



**HB0058**

**State Engineer list of approved flumes.**

Sponsored By: Representative(s) Sommers and Senator(s) Hicks

AN ACT relating to water; requiring the development and maintenance of a list of approved infrastructure for ditches, canals, reservoirs and streams as specified; amending requirements and procedures for constructing and maintaining flumes and measuring devices; specifying an appeal process; and providing for an effective date.

1/17/2020 Bill Number Assigned  
2/7/2020 H Received for Introduction  
2/12/2020 H Introduced and Referred to H05 - Agriculture 56-3-1-0-0

**ROLL CALL**

**Ayes:** Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Flitner, Freeman, Furphy, Greear, Haley, Hallinan, Harshman, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

**Nays:** Representative(s) Eyre, Gray, Laursen Dan

**Excused:** Representative Henderson

**Ayes 56 Nays 3 Excused 1 Absent 0 Conflicts 0**

2/20/2020 H05 - Agriculture:Recommend Amend and Do Pass 7-1-1-0-0

**ROLL CALL**

**Ayes:** Representative(s) Blake, Clausen, Haley, Hunt, Simpson, Tass, Winter

**Nays:** Representative Laursen

**Excused:** Representative Henderson

**Ayes 7 Nays 1 Excused 1 Absent 0 Conflicts 0**

2/20/2020 H Placed on General File

**HB0058HS001/ADOPTED**

Page 3-line 8 Reinsert all stricken language.

Page 3-line 9 Delete all new language.

Page 4-line 14 Reinsert all stricken language; delete all new language.

Page 4-line 18 Reinsert all stricken language; delete all new language.

Page 5-line 12 Delete "state engineer" and insert "division superintendent".

Page 5-line 18 Delete "and the state".

Page 5-line 19 Delete "engineer".

Page 6-lines 1 through 9 Delete entirely and insert:

"(c) The decision of the division superintendent in rejecting a canal or ditch owner's or owners' or a reservoir owners' or managers' choice of flume or measuring device may be appealed to the state engineer. The decision of a state engineer to affirm the decision of the division superintendent may be appealed to the district court of the county where the flume or measuring device is required to be installed.". HUNT, CHAIRMAN

2/24/2020 H COW:Passed  
2/25/2020 H 2nd Reading:Passed  
2/26/2020 H 3rd Reading:Laid Back

**HB0058H3001/WITHDRAWN**

**HB0058H3002/ADOPTED**

Page 4-line 21 After "9-1-902(a)(viii)" insert "and be suitable to achieve the purpose for which the flume or measuring device is constructed".

Page 5-line 21 After "control" delete balance of line.

Page 5-line 22 Delete "duties" and insert "or the state engineer in fulfilling the same purposes". SIMPSON

2/27/2020 H 3rd Reading:Failed 23-35-2-0-0

**ROLL CALL**

**Ayes:** Representative(s) Barlow, Brown, Burkhart, Clausen, Duncan, Flitner, Freeman, Greear, Haley, Harshman, Henderson, Hunt, Kinner, Lindholm, Nicholas, Olsen, Paxton, Roscoe, Sommers, Stith, Sweeney, Western, Zwonitzer

**Nays:** Representative(s) Blake, Burlingame, Clem, Clifford, Connolly, Crank, Dayton-Selman, Edwards, Eklund, Eyre, Furphy, Gray, Hallinan, Jennings, Larsen Lloyd, Laursen Dan, Loucks, Macguire, Miller, Newsome, Northrup, Obermueller, Pelkey, Piiparinen, Pownall, Salazar, Schwartz, Simpson, Styvar, Tass, Walters, Washut, Wilson, Winter, Yin

**Excused:** Representative(s) Blackburn, Kirkbride

**Ayes** 23    **Nays** 35    **Excused** 2    **Absent** 0    **Conflicts** 0