

UTAH CONSERVATION COMMUNITY

LEGISLATIVE UPDATE

2024 General Legislative Session

Week #3

February 3, 2024

2024 Legislative Update

Each update provides key highlights for the prior weeks General Legislative Session and what is expected for the week ahead. The focus of this update are the Utah state legislation and actions for protecting wildlife and the environment. Questions and comments can be directed to Dan Strauch: strauchmail@yahoo.com.

About the Legislative Update

The *Legislative Update* is made possible by the Utah Audubon Council and contributing organizations. Each *Update* provides legislative actions, descriptions and updates throughout the Session and important dates and progress of key committees. For the most up-to-date information and for the names and contact information for legislators, check the Legislative website at www.le.utah.gov. The *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* is distributed after each Friday of the Session. Additional Action Alerts may also be distributed during the session. Please use this information to prepare you to contact your legislator with your opinions and concerns!

Weekly Update

A very busy week in both chambers. Many bills are moving swiftly through the legislative process.

TIMING IS EVERYTHING NOW. Some points...

If you see a bill that you support is HELD or CIRCLED or NOT CONSIDERED (these terms tend to mean there were objections and bill may need amendments or is in jeopardy) it is time to contact legislators and let them you expect the bill to move and their support.

If a bill you oppose is progressing through a chambers reading calendar 1st reading, 2nd reading 3rd reading, that means it is proceeding to passage. Definitely act if on 2nd and 3rd reading.

All of the committee and floor presentations are available at www.le.utah.gov so you can listen to objections. I have tried to add details below to frame what I have heard in the presentations and offer information that may be of use in a communication.

Bills do move quickly and in the span of a week can pass from one chamber to the other, pass the second and be sent to Governor.

I have added a number of bills that were introduced in previous weeks but were made aware and they do have impact of interest for us (they will be in all orange type).

MINING TAKES THE FOREFRONT

While last year was a success in moving several water/GSL related bills through passage, it appears this is the year of mining interests. Several bills in the House and Senate have been introduced that facilitate mining expansion or make public knowledge, engagement and comment more difficult. Key mining bills...

HB18, HB151, HB262, HB353, HB433, HB452
SB75, SB172.

See my notes below. Time to let legislators know your position.

For Audubon members that are constituents of Representatives Albrecht, Chew, Lund or Sen. Hinkins, you are encouraged to reach out to them and express your position on bills of interest. These legislators dominate conversations and are deeply invested in ranching, mining and power. Expressing your expectation that they bring balanced consideration to legislation would be beneficial.

FUNDING KEY LEGISLATION

Several key appropriations requests (RFA) were presented this week, these were essentially requests to fund bills passed last year.

Representative Casey Snider presented the most important funding requests

- GSL Watershed Measurement
- Division of Water Rights Data Management Improvements

These RFAs are directly related to funding the state engineer to place water meters and collect data to insure that saved water is flowing to the GSL. This is a follow up to bills past last year. Several legislators concerned about the GSL feel this is the most important effort this year.

Representative Doug Owens made funding requests for:

- Agricultural Research
- Turf Removal
- Great Salt Lake Split-Season Lease Projects
- Great Salt Lake Phragmites Eradication
- Utah Growing Smart Water Program Plus (Rep. Owens)

Voicing your expectation of funding on these efforts is critical now as well. As communicated earlier, any members that are farmers or with farmer friends, yours and their voice is needed on the split season leasing fund expectation.

There were several other RFAs that may be of interest. Again, all recordings are on the legislative website.

The Ogden Canon Water Line RFA was very interesting. Presented by the Ogden Mayor, this request was for funding to replace the current pipe which was estimated to save over 3000 acre/feet of water per year. He then proposed to pipe 1500 acre/feet of that saved water to the Willard Spur in August to

avoid botulism growth and the kill off of birds that results. A very interesting idea, albeit it is probably a decade away. This may become more critical as I have been made aware that the enlargement of the parking facility at the Willard Spur has significantly increased boats on the spur running through the grass/weed beds and destroying duck and wetland bird feeding and nesting areas.

I will continue to follow appropriations requests and also watch to determine if requests are fully funded.

BILL TRACKING LIST

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

Bill	Sponsor	Description/Status <i>Italics are UAC commentary/explanation Comments in orange are new/changed vs prior week.</i>	Priority	Position
<u>HB 11</u> Water Efficient Landscaping Requirements	Rep. Owens	<p>This bill restricts the use of lawn or turf by certain governmental entities.</p> <p><i>This bill is another step in reducing water use on ornamental lawns by Utah State entities.</i></p> <p><i>House Natural Resources, Agriculture and Environment Committee agenda for Jan 18, 24 passed back to House with Favorable Recommendation.</i></p> <p><i>Passed House.</i></p> <p><i>Passed Senate Business and Labor Committee with favorable recommendation on 31 Jan.</i></p> <p><i>Read in Senate. CIRCLED.</i></p>	1	Support
<u>HB 18</u> Mineral Production Tax Withholding Amendments	Rep. Bolinder	<p>This bill provides penalty provisions that apply if a producer fails to file a form 1099 or fails to file the form 1099 on time amends the percentage of the mineral production tax a producer withholds to align with the income tax rate amends the information a producer is required to provide on a withholding return provides the requirements for a producer to file a form 1099 with the State Tax Commission.</p>	3	Neutral

		<p><i>Passed House to Senate. Passed Senate Revenue and Taxation Committee with favorable recommendation on 1 Feb.</i></p> <p><i>Senate 2nd ready calendar.</i></p>		
<p>HB 23 Division of Outdoor Recreation Advisory Council Sunset Extension</p>	Rep. Brooks	<p>This bill extends the sunset date of the advisory council that advises the Division of Outdoor Recreation on boating policies from 2024 to 2029.</p> <p><i>The Natural Resources, Agriculture, and Environment Interim Committee recommended this bill. In House for 2nd reading.</i></p> <p><i>Passed House and Senate. To GOVERNOR..</i></p>	3	Support
<p>HB 31 Agricultural Tourism Amendments</p>	Rep. Albrecht	<p>This bill expands agricultural nuisance liability protections in relation to an agritourism activity; provides that an agricultural protection area may include an ag-tourism activity; requires the Department of Agriculture and Food to maintain an ag-tourism registry and describes requirements relating to the registry; modifies civil liability limitations in relation to an agricultural tourism activity.</p> <p><i>The Natural Resources, Agriculture, and Environment Interim Committee recommended this bill. In House for 3rd reading.</i></p> <p><i>Supports additional income for ag producers, means to insure they do not have to sell for development</i></p> <p><i>On agenda for Senate Judiciary, Law Enforcement, and Criminal Justice Committee.</i></p>	3	Support

