

UTAH CONSERVATION COMMUNITY

LEGISLATIVE UPDATE

2022 General Legislative Session

Issue #1

January 23, 2022

Welcome to the 2022 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 contact your legislators with your opinions and concerns!

ACTION ALERT!

A top priority bill for Great Salt Lake, HB 157 Sovereign Lands Revenue Amendments, will be heard in House Rev & Tax on Monday, 1/24 at 2:00 PM. See the Bills list for information about the bill. Voice your support remotely - see committee agenda and members here:

<https://le.utah.gov/~2022/agenda/HREV0124.ag.pdf>

This legislative session could see dramatic progress on important water conservation and investment in efforts to save Great Salt Lake. Or it could result in funding for destructive water development projects like Bear River development, Lake Powell pipeline and Cedar City's West Desert Water Grab (Pine Valley Water Supply Project). Contact your legislators and legislative leaders and let them know what you hope and expect them to do!

News of Week One (Week # 1)

The focus of legislative attention last week was passing SJR 3 to terminate the 30-day emergency mask mandates in place in Salt Lake and Summit Counties and Salt Lake City schools. But a handful of good conservation bills were introduced and a few advanced. We will be advocating for our priority bills HB 33,129 and 157, and against the Utah Lake Authority bill being drafted. We support several water bills that deal with water use regulation and/or planning, including House bills 95, 115, 118,121,131 and Senate bills 73, 89 and 110.

A couple of bills we oppose, SCRs 2 and 3, were approved by interim committees and got expedited through the Senate and are now working their way through the House.

Budget News

The budget process begins once again with robust revenue estimates and millions of unspent federal ARPA funds. Budgeteers have \$1.06 Billion available in “one-time money” to spend, and another \$219 million in ongoing revenues – not counting ARPA funds or additional federal Jobs Act funds expected to come in spring. Of course, this presents real opportunities for forward-looking investments in clean energy, climate and pollution initiatives, water

conservation, and more. And also for tax cuts, which are getting priority attention from Republican leadership.

We will be supporting Gov. Cox’s recommendations for a big \$50 m. investment in Great Salt Lake, \$200 m. for secondary water metering, \$90 m. for drinking water and water quality, \$3.1 m. for water planning, and \$1.5 m. for turf removal. We will watch carefully the proposed uses of \$25 m. that could go to Utah Lake work.

There is still up to \$180 m. in unallocated ARPA funds that could go to water projects, and the Jobs Act will bring another \$364 m. for water infrastructure, so we are alert and prepared to fight any funding could get directed to water big, expensive and unnecessary water development projects.

Appropriations Subcommittees will spend the first two weeks of the Session setting the base budgets for FY 2023 before turning their attention to spending the new revenues.

What’s Ahead

Week 2 will see Appropriations Subcommittees meet each morning from 8:00-10:50. NRAEQ Appropriations meets on Monday, Wednesday and Friday. Standing Committees meet each day from 2-5. Both chambers will be on the floor each day from 11 to 11:50 or 12. Caucus lunches are held on Tuesday and Thursday all Session. The Capitol is open to the public. Here are the calendars for the 2nd Week:

House: https://le.utah.gov/~2022/schedule/h2_r1.pdf

Senate: https://le.utah.gov/~2022/schedule/h2_r1.pdf

Rules Committees

Senate Rules Committee:

Sen. Greg Buxton, Chair gbuxton@le.utah.gov
Sen. Lincoln Fillmore lfillmore@le.utah.gov
Sen. Kirk Cullimore, Vice-Chair kcullimore@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. Don Ipson dipson@le.utah.gov
Sen. Todd Weiler tweiler@le.utah.gov
Sen. Ron Winterton rwinterton@le.utah.gov

House Rules Committee:

Rep. Tim Hawkes, Chair thawkes@le.utah.gov
Rep. Karianne Lisonbee, Vice-Chair karilisonbee@le.utah.gov
Rep. Angela Romero angelaromero@le.utah.gov
Rep. Walt Brooks wbrooks@le.utah.gov
Rep. Sandra Hollins shollins@le.utah.gov
Rep. Casey Snider csnider@le.utah.gov
Rep. Calvin Musselman cmusselman@le.utah.gov

