

1 **CONSERVATION EASEMENT RESTRICTED**

2 **ACCOUNTS**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Beverly Ann Evans**

6 House Sponsor: Ronda Rudd Menlove

7

8 **LONG TITLE**

9 **General Description:**

10 This bill creates the Natural Resources Conservation Easement Account and the
11 Agriculture Conservation Easement Account.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ creates within the General Fund two restricted accounts consisting of grants and
15 donations from foundations, the Quality Growth Commission, local governments,
16 the state, the federal government, and landowners; and

17 ▶ specifies that the funds are to be used to monitor and enforce compliance with
18 conservation easements held by the Department of Natural Resources and the
19 Department of Agriculture and Food respectively.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 ENACTS:

26 **4-2-8.3**, Utah Code Annotated 1953

27 **63-34-20**, Utah Code Annotated 1953



28

29 *Be it enacted by the Legislature of the state of Utah:*30 Section 1. Section **4-2-8.3** is enacted to read:31 **4-2-8.3. Agriculture Conservation Easement Account.**32 (1) There is created within the General Fund a restricted account known as the
33 Agriculture Conservation Easement Account.34 (2) The Agriculture Conservation Easement Account consists of:35 (a) grants from private foundations;36 (b) grants from local governments, the state, or the federal government;37 (c) grants from the Quality Growth Commission created under Section 11-38-201;38 (d) donations from landowners for monitoring and enforcing compliance with
39 conservation easements;40 (e) donations from any other person; and41 (f) interest on account monies.42 (3) Upon appropriation by the Legislature, the Department of Agriculture and Food
43 shall use monies from the account to monitor and enforce compliance with conservation
44 easements held by the department.45 ~~**Ĥ→ [(4) Notwithstanding Subsection (3), the department may expend donations as directed**~~
46 ~~**by the donor without appropriation by the Legislature.] ←Ĥ**~~46a **Š→ (5) The department may not receive or expend donations from the account to acquire**
46ab **conservation**
46b **easements. ←Š**47 Section 2. Section **63-34-20** is enacted to read:48 **63-34-20. Natural Resources Conservation Easement Account.**49 (1) There is created within the General Fund a restricted account known as the Natural
50 Resources Conservation Easement Account.51 (2) The Natural Resources Conservation Easement Account consists of:52 (a) grants from private foundations;53 (b) grants from local governments, the state, or the federal government;54 (c) grants from the Quality Growth Commission created under Section 11-38-201;55 (d) donations from landowners for monitoring and enforcing compliance with
56 conservation easements;57 (e) donations from any other person; and58 (f) interest on account monies.

59 (3) Upon appropriation by the Legislature, the Department of ~~§→ [Agriculture and Food]~~
59a Natural Resources ←§
60 shall use monies from the account to monitor and enforce compliance with conservation
61 easements held by the department.
62 ~~Ĥ→ [(4) Notwithstanding Subsection (3), the department may expend donations as directed~~
63 ~~by the donor without appropriation by the Legislature.]~~ ←Ĥ
63a §→ (5) The department may not receive or expend donations from the account to acquire
63ab conservation
63b easements. ←§

Legislative Review Note
as of 1-16-06 9:51 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0067

Conservation Easement Restricted Accounts

24-Jan-06

7:50 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst