establishing the scope of the act; addressing filing of a notice, testing, and reporting related to stray current and voltage; providing for remediation of stray current and voltage under certain circumstances; and addressing liability and resolution of disputes. Passed House. Passed Senate 23-0-6 on 3/1.        | 3 | Support |
| <a href="#">HB 357</a> Evaluating<br>Tax Revenue<br>Foregone From<br>Federally Controlled<br>Lands   | Rep. Ivory   | Requires the Commission on Federalism to hold a hearing on the impact of the federal payments in lieu of tax on the state, and authorizes the Commission on Federalism to engage each of the state's elected members of Congress in coordinating with the federal government to secure payments in lieu of tax that are equivalent to the property  | 3 | Oppose  |

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|  |                     | tax the state would generate but for federally controlled land in the state. Passed House. Passed Senate.   |   |         |
| <a href="#">HB 362</a> Environmental Fee Amendments                              | Rep. Christofferson | Creates the Division of Waste Management and Radiation Control Expendable Revenue Fund and describes the uses of the fund, and provides for transfers from the Environmental Quality Restricted Account to the Hazardous Substances Mitigation Fund. Failed.  | 2 | Neutral |
| Substitute <a href="#">HB 365</a> Department of Environmental Quality Amendments | Rep. Stratton       | Substitute bill requires further study of restricting the Division of Water Quality's rulemaking authority and requiring additional legislative oversight of DWQ rulemaking of facilities and industries. Passed House. Passed Senate 68-0-7 on 3/2.  | 2 | Oppose  |
| <a href="#">HB 373</a> Waste Management Amendments                               | Rep. Perry          | Allows self-inspection of a solid waste management facility by its owner or operator. Creates a training program (no longer than 5 hours!) to teach the owner or operator how to self-inspect (annually). Creates the Division of Waste Management and Radiation Control Expendable Revenue Fund to upgrade the Division's technology for permitting and compliance purposes, and other expenditures that will result in increased efficiency and reduced cost, and funds it with the first \$200,000 waste disposal fee revenue. Passed House 68-0-7 on 3/2. In Senate NRAE. | 1 | Oppose  |
| Substitute <a href="#">HB 381</a> Agricultural Water Optimization Task Force     | Rep. Hawkes         | Creates the Agricultural Water Optimization Task Force and Fund to identify critical issues facing the state's long-term water supply, particularly in regard to how the state should optimize agricultural water supply and use in light of future population growth, and the future water needs of Utah agriculture. Authorizes \$1.175 million one-time (including \$75,000 in General Funds). Passed House. On  | 2 | Support |

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|  |              | Senate 3 <sup>rd</sup> Reading Calendar.  |   |          |
| <a href="#">HB 403</a> Tax Modifications                       | Rep. Briscoe | Imposes a emissions tax on carbon-based fuels and creates the Carbon Emissions Tax Expendable Revenue Fund, eliminates the state portion of the sales tax on food, funds a state Earned Income Tax Credit for families in intergenerational poverty, and rebates certain sales and income taxes to carbon-taxed industries. In House Rules.   | 2 | Support  |
| <a href="#">HB 404</a> Land Trusts Protection and Advocacy Act | Rep. Last    | Creates the Land Trusts Protection and Advocacy Office to represent the beneficiary interests of the school and institutional trust in advocating for distribution of trust revenue to current beneficiaries and generation of trust revenue for future beneficiaries. Passed House NRAE 10-0-3 on 2/28. On House 3 <sup>rd</sup> Reading Calendar.   | 3 | Oppose   |
| <a href="#">HB 415</a> Catastrophic Wildfire Revisions         | Rep. Ivory   | Provides that the state shall, under certain circumstances, indemnify, defend, and hold a chief executive officer or county sheriff harmless from any claims or damages, including court costs and attorney fees that are assessed as a result of the chief executive officer's or county sheriff's action in abating a catastrophic public nuisance. Passed House Law Enforcement and Criminal Justice Committee 7-1-3 on 2/27. On House 3 <sup>rd</sup> Reading Calendar. | 2 | Studying |
| <a href="#">HB 426</a> Energy Efficient Vehicle Rebate         | Rep. Sagers  | Establishes a nonrefundable tax credit of up to \$3000 for the purchase of a new qualifying hydrogen vehicle that is registered in the state. In House Revenue and Taxation Committee.  | 2 | Support  |
| <a href="#">HB 450</a> Wastewater Reuse Amendments             | Rep. Froerer | States that a publically owned treatment works shall file a chance application if the point of diversion is moved more than 660 feet from the previously approved point of diversion. Held in House NRAE 8-6 on 3/1.  | 2 | Studying |