<p>HB 42 Water Rights Publication Amendments</p>	<p>Rep. Briscoe</p>	<p>This bill permits the state engineer to confirm publication of a notice of application through electronic means.</p> <p><i>Passed from House to Senate.</i></p> <p><i>Senate Natural Resources, Agriculture and Environment Committee agenda for Jan 23, '24 passed back to Senate with Favorable Recommendation.</i></p> <p><i>Passed House and Senate. To GOVERNOR.</i></p>	<p>3</p>	<p>Support</p>
<p>HB 48 Utah Energy Act Amendments</p>	<p>Rep. Jack</p>	<p>This bill modifies reporting requirements for the Office of Energy Development; modifies the purposes of the Office of Energy Development to include:</p> <ul style="list-style-type: none"> • developing strategies to advocate for state interests on federal energy and environmental programs; • overseeing legal strategy on federal overreach and permitting delays; and • engaging in federal rulemaking and advocacy for regulatory reform; <p>directs the Office of Energy Development to adopt a master plan with data-driven modeling at a statewide level; requires adoption of best practices in development of state energy plans.</p> <p><i>The Public Utilities, Energy, and Technology Interim Committee recommended this bill. In House for 1st reading.</i></p> <p><i>Concern, while this bill does add duties to OED that are positive for planning and transparency, it also gives it the authority to push back vs federal energy requirements.</i></p> <p><i>House 3rd reading Calendar.</i></p>	<p>2</p>	<p>Oppose</p>

		<i>Oppose lines that read “direct the funding of legal effort to combat federal overreach and unreasonable delays regarding energy and environmental permitting”</i>		
HB 57 Snake Valley Aquifer Advisory Council Amendments	Rep. Brooks	<p>This bill repeals the Snake Valley Aquifer Council chapter, removes language citing provisions of that chapter, including: a sunset provision; and a provision related to the duties of the Public Lands Policy Coordinating Office.</p> <p><i>Agree that council is no longer needed given recent legal victories.</i></p> <p><i>House Natural Resources, Agriculture and Environment Committee agenda for Jan 18, 24 passed back to House with Favorable Recommendation.</i></p> <p><i>Passed House to Senate.</i></p> <p><i>Passed House an Senate. To GOVERNOR.</i></p>	3	Neutral
HB 61 Water Measuring and Accounting Amendments	Rep. Albrecht	<p>This bill modifies the state water policy to address telemetry; grants rulemaking authority regarding measurement and accounting; and makes technical changes, including repealing outdated language.</p> <p><i>House Natural Resources, Agriculture and Environment Committee agenda for Jan 18, 24 passed back to House with Favorable Recommendation.</i></p> <p><i>Passed House to Senate.</i></p> <p><i>Read in Senate. CIRCLED.</i></p>	1	Support

<p>HB 62 Utah Water Ways Amendments</p>	<p>Rep. Owens</p>	<p>This bill outlines coordination related to water and the public education system.</p> <p><i>House Natural Resources, Agriculture and Environment Committee agenda for Jan 18, 24 passed back to House with Favorable Recommendation.</i></p> <p><i>Expect that this bill will be amended. Some members concern was that the education was simply “conservation indoctrination.” Rep. Owens rebutted that was not the intent and was willing to amend.</i></p> <p><i>Maintain SUPPORT until amendment seen.</i></p> <p><i>23 Jan, this bill was “circled” by Rep. Owens on House floor. That means he is still working on changes but wants to keep on House reading calendar.</i></p> <p><i>Passed House to Senate. Assigned to Senate Education Committee.</i></p>	<p>1</p>	<p>Support</p>
<p>HB 65 Active Transportation and Canal Trail Amendments</p>	<p>Rep. Lesser</p>	<p>This bill requires a canal owner or operator to notify certain entities of the intent to abandon or transfer title of a canal; provides certain entities the right of first refusal to purchase a canal; requires the Department of Natural Resources to compile a list of certain canals and provide that list to the Department of Transportation; requires the Department of Transportation to:</p> <ul style="list-style-type: none"> • develop a canal trail toolkit; • inventory certain canals in the state; • consider creating a canal trail as part of the active 	<p>2</p>	<p>Support</p>

		<p>transportation plan; and</p> <ul style="list-style-type: none"> • identify certain canal corridors for transportation corridor preservation; enables the Transportation Commission to consider water savings and improvement of canal infrastructure when prioritizing a transportation project. <p><i>Introduced to House Natural Resources, Agriculture and Environmental Committee on 18 Jan, 24. Some members expressed concerns about canals on private property. Held by committee.</i></p> <p><i>Maintain SUPPORT until amended.</i></p> <p><i>Fiscal note made public on 22 Jan.</i></p> <p><i>Remains HELD in committee.</i></p>		
HB 76 State Resource Management Plan Amendments	Rep. Stratton	<p>This bill adopts a state resource management plan to replace a previously adopted plan.</p> <p><i>Passed House to Senate.</i></p> <p><i>Passed House and Senate. To GOVERNOR.</i></p>	3	Support
HB 90 Outdoor Recreation Infrastructure Amendments	Rep. Stenquist	<p>This bill simply relocates definitions of the current bill.</p> <p><i>Passed House Economic Development and Workforce Services Committee with Favorable Recommendation on 26 Jan</i></p> <p><i>House 3rd reading calendar.</i></p>	3	Neutral
HB 117 Wind Energy Facility Siting Modifications	Rep. Burton	<p>This bill requires the owner of a wind energy facility to file documentation with the Department of Veterans and Military Affairs (department) and the Department of Natural Resources that the clearinghouse and the</p>	3	Neutral