BILL TRACKING LIST

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

Bill	Sponsor	Description/Status	Priority	Position
HB 21 School and Child Care Water Testing Requirements	Rep. Handy	Requires each school and child care center to test their water taps by 12/21/2023 and submit samples to a certified lab. Seeks an appropriation of \$3.5 million in federal American Rescue Plan funds to pay for testing. In House Rules Committee.	2	Support
HB 33 Instream Flow Amendments	Rep. Ferry	Allows water rights to be used to improve Great Salt Lake levels and other sovereign lands to benefit wildlife, state parks management, and the natural aquatic environment. Amends the process by which a change application for instream flow or use on sovereign lands is considered to encourage diversion and use for instream purposes. Allows the Division of Forestry, Fire and State Lands to hold a water right for the benefit of sovereign lands. In House NRAE Standing Committee.	1	Support
HB 37 State Water Policy Amendments	Rep. Stratton	Adds aquifer recharge or storage to the list of water policies promoted in the State Water Policy. Passed House 73-0-2 on 1/18. In Senate NRAE Committee.	3	Neutral
HB 62 Big Game Amendments	Rep. Snider	Modifies provisions related to damage by big game animals to cultivated crops, livestock forage, fences, or irrigation equipment. Addresses under what circumstances a landowner or lessee may kill a big game animal, amends provisions related to compensation for damage caused by a big game animal, and addresses appeals. In House NRAE.	3	Studying
Substitute HB 64 Drinking Water	Rep. Watkins	Creates the Drinking Water Capacity Account and authorizes the Division of Drinking Water to	2	Support

Amendments		implement an annual fee on public retail water systems to be deposited into the Drinking Water Capacity Account. The revenues may be used for compliance with the Safe Drinking Water Act and for planning and technical assistance. Held in House Revenue & Taxation Committee.		
HB 78 Wildlife Conservation Fund	Rep. Snider	Creates the Wildlife Conservation Fund and outlines what the fund consists of and how it can be distributed. Passed House NRAE Standing Committee 1/21. On House 3 rd Reading Calendar.	2	Studying
HB 95 Landscape Requirement Prohibition	Rep. Ward	Prohibits cities and counties and certain private entities from requiring a property owner or resident to plant or maintain lawn or turf through land use regulations. In House Political Subdivisions Committee.	2	Support
HB 109 Death Certificate Amendments	Rep. Handy	Allows a health care professional to indicate that air pollution factored into an individual's death on the individual's death certificate. In House Rules.	3	Support
HB 112 Animal Fighting Penalties	Rep. Judkins	Changes "dog" to "animal" to prohibit the training or exhibition of any animal for the purpose of fighting other animals. In House Rules.	3	Support
HB 115 Water Distribution Efficiency	Rep. Ballard	Requires water suppliers of 500+ connections and water conservancy districts to adopt water loss standards, identify the amount of water lost within their systems, take one or more actions to address this loss, and describe this in their annual reports. Held in House NRAE 1/21.	2	Support
HB 118 Wetlands Amendments	Rep. Snider	Requires the collection and publication of wetland data and a study of the viability of an in-lieu fee program for wetland mitigation. In House NRAE.	1	Studying