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| <a href="#">HB 453</a> Hydrogen Fuel Production Incentives Amendments                                       | Rep. Sagers  | Expands the definition of "throughput infrastructure project" to include a plant or facility that distributes hydrogen for use as a fuel in zero emission motor vehicles and allow uses of money in the Permanent Community Impact Fund. Expands the definition of "high cost infrastructure project" to include the construction of a plant or other facilities for the production and distribution of hydrogen fuel used for transportation and allows a tax credit for costs associated with the project. In House Rules Committee. | 2 | Studying |
| <a href="#">HB 479</a> Zero Emission Vehicle Program  | Rep. Eliason | Creates the Zero Emission Vehicle Program to increase opportunity to purchase low emitting vehicles, improve ambient air quality, and coordinate efforts with other states to improve air quality. Requires the Division of Air Quality and the Air Quality Board to administer the program.   | 3 | Support  |
| <a href="#">HB 481</a> Donald J. Trump Utah National Parks Highway Designation                              | Rep. Noel    | Renames the Utah National Parks Highway to the Donald J. Trump Utah National Parks Highway and requires the Department of Transportation to install signage to reflect the name change. Will be heard in House NRAE Committee on Monday 3/5 at 8:00 AM in Capitol room 445.  | 2 | Oppose   |
| 2 <sup>nd</sup> Substitute <a href="#">HCR 1</a> Concurrent Resolution on Global Warming and Climate Change | Rep. Ward    | Acknowledges that average global temperature and average Utah temperature have increased substantially over recent decades, and that scientific consensus is that a substantial cause for these increases is human-caused emissions; and commits that the Legislature and Governor will base decisions regarding state energy policies on the best scientific evidence available and urges individuals and corporations to conserve energy. Held in House NRAE.  | 2 | Support  |

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| <a href="#">HCR 4</a> Concurrent Resolution on Economic and Environmental Stewardship                 | Rep. Edwards  | Expresses commitment to conservative environmental stewardship; acknowledges Utah's existing commitment to reduce emissions and improve air quality; recognizes that climate disruption poses a potential threat to our national security; recognizes that good stewardship of the economy and environment fosters security, sustainability, and independence. In House Rules. Replaced by HCR 7.   | 3 | Support |
| Substitute <a href="#">HCR 7</a> Concurrent Resolution on Environmental and Economic Stewardship      | Rep. Edwards  | Encourages the responsible stewardship and management of natural resources; reduction of emissions through incentives and support of the growth in technologies and services that will enlarge the economy; recognizes the impacts of a changing climate on Utah citizens; expresses commitment to create and support economically viable and broadly supported solutions; and encourages the understanding and use of available information to address the causes and effects of changes to our local and regional climates. Passed House 46-24-5 on 2/26. On Senate 2 <sup>nd</sup> . | 2 | Support |
| Substitute <a href="#">HCR 9</a> CR Supporting Rural Development of Wind, Solar and Geothermal Energy | Rep. Arent    | Supports the development of wind, solar, and geothermal energy in rural areas of the state as a complement to Utah's diversified energy system and supports the export of Utah-produced wind, solar, and geothermal energy to other states. On House 3 <sup>rd</sup> Reading Calendar.  | 3 | Support |
| <a href="#">HCR 10</a> Concurrent Resolution Approving the State Resource Management Plan             | Rep. Stratton | Approves the statewide resource management plan and expresses appreciation and gratitude for the collaboration between the state and local government entities that contributed to the statewide resource management plan. Passed House 58-11-6 on 2/26. On Senate 2 <sup>nd</sup> Reading Calendar.  | 3 | Oppose  |
| <a href="#">HCR 19</a> Concurrent Resolution Regarding  | Rep. Ivory    | Urges the President of the United States, the United States Congress, and Utah's congressional delegation to propose  | 3 | Neutral |