		<p>department have determined that the proposed construction does not encroach upon or otherwise have an adverse impact on the military; and provides for penalties if an owner of a wind turbine or a wind energy facility fails to submit the proper documentation to the Department of Natural Resources.</p> <p><i>Introduced to House Public Utilities, Energy and Technology Committee on 25 Jan. Passed with Favorable Recommendation.</i></p> <p><i>Moved position to Neutral. Based on debate and my research, this process has been adopted by several other states. Is supported by wind energy producers and puts siting determination within a federal government process. Concern would be if not federal than state would act and limit much more.</i></p> <p><i>Passed House to Senate 1st reading calendar.</i></p>		
HB 126 Emissions Regulation Amendments	Rep. Stoddard	<p>This bill prohibits the Division of Motor Vehicles from registering a motor vehicle in certain counties if the motor vehicle has a gross vehicle weight rating of more than 14,000 pounds and emits a certain level of nitrogen oxides; removes a provision allowing a county to exempt certain vehicles from emissions inspections.</p> <p><i>Remains on assigned list for House Natural Resources, Agriculture, and Environment Committee.</i></p>	2	Support
HB 130 Animal Fighting Penalties	Rep. Judkins	<p>This bill amends existing legislation and provide greater specificity to the definitions of dog and game fowl fighting and fighting paraphernalia.</p> <p><i>House 1st reading introduced.</i></p>	3	Support

HB 135 County Land Use Amendments	Rep. Birkeland	<p>This bill removes text from existing legislation that specified actions to be taken prior to 31 December, 2022.</p> <p><i>House 1st reading introduced.</i></p>	3	Neutral
HB 151 Public Lands Amendments	Rep. Ward	<p>This bill requires an inventory of public lands by each municipality and notification of interest in public lands.</p> <p><i>How would this information be used?</i></p> <p><i>House 1st reading introduced.</i></p>	2	Watch
HB 159 Bears Ears Visitor Center Advisory Committee Repeal Amendments	Rep. Owens	<p>This bill removes the repeal date of the advisory committee.</p> <p><i>1st substitute introduced by Rep. Owens replaces repeal date of 31 Dec '24 to a sunset date of 31 Dec '34.</i></p> <p><i>House 1st reading introduced.</i></p>	2	Support
HB 191 Electrical Energy Amendments	Rep. Jack	<p>This bill sets conditions for when the Public Service Commission may approve the early retirement of an electrical generation facility.</p> <p>Requires: Retirement does not create a material adverse effect on the provision of affordable, reliable, dispatchable, and secure electricity to customers in the state; create a shortage of available electricity to customers in the state; (c) harm the qualified utility's ratepayers by causing the qualified utility to incur any net incremental costs to be recovered from ratepayers that could be avoided by continuing to operate the electric generating unit proposed for retirement in compliance with applicable law; and (d) be undertaken as a result of any</p>	2	Oppose

		<p>financial incentives or benefits offered by any federal agency.</p> <p><i>Oppose as written. Complicates decision by power providers to retire older power generating facilities.</i></p> <p><i>On agenda for House Public Utilities, Energy, and Technology Committee 29 Jan.</i></p> <p><i>Passed House Public Utilities, Energy, and Technology Committee with Favorable Recommendation. On House 3rd reading calendar.</i></p>		
HB 195 Land Use Planning Amendments	Rep. Owens	<p>This bill requires municipalities and counties to consider development impacts on wildlife in the process of considering and adopting general plans and land use regulations.</p> <p><i>House 1st reading introduced.</i></p>	1	Support
HB 222 Wildlife Hunting Amendments	Rep. Gricius	<p>This bill addresses what is sufficient wearing of hunter orange while hunting big game; grants the director of the Division of Wildlife Resources authority related to the wearing of hunter orange by non-hunters.</p> <p><i>2nd substitute includes new language on sale of "big game by-product."</i></p> <p><i>Passed House Natural Resources, Agriculture, and Environment Committee with favorable recommendation on 1 Feb.</i></p>	3	Neutral
HB 232 Outdoor Recreation Impacts Fund	Rep. Stenquist	<p>This bill creates the Outdoor Recreation Impacts Restricted Account (restricted account); provides that appropriations from the restricted account are non-lapsing; funds the restricted account with a portion of</p>	2	Support

		<p>the sales and use tax revenue remitted by sporting good sellers.</p> <p><i>Creates funds to support local municipalities in extraordinary recreation support (solid waste removal, search and rescue, etc) through ear marking funds collected as a tax on sporting goods sellers.</i></p> <p><i>House 1st reading introduced.</i></p>		
HB 237 Land Use Authority Amendments	Rep. Walter	<p>This bill prohibits a county or municipality from requiring the incorporation of a preferred aesthetic feature in new development unless the preferred aesthetic feature is expressed in the county or municipality's land use regulation.</p> <p><i>Deals with aesthetic requirements of buildings only.</i></p> <p><i>Assigned to House Political Subdivisions Committee.</i></p>	3	Neutral
HB 241 Clean Energy Amendment	Rep. Albrecht	<p>This bill changes the term renewable to clean where appropriate in statute. Adds definitions of clean energy sources.</p> <p><i>Oppose as written. Identifies "nuclear" as clean energy source. Also establishes a "State Fair Park" agency, need to understand purpose.</i></p> <p><i>Passed in House Public Utilities, Energy and Technology Committee on 24 Jan. Passed with favorable recommendation.</i></p> <p><i>Aligns clean energy definition to federal definition (clean energy = non carbon producing). Nuclear, carbon capture and sequestration and pumped hydropower added to bill are all clean energy as defined by federal</i></p>	3	Neutral

		<p><i>statutes. This bill does not expressly facilitate the building of such energy production in Utah.</i></p> <p><i>Passed House to Senate.</i></p> <p><i>I have changed position to Neutral. I feel would be inconsistent to take a position against aligning to federal definitions. Is there a fight at federal level to redefine definition of clean energy to remove Nuclear, etc.? Open to feedback.</i></p>		
HB 242 Water Usage Data Amendments	Rep. Ballard	<p>This bill requires that reporting of water usage by a state agency, requires the Division of Water Resources to conduct a study of public school water use; requires publication and reporting of study findings and recommendations; provides for procurement of smart irrigation controllers.</p> <p><i>HELD by House Public Utilities, Energy, and Technology Committee on 1 Feb.</i></p> <p><i>First, this is a study only, run by state agencies. Once again push back from rural representatives ... “not our problem” and “too much work” for a small town.</i></p> <p><i>This is very reasonable collection of data across the state.</i></p>	1	Support
HB 243 Riparian Amendments	Rep. Bennion	<p>This bill requires a riparian area element as part of a municipal or county general plan with exceptions; addresses adoption of zoning or other land use ordinances; provides for how a riparian area element is included into a municipal or county general plan; provides for action related to the general plan by the legislative body of a municipality or county; provides for technical assistance from the Division of Water Resources; directs the appointment of a state position</p>	1	Support

		<p>related to riparian areas; directs the compilation of a riparian map.</p> <p><i>On assigned list for House Natural Resources, Agriculture, and Environment Committee.</i></p>		
<p>HB249 Utah Legal Personhood Amendments</p>	Rep. Brooks	<p>This bill prohibits a governmental entity from granting or recognizing legal personhood in certain categories of nonhumans.</p> <p><i>Sponsor states that this was a response to a “few of his constituents” expressing confusion that other countries or states have extended personhood rights to inanimate objects.</i></p> <p><i>Bill is obvious response to possible environmental rights strategies. Seems reactionary to wording “person” or “personhood.”</i></p> <p><i>Passed House to Senate. On agenda for Senate Judiciary, Law Enforcement, and Criminal Justice Committee on 5 Feb..</i></p>	1	Oppose
<p>HB 256 Military Compatible Land Use Amendments</p>	Rep. Peterson	<p>This bill modifies provisions regarding when notice is required related to applications or permits near military land; provides that a municipality or county should deny a land use application if the Department of Veterans and Military Affairs determines that a proposed land use is incompatible with military operations.</p> <p><i>First substitution introduced that provides significantly more specificity and eliminates the sole idea that the military “determination of incompatible with military operations” is cause for rejection.</i></p>	3	Neutral

		<p><i>Passed Senate Economic Development and Workforce Services Committee with favorable recommendation on 1 Feb.</i></p> <p><i>On Senate 2nd reading calendar.</i></p>		
HB 262 School and Institutional Trust Lands Amendments	Rep. Snider	<p>This bill clarifies that the state may sell or lease land to state entities for fair market value; exempts the sale or lease of certain large aggregations of trust lands from advertising requirements and mineral rights restrictions; excludes certain lands from sale or lease; and requires rulemaking for determining the fair market value of trust lands.</p> <p><i>House 1st reading.</i></p> <p><i>Need to better understand the removal of the mineral rights restrictions.</i></p> <p><i>Assigned to House Natural Resources, Agriculture and Environment Committee.</i></p>	1	Watch
HB 275 Water Amendments	Rep. Snider	<p>This bill clarifies who is eligible for grant money for water conservation efforts other than secondary water metering.</p> <p><i>House 1st reading.</i></p> <p><i>1st substitute introduced. Improvement in that it further limits home association from requiring turf.</i></p> <p><i>Passed House to Senate.</i></p>	1	Support
HB 279 Air Quality Amendments	Rep. Clancy	<p>This bill establishes a policy reducing certain <i>[vehicle]</i> emissions; addresses possible revocation of a vehicle registration for avoiding emissions testing; clarifies civil penalties by counties; provides for counties to notify the</p>	2	Support

		<p>Motor Vehicle Division of the use of an address that is not a bona fide address to avoid emissions testing; defines terms; requires specified state agencies to develop plans to reduce emissions; repeals outdated language regarding air quality mitigation.</p> <p><i>Fiscal note received 22 Jan.</i></p>		
Bills added Week 1				
HB 280 Water Related Changes	Rep. Snider	<p>This bill provides for the application of planning and prioritization to water funds and accounts; modifies provisions related to the formulation of a state water plan; amends provisions related to the Water Infrastructure Restricted Account; authorizes rulemaking authority; requires the Board of Water Resources to impose a water use fee and to study the fee and consolidation of funds and accounts; creates the Water Infrastructure Fund; modifies provisions of the Watershed Councils Act; modifies provisions related to the Water Development Coordinating Council; enacts planning and prioritization provisions, including: defining terms; requiring a unified water infrastructure plan; providing for ranking and prioritizing of water infrastructure projects; addressing duties; and requiring reserve studies and capital asset management.</p> <p><i>Introduced to House Natural Resources, Agriculture, and Environment Committee and HELD on Monday 29 Jan.</i></p> <p><i>Significant concerns expressed by committee and public on the undefined fees and undefined distribution of the fees collected for the Water Infrastructure Fund. Also concern about the centralized decision making of the Water Development Coordinating Council.</i></p>	1	Watch

