

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

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7 **LONG TITLE**

8 **General Description:**

9                   This bill creates the Navajo Water Rights Negotiation Account.

10 **Highlighted Provisions:**

11                   This bill:

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

15 **Money Appropriated in this Bill:**

16                   This bill appropriates:

17                   ▶ to the Navajo Water Rights Negotiation - General Fund Restricted Account, as a  
18 one-time appropriation:

- 19                   • from the General Fund, \$2,000,000.

20 **Other Special Clauses:**

21                   None

22 **Utah Code Sections Affected:**

23 ENACTS:

24                   **51-9-701**, Utah Code Annotated 1953

25                   **51-9-702**, Utah Code Annotated 1953

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



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

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

30 **51-9-701. Title.**

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

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

33 **51-9-702. Navajo Water Rights Negotiation Account.**

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

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

37 (c) The Division of Finance shall:

38 (i) administer the account; and

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

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

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

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

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

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

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

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

55 **Section 3. Appropriation.**

56 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
57 following sums of money are appropriated from resources not otherwise appropriated, or  
58 reduced from amounts previously appropriated, out of the funds or accounts indicated for the

59 fiscal year beginning July 1, 2012 and ending June 30, 2013. These are additions to amounts  
60 previously appropriated for fiscal year 2013.

61 To Navajo Water Rights Negotiation - General Fund Restricted Account

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

63 Schedule of Programs:

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

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**Legislative Review Note**

as of 1-31-12 10:23 AM

**Office of Legislative Research and General Counsel**