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| the Impact of Federal Lands on the State Education System  |               | and secure the passage of legislation that requires PILT payments to be equivalent to the tax revenue the state, subdivisions, and school districts would otherwise be able to generate but for the federal control of Utah lands. Passed House. Passed Senate.  |   |         |
| <a href="#">HJR 1</a> Joint Resolution Urging Exemption from the Antiquities Act                               | Rep. Albrecht | Encourages Congress to pursue legislation exempting Utah from the Antiquities Act. Passed House. On Senate 2 <sup>nd</sup> Reading Calendar.   | 2 | Oppose  |
| <a href="#">HJR 2</a> Joint Resolution Urging Congress to Relocate Federal Land Management Agency Headquarters | Rep. Albrecht | Encourages the federal government to consider moving the headquarters for the Department of the Interior and the U.S. Forest Service to Utah. Passed House. Passed Senate.   | 3 | Oppose  |
| <a href="#">HJR 8</a> Joint Resolution Honoring Utah's Sportsmen and Sportswomen                               | Rep. Hawkes   | Recognizes the impact Utah's sportsmen and sportswomen have on our state's natural resources and economy; urges Congress to protect and enhance federal lands for Utah's sportsmen and sportswomen to advance the goals of hunters, anglers, recreational shooters, and others; and urges Congress to respect the historic and current use of Utah's public land by sportsmen and sportswomen, and respect the administration of wildlife conservation through the sound science delivered by the Utah Division of Wildlife Resources and science-based policies developed by the Utah Wildlife Board. Passed House. Passed Senate 23-0-6. | 3 | Support |



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| <a href="#">HJR 10</a> Joint Resolution Approving a Class VI Commercial Nonhazardous Solid Waste Landfill | Rep. Froerer     | Gives provisional legislative approval for the construction to expand the existing Class VI commercial nonhazardous solid waste landfill in western Weber County. Describes the proposed landfill and states that the operation plan will be submitted to the director of the Division of Waste Management and Radiation Control for approval. Passed House. Passed Senate 26-0-3 on 2/27. | 2 | Neutral  |
| <a href="#">HJR 15</a> Proposal to Amend Utah Constitution – Municipal Water Amendment                    | Rep. Stratton    | This resolution proposes to amend the Utah Constitution to eliminate a restriction against a municipal corporation leasing its waterworks, water rights, or sources of water. In House NRAE Committee.   | 2 | Studying |
|   |                  |  |   |          |
| <a href="#">SB 15</a> Environmental Health Scientist Act Amendments                                       | Sen. Christensen | Clarifies the qualifications for licensure for an environmental health scientist and an environmental health scientist-in-training. Passed the Senate. Passed House.   | 3 | Support  |
| <a href="#">SB 22</a> Mineral Lease Distribution Amendments   | Sen. Van Tassell | Provides that federal mineral lease royalties from extraction of minerals on federal lands within the Grand Staircase-Escalante National Monument be distributed to certain government entities. Passed Senate. Passed House.  | 2 | Studying |
| <a href="#">SB 34</a> Legislative Water Development Commission Amendments                                 | Sen. Dayton      | Removes the sunset, making the LWDC permanent, and authorizes the Commission to meet up to 6 times per year. Passed Senate. Passed House. Enrolled.  | 3 | Neutral  |
| <a href="#">SB 35</a> Water Right for Trout Habitat Repeal Date Extension                                 | Sen. Christensen | Extends for 1 year the repeal date of the instream flow water right for trout habitat. Passed Senate. Passed House.  | 2 | Support  |
| Substitute <a href="#">SB 43</a> State  | Sen. Bramble     | Substitute Designates the Utahraptor as the state dinosaur.  | 3 | Support  |