<p>HB 291 Department of Agriculture and Food Amendments</p>	<p>Rep. Shipp</p>	<p><i>HELD by committee for further discussion and study.</i></p> <p>This bill clarifies appointment provisions and reporting requirements for the Local Food Advisory Council; repeals certain requirements relating to the registration of weights and measures in commerce or trade; expands definitions in the Utah Nursery Act; changes the reporting date for the Utah Soil Health Program; modifies the composition of the Agricultural and Wildlife Damage Prevention Board; modifies provisions relating to animal branding; changes how the department makes value determinations in relation to the destruction of infected livestock; clarifies a reporting requirement for a veterinarian who diagnoses a case of vesicular disease; removes a restriction for funds under the LeRay McAllister Working Farm and Ranch Fund; repeals a requirement for the department to provide education on horse tripping to horse event venues; repeals a provision relating to infected dairy animals.</p> <p><i>This bill has multiple and various changes mostly technical. After further investigation, the changes appear to be of minimal impact. The McAllister Working Farm and Ranch Fund is set up to purchase and preserve open land, primarily for Ag but does prevent construction.</i></p> <p><i>Fiscal note received 18 Jan.</i></p> <p><i>Passed House Natural Resources, Agriculture and Environment Committee with favorable recommendations on 1 Feb.</i></p> <p><i>On House 3rd reading calendar.</i></p>	<p>3</p>	<p>Neutral</p>
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<p>HB 295 Produced Water Amendments</p>	<p>Rep. Lund</p>	<p>This bill provides for the scope of the Produced Water Act; addresses the Board of Oil, Gas, and Mining's regulation of produced water; addresses water right issues; enacts provisions related to possessory interests and control.</p> <p><i>House Natural Resources, Agriculture and Environment Committee passed with favorable recommendation on 24 Jan.</i></p> <p><i>Sponsor expects this would save need for fresh water as part of the mining/drilling operation, save from 2000 to 8000 acre/feet of fresh water. Non-consumptive use only in Oil and Gas drilling.</i></p> <p><i>Passed House to Senate. On Senate 1st reading calendar.</i></p>	<p>2</p>	<p>Support</p>
<p>HB 297 Utah Bee Inspection Act Amendments</p>	<p>Rep. Shipp</p>	<p>Prohibits a state agency from making stricter bee keeping requirements on private property than are more restrictive than those stated in state legislation.</p> <p><i>Fiscal note received 18 Jan.</i></p> <p><i>Passed House Natural Resources, Agriculture, and Environment Committee with favorable recommendation on 1 Feb.</i></p>	<p>3</p>	<p>Neutral</p>
<p>HB 302 Paleontological Landmark Amendments</p>	<p>Rep. Elison</p>	<p>This bill modifies the process to designate a state paleontological landmark; addresses ownership and control of a state paleontological landmark; amends the permitting requirements to excavate on a privately owned paleontological landmark.</p> <p><i>Primary difference allows site to be designated by the board or by concurrent resolution of Leg & Governor.</i></p>	<p>3</p>	<p>Neutral</p>

		<p><i>Fiscal note received 19 Jan.</i></p> <p><i>Passed House Public Utilities, Energy, and Technology Committee with favorable recommendation on 1 Feb.</i></p> <p><i>On House 2nd reading calendar.</i></p>		
<p>HB 317 Energy Storage Amendments</p>	Rep. Musselman	<p>This bill directs the Office of Energy Development to study the feasibility and benefits of storing liquid fuel within the state; specifies study requirements and considerations; allows the Office of Energy Development to contract with consultants for the study; and requires a report of the study results and recommendations.</p> <p><i>This bill only initiates a study but storing large amounts of liquid fuel is simply a high risk situation.</i></p> <p><i>House Natural Resources, Agriculture and Environment Committee passed with favorable recommendation on 24 Jan.</i></p> <p><i>Sponsor position is that we need refined fuel at the ready to be stored in salt domes. State already has unrefined oil reserves this seems redundant and unnecessary.</i></p> <p><i>Passed House to Senate.</i></p>	2	Oppose
<p>HB353 Mining Operations Amendments</p>	Rep. Bolinder	<p>This bill modifies definition provisions; addresses judicial review; amends the process for approval of notice of intentions for large mining operations; addresses conversion between small and large mining operations; provides procedures for review of permit orders; clarifies the process of amending or revising a notice of intention.</p>	1	Oppose

		<p><i>Passed House Public Utilities, Energy, and Technology Committee with favorable recommendation on 1 Feb.</i></p> <p><i>This bill severely limits the opportunity for local and public comment on large mining operations by reducing timeline for comment and defining what would be a "substantive public comment." All public comments are substantive by definition.</i></p>		
Bills added Week 2				
HB363 Livestock Grazing Amendments	Rep. Albrecht	<p>This bill recognizes a federal grazing permit or lease as a valid existing right in range management.</p> <p><i>Introduced at House Natural Resources, Agriculture and Environment Committee, passed with favorable recommendation back to House on 29 Jan.</i></p> <p><i>On House 2nd reading calendar.</i></p> <p><i>Per committee discussion, this would have no impact on federal grazing permits at least without a legal battle. This would only have effect when federal lands are transferred back to the state, which is in discussion. The "right" would essentially mean the state could not prohibit grazing so long as ranchers desire to graze.</i></p> <p><i>Sponsor arguments; 1) ranchers invest and maintain the grazing areas and actually create a more diverse environment and 2) power pathways were granted as existing rights to power companies so grazing should be for ranchers as well.</i></p> <p><i>Current position on arguments 1) I will need to investigate; I am sure they maintain but is this beneficial</i></p>	2	Oppose

		<p><i>and necessary. On 2) power pathways serve large portions of general public, grazing does not.</i></p> <p><i>Will continue to watch.</i></p>		
HB373 Environmental Quality Amendments	Rep. Snider	<p>This bill specifies what acts under the Environmental Quality Code require approval of the coordination council; addresses settlement agreements addressing water quality; modifies the composition of the Air Quality Policy Advisory Board; addresses provisions related to pollution control; modifies the powers of the coordination council; and makes technical and conforming amendments.</p> <p><i>Adds members of fuel and manufacturing industry to Air Quality Council.</i></p> <p><i>Assigned to House Natural Resources, Agriculture and Environment Committee.</i></p>	2	Oppose
HB374 State Energy Policy Amendments	Rep. Jack	<p>This bill provides that the state energy policy: is focused on human well-being and quality of life; encourages the use of dispatchable energy resources; fosters innovation and development to meet future energy demand; and allows for market-based solutions; and requires the Office of Energy Development to report annually to the Public Utilities, Energy, and Technology Interim Committee regarding:</p> <ul style="list-style-type: none"> • development and implementation of the state energy plan; and • the state energy plan's compliance with the state energy policy. <p><i>Passed House Public Utilities, Energy and Technology Committee with favorable recommendation.</i></p>	3	Watch