HB 121 Water Conservation Requirements	Rep. Spendlove	Prohibits certain lawn or turf requirements by cities and counties, and prohibits homeowners associations, condominiums and mobile home parks from requiring lawns be planted and maintained. Imposes requirements related to water conservation at state government facilities and by state agencies, provides for incentives to replace lawn or turf with drought resistant landscaping. In House NRAE.	2	Studying
HB 129 Navigable Water Determinations	Rep. Hawkes	Modifies the Public Waters Access Act to provide an administrative process to determine navigability of waters for purposes of public recreational (stream) access. Exempts the administrative proceeding from the Administrative Procedures Act, grants rulemaking authority, provides for judicial review, addresses the scope and impact of a determination, and requires the Division of Forestry, Fire, and State Lands to publish a list of navigable waters in the state. In House Rules.	1	Support
HB 131 Watershed Restoration Amendments	Rep. Bennion	Creates the Watershed Restoration Initiative within the Department of Natural Resources to manage, restore, and improve watershed ecosystems throughout the state by improving watershed health and biological diversity, water quality and yield, and opportunities for sustainable uses of natural resources. In House NRAE.	2	Studying
HB 135 Open and Public Meeting Comment Requirements	Rep. Brammer	Requires a public body holding an open meeting to allow a reasonable opportunity for the public to provide verbal comment at the meeting. In House Rules Committee.	3	Support
HB 156 Sales and Use Tax Refund	Rep. Watkins	Enacts a refund of state sales and use tax paid for the purchase or lease of machinery, equipment, normal operating repair or replacement parts, or materials by an	3	Oppose

Amendments		oil and gas extraction establishment or a pipeline transportation establishment. In House Rules.		
HB 157 Sovereign Lands Revenue Amendments	Rep. Hawkes	Specifies that money in the Sovereign Lands Management Account may only be used for the management and direct benefit of sovereign lands. Creates a Great Salt Lake Account which shall receive royalties from mineral production from the Lake and may be spent on managing the water levels of Great Salt Lake. Will be heard in House Rev & Tax on Monday, 1/24 at 2:00 PM.	1	Support
HB 164 Public Transit Fares	Rep. Briscoe	Eliminates all fares on UTA conveyances. In House Rules Committee.	2	Support
HB 166 Water Facility Amendments	Rep. Watkins	Modifies criminal and civil provisions related to interfering with water facilities, including defining terms and amending criminal intent provisions, and clarifies award of attorney fees and costs. In House Rules.	3	Neutral
HB 168 Preferences of Water Rights Amendments	Rep. Albrecht	Requires the state engineer to study how the state should address preferred uses of water during a temporary water shortage emergency and enacts a provision related to a temporary water shortage emergency with a delayed effective date. In House Rules.	2	Studying
HB 173 Jordan River Recreation Area Amendments	Rep. Winder	Increases the size of the Jordan River Recreation Area or zone and appropriates \$475,000 one-time for projects to expand educational and recreational programs within the Area. In House Rules.	2	Support
HB 204 Trust Land Disposal Requirements	Rep. Snider	Requires the director of SITLA to invite input from local legislators before advertising a proposed sale of trust lands and restricts advertising for a sale of more than 5000 contiguous acres to 15 days before a legislative session. In House Rules.	3	Studying

HCR 1 To Work Together to Address The Climate, Public Lands and Carbon Sequestration	Rep. Stratton	Recognizes and encourages a questionable set of “best management practices” to reduce carbon emissions while also preserving and expanding forests and other lands to improve climate outcomes. In House Rules.	3	Oppose
HCR 7 Improving Air Quality Through Enhanced Zero Emission Rail	Rep. Ballard	Encourages the introduction of new zero emission locomotives, and phasing in the use of zero emission engines, including hydrogen fuel cell-electric systems. In House Rules.	2	Studying
HJR 3 Supporting Federal Carbon Fee and Dividend Program	Rep. Ward	Addresses CO ₂ pollution, its impact on the environment, and ways to efficiently promote clean air technology. In House Rules.	2	Studying
Rep. Brammer	Utah Lake Authority	No text yet.		
Rep. Matthews	Nonfunctional Turf Watering Prohibition	No text yet.		
Rep. Brammer	Utah Lake Authority Amendments	No text yet.		
Rep. Bennion	Water Conservation Plan Modifications	No text yet.		
Rep. Snider	Public Land Disposal Amendments	No text yet.		

Rep. Briscoe	Utah Clean Energy Fund	No text yet.		
Rep. Brammer	Public Lands Policy Coordinating Office Amendments	No text yet.		
Rep. Eliason	State Monument Act Amendments	No text yet.		
Rep. Stenquist	Vehicle Emissions Reduction Amendments	No text yet.		
Rep. Waldrip	Municipal and County Land Use and Development Revisions	No text yet.		
Rep. Acton	Jordan River Improvements Amendments	Directs the Jordan River Commission to work with the Department of Transportation regarding safety, signage and storm water run-off issues related to state highways and the Jordan River. In House Rules.	3	Support
Rep. Handy	Carbon Sequestration Amendments	No text yet.		
Rep. Handy	Energy Storage Innovation, Research and Grant Program	No text yet.		
Rep. Handy	Energy Storage	No text yet.		

	Asset Tax Credit			
Rep. Owens	Outdoor Retailer Amendments	No text yet.		
Rep. Kohler	Water Rights Adjudication Amendments	No text yet.		
SB 31 Water Rights Proofs on Small Amounts	Sen. Sandall	Allows the State Engineer, under certain circumstances, to issue a certificate on a water right where the proof does not conform to the underlying approved application. Passed Senate 27-0-2 on 1/18. Passed House NRAE 12-0-2 on 1/21. On House 3 rd Reading Calendar.	3	Support
SB 73 Flow Rates or Quantity for Plumbing Fixtures	Sen. Iwamoto	Modifies the residential plumbing code to require water efficient faucets, shower heads, and toilets for new construction. Passed Senate NRAE 5-1-2 on 1/20. On Senate 2 nd Reading Calendar.	2	Support
SB 89 Water Amendments	Sen. Iwamoto	Requires the Division of Water Resources to adopt regional water conservation goals and evaluate them every ten years. Water providers must adopt water conservation plans at least as stringent as the regional goals and include their rate structures in their plans. In Senate NRAE.	2	Support
SB 97 Solid and Hazardous Waste Amendments	Sen. Winterton	Provides that a facility that receives only waste from the exploration or production of oil and gas is not considered commercial nonhazardous solid waste treatment, storage, or disposal facility. Passed Senate NRAE 5-0-3 on 1/20. On Senate 2 nd Reading Calendar.	2	Studying

SB 110 Water as Part of General Plan	Sen. McKell	Requires a water use and preservation element to be part of a municipal or county general plan and outlines what steps to take in developing and acting upon a water use and preservation element. In Senate NRAE.	1	Support
SCR 2 Highlighting Utah's Willingness to Cooperate with the Federal Partners for Efficient and Sustainable Management of Public Lands	Sen. Winterton	Opposes the use of federal designations to lock up more federal land in Utah without the consent of the Legislature and strongly encourages the federal government to honor the principles of state sovereignty. Passed Senate 26-0-3 on 1/19. In House Rules.	3	Oppose
SCR 3 Highlighting Utah's Rare Earth Minerals Position	Sen. Hinkins	Recognizes the state of Utah's unique position as an essential source for critical minerals and encourages cooperation between state and federal stakeholders to take full advantage of the essential critical minerals and rare earth elements found in the state of Utah. Passed Senate 25-0-4 on 1/19. In House NRAE.	3	Oppose

Important Dates

January 18 First day of session

January 28 Last day to request bills or appropriations (by noon)

Last day to approve bills for numbering (by noon)

February 26 Last day for the Executive Appropriations Committee to complete all budget decisions necessary to draft the final appropriations bills

March 1 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 2 Last day for legislators to prioritize bills and other programs with fiscal impact

March 2 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 4 Last day of session

March 24 Last day governor may sign or veto bills

May 3 Last day a veto-override session may begin

May 4 Normal effective date for bills

First day to file bills for the 2023 General Session

Executive Appropriations Committee

Rep. Brad Last, Co-Chair

blast@le.utah.gov

Sen. Jerry Stevenson, Co-Chair

jwstevenson@le.utah.gov

Sen. Don Ipson, Vice-Chair dipson@le.utah.gov
Rep. Jefferson Moss, Vice-Chair jeffersonmoss@le.utah.gov
Rep. Mike Shultz mikeshultz@le.utah.gov
Sen. Stuart Adams jsadams@le.utah.gov
Sen. Jani Iwamoto jiwamoto@le.utah.gov
Rep. Andrew Stoddard astoddard@le.utah.gov
Sen. Karen Mayne kmayne@le.utah.gov
Rep. Robert Spendlove rspendlove@le.utah.gov
Sen. Kirk Cullimore kcullimore@le.utah.gov
Rep. Brian King briansking@le.utah.gov
Sen. Luz Escamilla lescamilla@le.utah.gov
Rep. Karen Kwan kwan@le.utah.gov
Rep. Brad Wilson bradwilson@le.utah.gov
Rep. Jen Dailey-Provost jdprovost@le.utah.gov
Sen. Evan Vickers evickers@le.utah.gov
Sen. Ann Millner amillner@le.utah.gov
Sen. Gene Davis gdavis@le.utah.gov
Rep. Val Peterson vpeterson@le.utah.gov

Senate Natural Resources, Agriculture and Environment Standing Committee

Sen. Scott Sandall, Chair ssandall@le.utah.gov
Sen. David Hinkins dhinkins@le.utah.gov
Sen. Greg Buxton gbuxton@le.utah.gov
Sen. Keith Grover keithgrover@le.utah.gov
Sen. Derrin Owens derrinowens@le.utah.gov
Sen. Jani Iwamoto jiwamoto@le.utah.gov
Sen. Gene Davis gdavis@le.utah.gov
Sen. Evan Vickers evickers@le.utah.gov

Senate Office: (801) 538-1035 (messages)

House Office: (801) 538-1029 (messages)

Governor's Office: (801) 538-1000

Natural Resources, Agriculture and Environmental Quality Appropriations Subcommittee

Sen. David Hinkins, Co-Chair dhinkins@le.utah.gov

Rep. Stewart Barlow, Co-Chair sbarlow@le.utah.gov
Rep. Kay Christofferson kchristofferson@le.utah.gov
Rep. Scott Chew, Vice-Chair scottchew@le.utah.gov
Sen. Dan McCay dmccay@le.utah.gov
Sen. Ronald Winterton rwinterton@le.utah.gov
Rep. Carl Albrecht carlalbrecht@le.utah.gov
Rep. Steve Handy stevehandy@le.utah.gov
Rep. Timothy Hawkes thawkes@le.utah.gov
Sen. Gregg Buxton gbuxton@le.utah.gov
Rep. Phil Lyman plyman@le.utah.gov
Sen. Gene Davis gdavis@le.utah.gov
Rep. Ryan Wilcox ryanwilcox@le.utah.gov
Sen. Jani Iwamoto jiwamoto@le.utah.gov
Rep. Brian King briansking@le.utah.gov
Rep. Keven Stratton kstratton@le.utah.gov
Rep. Casey Snider csnider@le.utah.gov a
Rep. Doug Owens dougowens@le.utah.gov
Sen. Scott Sandall ssandall@le.utah.gov

House Natural Resources, Agriculture and Environment Standing Committee

Rep. Keven Stratton, Chair kstratton@le.utah.gov
Rep. Casey Snider csnider@le.utah.gov
Rep. Carl Albrecht carlalbrecht@le.utah.gov
Rep. Scott Chew scottchew@le.utah.gov
Rep. Christine Watkins christinewatkins@le.utah.gov
Rep. Mike Schultz mikeschultz@le.utah.gov
Rep. Joel Briscoe jbriscoe@le.utah.gov
Rep. Phil Lyman plyman@le.utah.gov
Rep. Tim Hawkes thawkes@le.utah.gov
Rep. Gay Lynn Bennion glbennion@le.utah.gov
Rep. Steve Handy stevehandy@le.utah.gov
Rep. Michael Kohler, Co-Chair mkohler@le.utah.gov
Rep. Rex Shipp rshipp@le.utah.gov
Rep. Doug Sagers dsagers@le.utah.gov