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| Fossil Amendment  |                  | Passed Senate. Passed House.  |   |         |
| <a href="#">SB 45</a> Water Law Amendments – Diligence Claims         | Sen. Dayton      | Requires the state engineer to include an evaluation of an asserted beneficial use in the report of a field investigation for a diligence claim. Passed Senate. Passed House.   | 3 | Support |
| <a href="#">SB 52</a> Sale of State Lands Act                         | Sen. Davis       | Establishes a preference for leasing state land over selling state land and establishes approval requirements for the sale of state land. Passed Senate. On House 3 <sup>rd</sup> Reading Calendar.   | 2 | Support |
| Substitute <a href="#">SB 61</a> Water Rights Adjudication Amendments | Sen. Dayton      | Requires the state engineer to include an evaluation of an asserted beneficial use in the report of a field investigation for a diligence claim. Passed Senate. Passed House.   | 3 | Support |
| <a href="#">SB 67</a> Fireworks Amendments                            | Sen. Weiler      | Requires the Utah Fire Prevention Board to create a uniform statewide policy regarding a government entity's seizure, storage, and disposal of certain explosives. Passed Senate. Passed House.   | 3 | Support |
| <a href="#">SB 69</a> State Sovereign Lands Amendments                | Sen. Dayton      | Modifies trespassing provisions on state lands and makes technical changes. Passed Senate. Passed House.  | 2 | Support |
| 2 <sup>nd</sup> Substitute <a href="#">SB 96</a> Canal Amendments     | Sen. Hinkins     | Provides a process for a property owner and the owner of a water conveyance facility to approve and move forward with a plan to modify a water conveyance facility; defines a water conveyance facility, and states that the Office of the Property Rights Ombudsman shall provide mediation and arbitration services when requested by either a property owner or a facility owner. Passed Senate. In House Rules Committee. | 2 | Support |
| <a href="#">SB 98</a> Ratification of the Ute Indian Water            | Sen. Van Tassell | Ratifies the Ute Indian Water Compact, providing approximately 100,000 acre feet/year of Colorado River   | 1 | Support |

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| Compact  |                  | water to the tribe to settle claims under the Winters Doctrine. Passed Senate 24-0-5 on 2/28. In House Rules.  |   |          |
| 3 <sup>rd</sup> Substitute <a href="#">SB 141</a><br>Electric Energy<br>Amendments | Sen. Bramble     | Extends for two more years the periods during which installation of a residential photovoltaic energy system qualifies for a specified tax credit, and provides for the repeal of provisions relating to net metering of electricity in 2036. Passed Senate. In House Rules Committee.   | 2 | Support  |
| Substitute <a href="#">SB 157</a><br>Residential Solar<br>Energy Amendments        | Sen. Fillmore    | Requires a solar retailer to provide a written disclosure statement to a potential residential customer and specifies the timing and content of the disclosure statement; requires a notice to be submitted for recording when a residential solar energy system is installed; requires a notice of extinguishment to be submitted for recording when a residential solar energy system is removed from a property; and provides for the enforcement of the disclosure requirements. Passed Senate. In House NRAE. | 3 | Support  |
| <a href="#">SB 166</a> Energy<br>Facility Amendments                               | Sen. Adams       | Allows a local entity to designate an energy assessment area; levy an energy assessment; approve certain terms of energy assessment bonds; and issue energy assessment bonds. Passed Senate. On House Consent Calendar.  | 3 | Studying |
| <a href="#">SB 191</a> State<br>Regulation of Oil and<br>Gas                       | Sen. Van Tassell | Defines the term "oil and gas activity" and states that, subject to federal law, state regulation of oil and gas activity occupies the whole regulatory field. Provides that a municipality or county may regulate surface activity that is incident to an oil and gas activity in certain circumstances. Passed Senate. On House 3 <sup>rd</sup> Reading Calendar.  | 2 | Studying |
| <a href="#">SB 192</a> Retail Bag<br>Impact Reduction<br>Program                   | Sen. Iwamoto     | Creates the Retail Bag Impact Reduction Program, imposes a fee on a single-use retail bag. Creates the Retail Bag Impact Reduction Fund and provides for allocation of   | 2 | Support  |

