

Representative Gordon E. Snow proposes the following substitute bill:

DEPOSITS INTO UINTAH BASIN

REVITALIZATION FUND

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Beverly Ann Evans

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ addresses 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; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



26 9-10-108, as enacted by Chapter 341, Laws of Utah 1995

27 59-5-116, as last amended by Chapter 119, Laws of Utah 2001



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

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

31 **9-10-108. Deposits into fund -- Unallocated balance nonlapsing.**

32 (1) (a) All money received under Section 59-5-116 shall be deposited in the
33 Revitalization Fund provided that no business or activity fee or tax based on gross receipts has
34 been imposed by a county or the Tribe on oil and gas activities.

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

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

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

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

44 **59-5-116. Disposition of certain taxes collected on Ute Indian land.**

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

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

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

50 (ii) attributable to interests:

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

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

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

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

- 57 (ii) attributable to interests:
- 58 (A) held in trust by the United States for the Tribe and its members; or
- 59 (B) for taxes imposed under this part beginning on July 1, 1996, and ending on
60 December 31, [~~2004~~] 2009, on lands identified in Pub. L. No. 440, 62 Stat. 72 (1948); and
- 61 (c) for taxes imposed under this part beginning on January 1, 2001, and ending on
62 December 31, [~~2006~~] 2009, 80% of taxes collected on oil, gas, or other hydrocarbon substances
63 produced from a well:
- 64 (i) for which production began on or after January 1, 2001; and
- 65 (ii) attributable to interests on lands conveyed to the tribe under the Ute-Moab Land
66 Restoration Act, Pub. L. No. 106-398, Sec. 3303.
- 67 (2) (a) The maximum amount deposited in the Uintah Basin Revitalization Fund may
68 not exceed [~~\$2,000,000~~] \$3,000,000 in any state fiscal year.
- 69 (b) Any amounts in excess of the maximum described in Subsection (2)(a) shall be
70 deposited into the General Fund.