

Senator Ron Allen proposes the following substitute bill:

DEPOSITS INTO UINTAH BASIN

REVITALIZATION FUND

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Ron Allen

LONG TITLE

General Description:

This bill modifies the provisions related to the Uintah Basin Revitalization Fund.

Highlighted Provisions:

This bill:

- ▶ modifies when monies may be deposited into the Uintah Basin Revitalization Fund;
 - ▶ extends the December 31, 2004, date attributable to interest on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948);
 - ▶ extends the December 31, 2006, date attributable to interests on lands conveyed to the Tribe under the Ute-Moab Land Restoration Act;
 - ▶ increases the cap on deposits into the fund to \$3,000,000 per fiscal year;
 - ▶ provides a maximum amount of \$9,000,000 that can be in the fund at any one time;
- and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



26 AMENDS:

27 **9-10-108**, as enacted by Chapter 341, Laws of Utah 1995

28 **59-5-116**, as last amended by Chapter 119, Laws of Utah 2001

29

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

31 Section 1. Section **9-10-108** is amended to read:

32 **9-10-108. Deposits into fund -- Unallocated balance nonlapsing.**

33 (1) (a) All money received under Section 59-5-116 shall be deposited in the
34 Revitalization Fund provided that [~~no business or activity fee or tax based on gross receipts has~~
35 ~~been imposed by~~] a county or the Tribe[~~;~~] does not impose or propose to impose:

36 (i) a business or activity fee based on gross receipts or volumes;

37 (ii) a tax based on gross receipts or volumes; or

38 (iii) a charge similar to a fee or tax described in Subsection (1)(a)(i) or (ii) including
39 gathering, transmission, or local distribution pipeline throughputs.

40 (b) (i) Nothing in this Subsection (1) prohibits a county from imposing a charge
41 described in Subsection (1)(a) with respect to any gathering, transmission, or local distribution
42 pipeline in which the county owns an interest.

43 (ii) Nothing in this Subsection (1) prohibits the Tribe from imposing a charge
44 described in Subsection (1)(a) with respect to any gathering, transmission, or local distribution
45 pipeline in which the Tribe owns an interest.

46 (2) Any unallocated balance in the fund at the end of each fiscal year shall be
47 nonlapsing.

48 Section 2. Section **59-5-116** is amended to read:

49 **59-5-116. Disposition of certain taxes collected on Ute Indian land.**

50 (1) Except as provided in Subsection (2), there shall be deposited into the Uintah Basin
51 Revitalization Fund established in Section 9-10-102:

52 (a) for taxes imposed under this part beginning on July 1, 1996, 33% of the taxes
53 collected on oil, gas, or other hydrocarbon substances produced from a well:

54 (i) for which production began on or before June 30, 1995; and

55 (ii) attributable to interests:

56 (A) held in trust by the United States for the Tribe and its members; or

57 (B) for taxes imposed under this part beginning on July 1, 1996, and ending on
58 December 31, [~~2004~~] 2009, on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948);

59 (b) for taxes imposed under this part beginning on July 1, 1996, 80% of taxes collected
60 on oil, gas, or other hydrocarbon substances produced from a well:

61 (i) for which production began on or after July 1, 1995; and

62 (ii) attributable to interests:

63 (A) held in trust by the United States for the Tribe and its members; or

64 (B) for taxes imposed under this part beginning on July 1, 1996, and ending on
65 December 31, [~~2004~~] 2009, on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948); and

66 (c) for taxes imposed under this part beginning on January 1, 2001, and ending on
67 December 31, [~~2006~~] 2009, 80% of taxes collected on oil, gas, or other hydrocarbon substances
68 produced from a well:

69 (i) for which production began on or after January 1, 2001; and

70 (ii) attributable to interests on lands conveyed to the tribe under the Ute-Moab Land
71 Restoration Act, Pub. L. No. 106-398, Sec. 3303.

72 (2) (a) The maximum amount deposited in the Uintah Basin Revitalization Fund may
73 not exceed [~~\$2,000,000~~] \$3,000,000 in any state fiscal year.

74 (b) The maximum amount that may be held in the Uintah Basin Revitalization Fund at
75 any one time is \$9,000,000.

76 [~~(b)~~] (c) Any amounts in excess of the maximum described in Subsection (2)(a) or (b)
77 shall be deposited into the General Fund.