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|  |                  | the funds. Defeated in Senate Economic Development and Workforce Services Committee 4-3 on 2/23.   |   |         |
| 2 <sup>nd</sup> Substitute <a href="#">SB 204</a><br>Secondary Water<br>Metering<br>Requirements | Sen. Anderegg    | 2 <sup>nd</sup> Substitute requires a secondary water provider that begins providing new secondary water service on or after May 9, 2020, to meter the use of water; phases in requirements for a secondary water provider to meter the use of water for residential, commercial, industrial, institutional, or agricultural users; and requires a secondary water provider to provide water use data to the state engineer and the Division of Water Rights. Passed Senate Business and Labor Committee 4-1-3 on 3/1. | 1 | Support |
| <a href="#">SB 218</a> Container<br>Regulation Act   | Sen. Buxton      | Prohibits a local government entity from regulating, imposing a fee on, or taxing an auxiliary container, unless the auxiliary container is used on property owned by the local government entity. Passed Senate 16-12-1 on 2/28. In House Political Subdivisions Committee.   | 2 | Oppose  |
| <a href="#">SB 220</a> Hole in the<br>Rock State Park Trail<br>Extension                         | Sen. Dayton      | Expands the definition of the Hole in the Rock area, which is included within the state park system. Passed Senate 21-0-8 on 3/2. In House NRAE Standing Committee.  | 2 | Oppose  |
| <a href="#">SB 226</a> Urban<br>Farming Amendments   | Sen. Van Tassell | Modifies the definition of "urban farming" and allows a county to authorize urban farming. On Senate 3 <sup>rd</sup> Reading.  | 3 | Support |
| Substitute <a href="#">SB 234</a><br>Inland Port Authority                                       | Sen. Stevenson   | Creates the Utah Inland Port Authority establishes the duties, responsibilities, and powers of the Authority and a governing board. Puts land in the Northwest Quadrant (NWQ) of Salt Lake City north of I-80 under the jurisdiction of the Authority. Creates a 9 member, unelected Authority board, requires the port authority board to hire an executive director; and to work to establish an inland port and a foreign trade zone. Allows  | 1 | Oppose  |

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|  |               | the port authority to receive 5% of the tax increment funds generated by development in the NWQ. Introduced on 2/27, passed by Senate Economic Development and Workforce Services Committee on 3/2 6-0-1. On Senate 2 <sup>nd</sup> Reading Calendar.  |   |         |
| Substitute <a href="#">SCR 2</a> CR Encouraging the Use of Shielded Light Fixtures on Outdoor Lights | Sen. Vickers  | Recognizes the harmful effects of light pollution; identifies the benefits of shielded outdoor lighting and dark skies; and encourages the transition from unshielded to shielded outdoor lighting. Passed Senate. Passed House 55-12-8 on 2/28.   | 2 | Support |
| <a href="#">SCR 7</a> Concurrent Resolution Honoring Firefighters and Fire Prevention Efforts        | Sen. Iwamoto  | Highlights the ways in which fire prevention, fire suppression, and fire investigation protect the physical and economic health of the state and its citizens; and acknowledges the work of, and expresses gratitude for, the sacrifice of the men and women working in fire prevention, fire suppression, and fire investigation. Passed Senate. Passed House 70-0-5 on 2/26.                   | 3 | Support |
| <a href="#">SCR 8</a> Concurrent Resolution in Support of the Creation of a New National Park        | Sen. Okerlund | Supports United States House of Representatives bill H.R. 4558, the "Grand Staircase Escalante Enhancement Act," introduced by United States Representative Chris Stewart to establish the Escalante Canyons National Park and Preserve, Grand Staircase National Monument, Kaiparowits National Monument, and Escalante Canyons National Monument. Passed Senate. Passed House 61-2-12 on 2/28. | 3 | Oppose  |
| <a href="#">SJR 11</a> Joint Resolution Authorizing Energy Solutions to Create a Landfill for Non-   | Sen. Thatcher | Grants provisional legislative approval for the construction and operation of a Class VI commercial nonhazardous solid waste landfill for nonhazardous, nonradioactive solid waste from the decommissioning of nuclear power plants that currently utilize the site. Passed Senate. Passed House   | 2 | Neutral |

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| Radioactive Waste |  | 61-2-12 on 2/28. |  |  |
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## Important Dates

### January 22 First day of session

February 1 Last day to request bills (by noon)

Last day to approve bills for numbering (by noon)

March 2 Last day for the Executive Appropriations Committee to complete all budget decisions necessary to draft the final appropriations bills

March 5 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 6 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 8 Last day of session

March 28 Last day governor may sign or veto bills

May 7 Last day a veto-override session may begin

May 8 Normal effective date for bills

First day to file bills for the 2014 General Session

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