

1 **NAVAJO WATER RIGHTS NEGOTIATION ACCOUNT**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Christine F. Watkins**

5 Senate Sponsor: David P. Hinkins

6	Cosponsors:	Gage Froerer	Michael E. Noel
7	Roger E. Barrus	Brad J. Galvez	Marie H. Poulson
8	Joel K. Briscoe	Neal B. Hendrickson	Douglas Sagers
9	Rebecca Chavez-Houck	Brian S. King	Evan J. Vickers
10	Jack R. Draxler	David Litvack	Mark A. Wheatley
11	Susan Duckworth	Carol Spackman Moss	
	Janice M. Fisher		

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13 **LONG TITLE**

14 **General Description:**

15 This bill creates the Navajo Water Rights Negotiation Account.

16 **Highlighted Provisions:**

17 This bill:

- 18 ▶ creates the Navajo Water Rights Negotiation Account;
- 19 ▶ provides for the use of account funds; and
- 20 ▶ establishes restrictions on how account funds may be used.

21 **Money Appropriated in this Bill:**

22 This bill appropriates:

- 23 ▶ to the Navajo Water Rights Negotiation - General Fund Restricted Account, as a
- 24 one-time appropriation:
- 25 • from the General Fund, \$2,000,000.

26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 ENACTS:

30 **51-9-701**, Utah Code Annotated 1953

31 **51-9-702**, Utah Code Annotated 1953



33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **51-9-701** is enacted to read:

35 **Part 7. Navajo Water Rights Negotiation Account Act**

36 **51-9-701. Title.**

37 This part is known as the "Navajo Water Rights Negotiation Account Act."

38 Section 2. Section **51-9-702** is enacted to read:

39 **51-9-702. Navajo Water Rights Negotiation Account.**

40 (1) (a) There is created a restricted account within the General Fund known as the
41 "Navajo Water Rights Negotiation Account."

42 (b) The restricted account shall consist of appropriations made by the Legislature.

43 (c) The Division of Finance shall:

44 (i) administer the account; and

45 (ii) deposit interest earned on the account into the General Fund.

46 (2) Subject to Subsection (3), the Legislature may appropriate money from the
47 restricted account only to plan, design, and construct drinking water projects to serve
48 populations located on the Navajo Nation reservation within the boundaries of Utah.

49 (3) Before appropriating money from the account for the purpose specified in
50 Subsection (2), the Legislature shall ensure that the state of Utah has:

51 (a) a signed, enforceable agreement on Navajo water rights with the Navajo Nation and
52 the United States government; and

53 (b) a signed, enforceable project repayment agreement with the United States
54 Department of the Interior.

55 (4) Creation of the account and appropriations into the account do not:

56 (a) create a state obligation to provide funding for the planning, design, or construction
57 of drinking water projects to serve populations located on the Navajo Nation reservation within
58 the boundaries of the state; and

59 (b) constitute an acknowledgment or admission by the state of Utah of any legal
60 liability or obligation.

61 Section 3. **Appropriation.**

62 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
63 following sums of money are appropriated from resources not otherwise appropriated, or
64 reduced from amounts previously appropriated, out of the funds or accounts indicated for the
65 fiscal year beginning July 1, 2012, and ending June 30, 2013. These are additions to amounts
66 previously appropriated for fiscal year 2013.

67 To Navajo Water Rights Negotiation - General Fund Restricted Account

68 From General Fund, one-time \$2,000,000

69 Schedule of Programs:

70 Navajo Water Rights Negotiation Restricted Account \$2,000,000