		<p><i>House 3rd reading calendar.</i></p> <p><i>Bill outlines attributes of energy resources that are ranked in priority but affordable and sustainable are 4 and 5 on the list.</i></p>		
HB382 Wildlife Amendments	Rep. Snider	<p><i>This bill primary makes changes to laws regulating hunting and penalties for illegal game taking.</i></p> <p><i>However, the final section 23A-12-102 requires the Division of Wildlife resources to advocate against the changing of “eponymous bird names.” This is unnecessary and a waste or resources. Oppose unless this section is removed.</i></p> <p><i>Introduced to House.</i></p>	1	Oppose section 23A-12-102
HB401 Water Usage Amendments	Rep. Owens	<p>This bill addresses the irrigating of lawn or turf in specified counties during a restricted period; imposes fines for an infraction; provides exceptions; addresses scope of provision; and requires a good faith estimate of water savings.</p> <p><i>Prohibits lawn watering in certain counties from October 1 to April 30.</i></p>	1	Support
HB410 San Rafael State Energy Lab	Rep. Watkins	<p>This bill: establishes the San Rafael Energy Research Center; creates the State Energy Lab; establishes the membership and duties of the board; outlines the purpose and duties of the center; and establishes a project proposal solicitation and approval process.</p> <p><i>Passed House Public Utilities, Energy and Technology Committee with favorable recommendation on 1 Feb.</i></p> <p><i>On House 3rd reading calendar.</i></p>	2	Neutral

		<i>Bill acquires existing clean energy research lab, that is to close, and creates state lab.</i>		
Bills added Week 3				
HB433 Brine Amendments	Rep. Bolinder	<p>This bill grants rulemaking authority; provides for the designation of multiple mineral development areas; addresses notice of intention requirements related to brine mining operations in multiple mineral development areas; addresses cooperative agreements; requires a study related to brine mining operations and a report of the study; and permits the selection of a consultant.</p> <p><i>While this bill declares these development areas are “use of a production well not involving operations on the Great Salt Lake” it does not define what “on the Great Salt Lake” means. Wetlands? Plus facilitates more mining operations.</i></p> <p><i>Introduced to House.</i></p>	1	Oppose
HB448 State Water Program Reporting Requirements	Rep. Ward	<p>This bill requires the Division of Water Resources (division) to monitor state legislative water optimization efforts; requires the division to work with other state entities; directs the division to annually report specific findings; specifies the legislative committees to which the report is to be given; requires posting of the report; requires state agencies to assist upon request; provides a sunset date.</p> <p><i>Requires annual reporting on progress of water optimization projects created by the legislature.</i></p>	2	Support
HB452 Carbon Capture Amendments	Rep. Chew	<p>This bill repeals two existing funds and replaces the repealed funds with the Carbon Dioxide Storage Fund (fund); addresses the Board of Oil, Gas, and Mining's (board) authority to impose fees and deposit money into</p>	2	Watch

		the fund; addresses the holding of title by the state of storage facilities including oversight of facilities used to store carbon dioxide after the board issues a certificate of project completion; clarifies fee provisions.		
SB 16 Motor Vehicle Act Amendments	Sen. Harper	<p>This bill allows the Division of Motor Vehicles to provide title to certain off-highway vehicles; defines terms and amends the definitions of certain motor vehicles; amends a provision to allow certain motor vehicles to emit visible contaminants.</p> <p><i>Passed Senate and House. On Senate Concurrent calendar.</i></p> <p><i>Some questions on Support position. My read, bill relocates definitions but more specifically gives DMV authority to site ORV that have visible emissions outside a warm up time. This was not clear in existing law.</i></p>	2	Support
SB 17 Safe Drinking Water Act Sunset Extension	Sen. Sandall	<p>This bill extends the sunset date for the Safe Drinking Water Act.</p> <p><i>Passed Senate and House, to GOVERNOR.</i></p>	1	Support
SB 18 Water Modifications	Sen. Sandall	<p>This bill modifies forfeiture provisions in relation to saved water; grants rulemaking authority related to saved water; addresses changes to a water right in relation to saved water; provides for proofs related to saved water; addresses certificates of appropriation in relation to saved water; modifies provisions related to segregation and saved water; clarifies language related to agricultural water optimization and saved water; repeals certain language related to agricultural water optimization.</p>	1	Support

		<p><i>Bill does not completely address needs to ensure saved water properly but makes several significant steps.</i></p> <p><i>Senate Natural Resources, Agriculture and Environment Committee agenda for 23 Jan '24 passed back to Senate with Favorable Recommendation.</i></p> <p><i>Minimal debate by committee.</i></p> <p><i>Assigned to House Natural Resources, Agriculture and Environment Committee.</i></p>		
SB 20 Agricultural and Wildlife Damage Prevention Board Amendments	Sen. Sandall	<p>This bill extends the sunset date of the Agricultural and Wildlife Damage Prevention Board from 2024 to 2034.</p> <p><i>Passed Senate to House.</i></p> <p><i>House Natural Resources, Agriculture and Environmental Committee passed with favorable recommendation on 24 Jan.</i></p> <p><i>Passed Senate and House. To GOVERNOR..</i></p>	3	Neutral
SB 28 Scenic Byway Program Amendments	Sen. Harper	<p>This bill restructures how a highway is designated as a state scenic byway and how a state scenic byway designation is removed; restructures how a highway or state scenic byway is nominated as a National Scenic Byway or an All-American Road; repeals the Utah State Scenic Byway Committee and assigns certain responsibilities of the former Utah State Scenic Byway Committee to a temporary committee and the Transportation Commission; requires the Department of Transportation and the Utah Office of Tourism to coordinate to prioritize projects for federal grants related to scenic byways and make</p>	2	Oppose

