

1 **LAND EXCHANGE DISTRIBUTION ACCOUNT**

2 **AMENDMENTS**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Dennis E. Stowell**

6 House Sponsor: _____

7
8 **LONG TITLE**

9 **Committee Note:**

10 The Natural Resources, Agriculture, and Environment Interim Committee
11 recommended this bill.

12 **General Description:**

13 This bill modifies the distribution of monies from the Land Exchange Distribution
14 Account.

15 **Highlighted Provisions:**

16 This bill:

17 ▶ provides that .75% of the monies in the Land Exchange Distribution Account shall
18 be distributed to the Geological Survey for test wells and other hydrologic studies in
19 the West Desert;

20 ▶ reduces the amount of money distributed from the Land Exchange Distribution
21 Account to the Permanent Community Impact Fund from 7.5% to 6.75% of the
22 account monies; and

23 ▶ provides a repeal date.

24 **Monies Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53C-3-203**, as last amended by Laws of Utah 2008, Chapter 216

31 **63I-1-253**, as last amended by Laws of Utah 2009, Chapter 299



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

34 Section 1. Section **53C-3-203** is amended to read:

35 **53C-3-203. Land Exchange Distribution Account.**

36 (1) As used in this section, "account" means the Land Exchange Distribution Account
37 created in Subsection (2)(a).

38 (2) (a) There is created within the General Fund a restricted account known as the Land
39 Exchange Distribution Account.

40 (b) The account shall consist of [aH] revenue deposited in the account as required by
41 [~~Subsections 53C-3-202(2)(a)(ii) and (2)(b)(ii)~~] Section 53C-3-202.

42 (3) (a) The state treasurer shall invest monies in the account according to Title 51,
43 Chapter 7, State Money Management Act.

44 (b) The Division of Finance shall deposit interest or other earnings derived from
45 investment of account monies into the General Fund.

46 (4) [~~For fiscal years beginning on or after fiscal year 2007-08, because the revenue is~~
47 ~~not derived from taxes, the~~] The Legislature shall annually appropriate from the account:

48 (a) 55% of all deposits made to the account to counties in amounts proportionate to the
49 amounts of mineral revenue generated from the acquired land, exchanged land, acquired
50 mineral interests, or exchanged mineral interests located in each county, to be used to mitigate
51 the impacts caused by mineral development;

52 (b) 25% of all deposits made to the account to counties in amounts proportionate to the
53 total surface and mineral acreage within each county that was conveyed to the United States
54 under the agreement or an exchange, to be used to mitigate the loss of mineral development
55 opportunities resulting from the agreement or exchange;

56 (c) 1.68% of all deposits made to the account to the State Board of Education, to be
57 used for education research and experimentation in the use of staff and facilities designed to
58 improve the quality of education in Utah;

59 (d) 1.66% of all deposits made to the account to the Geological Survey, to be used for
60 natural resources development in the state;

61 (e) 1.66% of all deposits made to the account to the Water Research Laboratory at Utah
62 State University, to be used for water development in the state; and

63 (f) 7.5% of all deposits made to the account to the Constitutional Defense Restricted
64 Account created in Section 63C-4-103.

65 (5) [~~For fiscal years 2007-08 and 2008-09~~] Beginning with fiscal year 2009-10, the
66 Legislature shall annually appropriate from the account [~~7.5%~~] .75% of all deposits made to the
67 account to the Geological Survey, to be used for test wells and other hydrologic studies in the
68 West Desert.

69 (6) [~~For fiscal years beginning on or after~~] Beginning with fiscal year 2009-10, the
70 Legislature shall annually appropriate from the account [~~7.5%~~] 6.75% of all deposits made to
71 the account to the Permanent Community Impact Fund created in Section 9-4-303, to be used
72 for grants to political subdivisions of the state to mitigate the impacts resulting from the
73 development or use of school and institutional trust lands.

74 Section 2. Section **63I-1-253** is amended to read:

75 **63I-1-253. Repeal dates, Titles 53, 53A, and 53B.**

76 The following provisions are repealed on the following dates:

77 (1) Section 53-3-232, Conditional licenses, is repealed July 1, 2015.

78 (2) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is
79 repealed July 1, 2010.

80 (3) Title 53A, Chapter 1a, Part 9, Voluntary Extended-day Kindergarten Program, is
81 repealed July 1, 2011.

82 (4) The State Instructional Materials Commission, created in Section 53A-14-101, is
83 repealed July 1, 2011.

84 (5) Section 53A-17a-163, Performance-based Compensation Pilot Program is repealed
85 July 1, 2011.

86 (6) Subsection 53C-3-203(5), which provides for the distribution of monies from the
87 Land Exchange Distribution Account to the Geological Survey for test wells and other
88 hydrologic studies in the West Desert, is repealed July 1, 2020.

Legislative Review Note
as of 11-18-09 6:09 PM

Office of Legislative Research and General Counsel

S.B. 24 - Land Exchange Distribution Account Amendments

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will divert approximately \$100,000 of Land Exchange Restricted Funds from the Permanent Community Impact Fund to the Utah Geological Survey.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
