

Bill: 1st Substitute HB 89 – Water Transfer Amendments

Sponsor: Representative Gay Lynn Bennion

Floor Sponsor: Senator Scott D. Sandall

UASD Position:

This Bill modifies provisions related to probate transfer of personal property by affidavit.

Discussion: Representative Bennion stated that this Bill addresses water share transfers. It prohibits the transfer of water shares through small estate probate procedures involving an affidavit. Currently, entities can transfer water shares valued under \$100,000 without oversight. However, this exception has been exploited to transfer shares exceeding that amount. HB 89 eliminates the affidavit process and mandates that water share transfers go through probate. The Bill was presented to the Water Taskforce, which unanimously supported it.

Senator Owens inquired whether requiring probate would delay the process. The sponsor reassured that it would not, noting that the Bear River Canal experiences approximately three to four transfers per month. The primary objective of 1st Substitute HB 89 is to assist individuals in organizing their affairs prior to the transfer. If the water share is part of an estate, it should already be fully addressed.

The Utah Farm Bureau Federation and the General Manager of the Bear River Canal Company expressed support for the Bill. Senator Hinkins raised a question regarding the loss of ownership documentation for a water share. While the sponsor did not have an immediate answer, Senator Hinkins suggested further discussion offline.

Yeas: 3

Nays: 0

N/V: 4

Outcome: 1st Substitute HB 89 passed to the Senate with a favorable recommendation.

Bill: 1st Substitute HB 81 – Fluoride Amendments

Sponsor: Representative Stephanie Gricius

Floor Sponsor: Senator Kirk A. Cullimore

UASD Position:

This Bill addresses provisions related to water fluoridation and prescription fluoride supplements.

Discussion: Representative Gricius presented 1st Substitute HB 81. This Bill states that a person may not add fluoride to water in, or water that will be introduced into, a public water system. A political subdivision may not enact or enforce an ordinance that requires or permits the addition of fluoride to water in, or water that will be introduced into, a public water system. The Bill allows a pharmacist to prescribe fluoride. The Department of Health and Human Services is

designated to provide prescription guidelines. The Weber Basin Water Conservancy District, Utah Eagle Forum, South Davis Water District, Weber Basin Water Conservancy District, Utah Parents United, Water Watch of Utah, Jordan Valley Water Conservancy District, Bear River Water Conservancy District, and a member of the Salt Lake City Council spoke in support of 1st Substitute HB 81. The Utah Oral Health Coalition, Utah Dental Association, Utah Medical Association, and multiple dentists spoke in opposition.

Yeas: 5

Nays: 1

N/V: 1

Outcome: 1st Substitute HB 81 passed to the Senate with a favorable recommendation.