		<p>recommendations to the Transportation Commission for final approval.</p> <p><i>Adds a member of Billboard industry to Scenic Byway Committee.</i></p> <p><i>On agenda for Senate Transportation, Public Utilities, Energy, and Technology Committee 5 Feb.</i></p>		
SB 39 Water Shareholder Amendments	Sen. Sandall	<p>This bill addresses the timing of a water company's response to a shareholder's proposed change application.</p> <p><i>Senate Natural Resources, Agriculture and Environment Committee agenda for Jan 17, 24 passed back to Senate with Favorable Recommendation.</i></p> <p><i>Jan 23, Passed Senate to House.</i></p> <p><i>Passed House Senate Natural Resources, Agriculture and Environment Committee with favorable recommendation on 1 Feb.</i></p> <p><i>On House 3rd reading calendar.</i></p>	3	Neutral
SB 55 Bear Lake Preservation Amendments	Sen. Wilson	<p>This bill defines certain principles of the Bear Lake that are associated with its environmental and recreational uniqueness and value. It also requires development be consistent with these principles.</p> <p><i>Passed to Senate Natural Resources, Agriculture and Environment Committee, NOT CONSIDERED waiting first substitution.</i></p> <p><i>Expecting a substitution that may not be favorable.</i></p>	2	Watch

<p>SB 57 Utah Constitutional Sovereignty Act</p>	<p>Sen. Sandall</p>	<p>This bill establishes a framework for the Legislature, by concurrent resolution, to prohibit the enforcement of a federal directive within the state by government officers if the Legislature determines the federal directive violates the principles of state sovereignty; describes the ways in which a federal directive violates the principles of state sovereignty; limits the authority for requesting a concurrent resolution under the bill; requires the Legislature to consult with the attorney general regarding the potential impact of a concurrent resolution on litigation; specifies the required contents of a concurrent resolution; clarifies the effects of a concurrent resolution upon adoption; establishes requirements for the termination of a concurrent resolution; and clarifies the effects of legislative inaction on a federal directive.</p> <p><i>Senate Natural Resources, Agriculture and Environment Committee agenda for Jan 17, 24 passed back to Senate with Favorable Recommendation.</i></p> <p><i>Sen. Sandall positions bill as process only. Sen. Blouin expressed position that the Governor already has this capability.</i></p> <p><i>This is not specifically environmentally focus so priority lowered.</i></p> <p><i>Passed Senate to House. House Natural Resources, Agriculture and Environmental Committee passed with favorable recommendation on 24 Jan.</i></p> <p><i>Passed House. SIGNED by GOVERNOR.</i></p>	<p>3</p>	<p>Oppose</p>
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<p>SB 67 Public Thoroughfare Amendments</p>	<p>Sen. Sandall</p>	<p>This bill amends provisions related to public use of a private road to establish the road as a public thoroughfare, including: a requirement of 10 years of continuous use in the most recent 30-year period to establish and maintain a public thoroughfare; and clarification that a road returns to private ownership if continuous use ceases; clarifies that eminent domain powers are not impacted by the changes in this bill.</p> <p><i>Allows private owners to more easily block access to designated public road ways.</i></p> <p><i>Passed Senate. Assigned to House Transportation Committee.</i></p>	<p>3</p>	<p>Oppose</p>
<p>SB 75 Mineral Amendments</p>	<p>Sen. Owens</p>	<p>This bill amends definitions; modifies aggregate value of tax credit certificates that may be issued under certain circumstances; addresses federal agency consultation before certain acts related to federal designations and minerals.</p> <p><i>Senate Natural Resources, Agriculture and Environment Committee agenda for Jan 17, 24 passed back to Senate with Favorable Recommendation.</i></p> <p><i>Expands availability of existing tax credit for certain mining operations. Does not apply to mining in GSL and SITLA, those are not part of the existing tax credit. Sen. Blouin expressed concern with the federal consultation felt there were other mechanisms to address.</i></p> <p><i>Position. OPPOSE as this is an incentive for expanding mining operations.</i></p> <p><i>Passed Senate to House.</i></p>	<p>3</p>	<p>Oppose</p>

<p>SB 77 Water Rights Restricted Account Amendments</p>	<p>Sen. Sandall</p>	<p>This bill modifies the purposes for which money in the Water Rights Restricted Account may be expended.</p> <p><i>Adds water measuring equipment and cost sharing on stream gauges to purpose of the fund.</i></p> <p><i>Senate Natural Resources, Agriculture and Environment Committee agenda for Jan 17, 24 passed back to Senate with Favorable Recommendation.</i></p> <p><i>Jan 23, Passed Senate to House. House 1st reading.</i></p> <p><i>Passed House Natural Resources, Agriculture, and Environment Committee with favorable recommendation on 1 Feb.</i></p> <p><i>On House 3rd reading calendar.</i></p>	<p>1</p>	<p>Support</p>
<p>Bills added Week 1</p>				
<p>SB113 Disposition of State Property Amendments</p>	<p>Sen. Buxton</p>	<p>This bill modifies provisions related to the sale, long-term lease, or other disposition of real property, water rights, or water shares associated with the Utah State Developmental Center; modifies the duties and the authority of the Division of Facilities Construction and Management (division); modifies provisions related to the purchase or exchange of division-owned real property.</p> <p><i>Deals specifically with land that was granted to the Developmental Center. Changes decision on land from Developmental Center board to Div of Facilities and Construction.</i></p> <p><i>Low priority, but change to Oppose from Watch as bill seems a play to take control of the land from the Center.</i></p>	<p>3</p>	<p>Oppose</p>

