

**MINUTES OF THE SENATE NATURAL RESOURCES, AGRICULTURE, AND  
ENVIRONMENT STANDING COMMITTEE**  
415 State Capitol, Utah State Capitol Complex  
February 13, 2012

Members Present:           Sen, Ralph Okerlund, Chair  
                                  Sen. Casey Anderson  
                                  Sen. Allen M. Christensen  
                                  Sen. Gene Davis  
                                  Sen. Margaret Dayton

Member Absent:            Sen. David Hinkins

Staff Present:             Mr. J Brian Allred, Policy Analyst  
                                  Ms. Lorna Wells, Secretary

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

Chair Okerlund called the meeting to order at 4:00 p.m.

**Approval of Minutes**

**MOTION:** Sen. Anderson moved to approve the minutes of the February 8, 2012 meeting. The motion passed unanimously.

**MOTION:** Sen. Anderson moved to replace S.C.R. 8 with 1st Sub. S.C.R. 8. The motion passed unanimously, with Sen. Davis and Sen. Dayton absent for the vote.

**S.C.R. 8      Concurrent Resolution Supporting New Technologies and Facilities That Enhance the Production and Value of Uintah Black Wax (*Sen. K. Van Tassell*)**

Spoke for the bill:       Michael Zumwalt , Thrace Energy  
                                  Jeff Hartley, Responsible Energy Developers

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

**MOTION:** Sen. Christensen moved to place the bill on the consent calendar. The motion passed unanimously.

**S.B. 86      Agriculture Protection Amendments (*Sen. C. Bramble*)**

**MOTION:** Sen. Davis moved to amend the bill with Amendment #1 as follows:

1. *Page 6, Line 165:*

165           Section 4. Section **17-41-405** is amended to read:

2. Page 6, Line 172:

172 (2) ~~Any~~ (a) A ~~[[ -condemn]]~~ political subdivision wishing to condemn  
property within an agriculture

3. Page 7, Lines 193 through 199:

193 (4) At the hearing required in Subsection (3), the legislative body shall:  
194 (a) receive testimony, evidence, and recommendations from:  
195 (i) the ~~[[ -condemn]]~~ political subdivision ;  
196 (ii) the landowner; and  
197 (iii) the public; and  
198 (b) consider a report submitted by an advisory board in accordance with Subsection  
199 (2)(b)(iv).

4. Page 8, Lines 218 through 220:

218 ~~[(6) The]~~ (7) (a) Subject to Subsection (7)(b), the applicable legislative body ~~[or the~~  
219 ~~advisory board]~~ may request the county or municipal attorney to bring an action to enjoin  
~~[any]~~  
220 a ~~[[ -condemn]]~~ political subdivision from violating any provisions of this  
section.

The motion carried unanimously.

Sen. Bramble presented and explained this bill.

**MOTION:** Sen. Christensen moved to amend the bill with Amendment #2 as follows:

1. Page 5, Line 122:

122 (i) the land ~~[[ -is no longer being used for an agricultural purpose]]~~ no  
longer qualifies under Title 59, Chapter 2, Part 5, Farmland Assessment Act ;

2. Page 7, Line 212 through Page 8, Line 218:

212 ~~[(5)] (6) [[ -]]~~ Within 60 days after receipt of the notice of condemnation, the  
applicable  
213 legislative body ~~[and the advisory board]~~ shall approve or reject the proposed  
condemnation.  
214 ~~[[ - (b) If the applicable legislative body [and the advisory board fail] fails to~~  
act within the  
215 60 days or such further time as the applicable legislative body establishes, [the

216 ~~shall be considered rejected]~~ the political subdivision may proceed with the  
217 condemnation  
217 action-.]  
218 ~~[(6) The]~~ (7) (a) Subject to Subsection (7)(b), the applicable legislative body [or the

The motion passed unanimously.

**MOTION:** Sen. Dayton moved to amend the bill with Amendment #3 as follows:

1. *Page 8, Line 230:*

230 (b) The district court shall review the appeal [~~de novo~~].

The motion passed unanimously.

Spoke for the bill: Ms. Chris Finlinson, Central Utah Water Conservancy District

Spoke against the bill: Mr. Allen C. Christensen, Christensen Farms  
Mr. Wayne A. Christensen, Christensen Farms  
Ms. Elaine Schofield, Manager, Clinger Family L.C.

Spoke to the bill: Sterling Brown, Utah Farm Bureau  
Mr. Michael Jensen, Chairman of the Board,  
Utah Water Conservancy District, Salt Lake Chamber of Commerce

**MOTION:** Sen. Davis moved to pass the bill out favorably.

**SUBSTITUTE MOTION:** Sen. Dayton moved to the next item on the agenda. The motion passed unanimously.

**S.B. 84 Water Skiing Amendments (Sen. C. Anderson)**

Sen. Anderson presented and explained this bill.

**MOTION:** Sen. Anderson moved to amend the bill with Amendment #1 and #2 as follows:

1. *Page 1, Line 18:*

18 ▶ states that an observer ~~is~~ and flag are not required during water skiing if the vessel is:

2. Page 2, Line 52:

52 tournament slalom course, an observer [ ~~]s~~ and flag are not required if the  
vessel is:

1. Page 1, Line 13:

13 ▶ permits a person to wear a non-Coast Guard approved [ ~~life~~  
~~vest~~] personal floatation device if the person is:

2. Page 2, Line 46:

46 [ ~~life vest~~] personal floatation device if the person is on an American Water  
Ski Association regulation tournament slalom course and is:

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

Spoke for the bill: Mr. Henry Cobb, VP Membership, Utah Waterski Club

Spoke to the bill: Mr. Eric Stucki, Utah State Park Legislative Liaison

**MOTION:** Sen. Anderson moved to pass the bill out favorably. The motion passed, with Sen. Dayton absent for the vote.

**MOTION:** Sen. Davis moved to adjourn. The motion passed unanimously. Chair Okerlund adjourned the meeting at 5:10 p.m.

Minutes were reported by Lorna Wells, Secretary

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Sen. Ralph Okerlund, Committee Chair