<p>SB118 Water Efficiency Amendments</p>	<p>Sen. McKell</p>	<p>This bill provides for developer incentives to use water efficient landscaping in new residential development; grants rulemaking authority.</p> <p><i>On agenda for Senate Natural Resources, Agriculture, and Environment Committee 5 Feb.</i></p>	<p>2</p>	<p>Support</p>
<p>SB125 Secondary Water Amendments</p>	<p>Sen. Hinkins</p>	<p>This bill modifies who may meter at strategic points of a system as approved by the state engineer.</p> <p><i>Makes one change in qualification for strategic metering raising water user from 1000 to 2500.</i></p> <p><i>Senate Natural Resources, Agriculture and Environment Committee agenda for 23 Jan '24 passed back to Senate with Favorable Recommendation.</i></p> <p><i>Position changed to Oppose. This is a step backward meaning more unmetered secondary water that should go to GSL. Also, change being made based on two complaints to Sen. Hinkins.</i></p> <p><i>Senate 3rd reading calendar, CIRCLED.</i></p>	<p>3</p>	<p>Oppose</p>
<p>Bills added Week 2</p>				
<p>SB142 Lawn Equipment Tax Credit Amendments</p>	<p>Sen. Pitcher</p>	<p>This bill enacts a nonrefundable income tax credit for sellers that sell new, electric-powered lawn equipment at a discount; requires a seller that intends to claim the tax credit to report information about sales to the State Tax Commission; schedules the repeal of the tax credit but requires legislative review before repeal.</p> <p><i>Assigned to Senate Revenue and Taxation Committee. NOT CONSIDERED,</i></p>	<p>2</p>	<p>Support</p>

<p>SB153 Idling Amendments</p>	<p>Sen. Blouin</p>	<p>This bill allows certain local highway authorities to enact an ordinance to prohibit or restrict certain commercial vehicles from idling; allows an individual who reports an idling violation or certain other emissions violations to receive a reward for reporting the violation; allows an ordinance to include increased penalties for violations during times when air quality is unsafe for sensitive groups; exempts from an idling ordinance certain vehicles owned or operated by a government entity; allows an exemption from an idling ordinance certain commercial vehicles if the functional purpose of the vehicle might require idling; allows a person to purchase an exemption for a fleet of vehicles in certain circumstances; allows a local highway authority to impose a road usage charge for road usage during times when air quality is unsafe for sensitive groups.</p> <p><i>Assigned to Senate Revenue and Taxation Committee.</i></p>	<p>2</p>	<p>Support</p>
<p>Bills added Week 3</p>				
<p>SB161 Energy Security Amendments</p>	<p>Sen. Owens</p>	<p>This bill requires a project entity to provide notice to the Public Service Commission (commission) before decommissioning an electrical generation facility; outlines a process for the commission to determine and provide the fair market value of an electrical generation facility intended for commissioning; requires a project entity to offer an electrical generation facility intended for decommissioning for sale at fair market value before decommissioning; allows the state the option to purchase an electrical generation facility intended for decommissioning if no buyer purchases at full fair market value; amends provisions related to air quality permits for a project entity that owns an electrical generation facility with multiple generating units and is</p>	<p>2</p>	<p>Oppose</p>

		<p>transitioning to a new electrical generation facility; allows the project entity to apply for an alternative permit to keep one or more existing generating units in operation during the transition, if the project entity has a transition permit requiring closure of all existing units; and outlines the review process for an alternative permit and conditions for either the alternative or transition permit to become effective.</p> <p><i>First read, this is another bill that could complicate the decommissioning of inefficient power plants.</i></p> <p><i>Per sponsor this is a specific bill to save a particular power plant and local jobs.</i></p> <p><i>Passed Senate Natural Resources, Agriculture, and Environment Committee with favorable recommendation.</i></p> <p><i>On House 2nd reading calendar.</i></p>		
SB170 Clean Truck Incentive Program	Sen. Ipson	<p>This bill creates a grant program within the Division of Air Quality for eligible purchasers of clean trucks; directs the division to provide grants from the Environmental Mitigation and Response Fund; allows the division to replenish the Environmental Mitigation and Response Fund with money from federal programs; outlines the incentives available to eligible purchasers through the program; requires the division to coordinate with the Department of Transportation in using federal funds for the program; requires the division to make a recommendation to the Air Quality Board relating to the regulation of medium or heavy duty vehicles.</p>	2	Support

		<i>Assigned to Senate Transportation, Public Utilities, Energy and Technology Committee.</i>		
SB172 Protection Areas Revisions	Sen. Hinkins	<p>This bill addresses general land use authority; addresses vested critical infrastructure materials protection operations, including repealing redundant language; modifies provisions related to filing declarations; provides for the rights of a critical infrastructure materials operator; amends provisions related to the critical infrastructure materials protection area advisory board; addresses the creation of a critical infrastructure materials protection area; repeals authority to establish a minimum number of continuous acres that may be included in a protection area; outlines the notice of a proposal to create a protection area; addresses public hearing requirements; modifies criteria to be considered in creating a protection area; amends process to add land or remove land from a protection area; modifies effects of annexation; limits powers related to review of protection areas; addresses limitations on local regulations; addresses nuisance; modifies the policy for state agencies; amends restrictions related to eminent domain; addresses vested mining uses.</p> <p><i>Extensive existing legislation and this bill makes numerous changes. First read, another means to “fence off” mining, ag/ranching, etc lands from other use.</i></p> <p><i>Assigned to Senate Economic Development and Workforce Services Committee.</i></p>	1	Watch
SB179 Transportation Amendments	Sen. Harper	This bill makes technical changes throughout various sections to clean up cross references and remove outdated language; amends the definition of a snowmobile; prohibits the storage of flammable,	3	Neutral

		<p>explosive, or combustible materials near or beneath certain highway and public transit facilities; amends provisions regarding the use of certain funds for public transit studies; amends the descriptions of highways near certain state parks; amends a provision related to required matching funds to qualify for certain transportation funding to exclude projects administered by the Department of Transportation; amends the definition of abandoned aircraft.</p> <p><i>On agenda for Senate Transportation, Public Utilities, Energy and Technology Committee 5 Feb.</i></p>		
SB191 Grid Enhancing Technologies	Sen. Blouin	<p>This bill establishes a grid enhancing technologies program to incentivize electric utilities to deploy technologies that increase transmission system capacity, efficiency, and reliability; requires utilities to analyze grid enhancing technologies as alternatives in transmission infrastructure proceedings; allows cost recovery and incentives for grid enhancing technology deployments approved by the Public Service Commission (commission); provides for expedited review for local permits for grid enhancing technology transmission line projects; and provides the commission with rulemaking authority to administer incentives for the implementation of grid enhancing technology.</p>	2	Support