

LAND EXCHANGE DISTRIBUTION ACCOUNT AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kenneth W. Sumsion

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the School and Institutional Trust Lands Management Act to address the Land Exchange Distribution Account.

Highlighted Provisions:

This bill:

- ▶ modifies the required appropriations from the Land Exchange Distribution Account;
- and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates:

▶ To General Fund Restricted - Constitutional Defense Restricted Account, as an ongoing appropriation:

- From General Fund Restricted - Land Exchange Distribution Account, (\$1,000,000)

Other Special Clauses:

This bill takes effect on July 1, 2012.

Utah Code Sections Affected:

AMENDS:

53C-3-203, as last amended by Laws of Utah 2011, Chapters 247, 252, 303 and last amended by Coordination Clause, Laws of Utah 2011, Chapter 252



28 **63I-1-253**, as last amended by Laws of Utah 2011, Chapters 199, 252, 369, and 371



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

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

32 **53C-3-203. Land Exchange Distribution Account.**

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

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

37 (b) The account shall consist of revenue deposited in the account as required by
38 Section 53C-3-202.

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

41 (b) The Division of Finance shall deposit interest or other earnings derived from
42 investment of account money into the General Fund.

43 (4) The Legislature shall annually appropriate from the account in the following order:

44 [~~(a) \$1,000,000 to the Constitutional Defense Restricted Account created in Section~~
45 ~~63C-4-103; and]~~

46 [~~(b) from the deposits to the account remaining after the appropriation in Subsection~~
47 ~~(4)(a), the following amounts:]~~

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

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

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

59 [~~(iv)~~] (d) 1.66% of the deposits to the Geological Survey, to be used for natural
60 resources development in the state;

61 [~~(v)~~] (e) 1.66% of the deposits to the Water Research Laboratory at Utah State
62 University, to be used for water development in the state;

63 [~~(vi)~~] (f) 11% of the deposits to the Constitutional Defense Restricted Account created
64 in Section 63C-4-103;

65 [~~(vii)~~] (g) 1% of the deposits to the Geological Survey, to be used for test wells, other
66 hydrologic studies, and air quality monitoring in the West Desert; and

67 [~~(viii)~~] (h) 3% of the deposits to the Permanent Community Impact Fund created in
68 Section 9-4-303, to be used for grants to political subdivisions of the state to mitigate the
69 impacts resulting from the development or use of school and institutional trust lands.

70 (5) The administration shall make recommendations to the Permanent Community
71 Impact Fund Board for its consideration when awarding the grants described in Subsection
72 (4)[~~(b)~~]~~(viii)~~](h).

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

74 **63I-1-253. Repeal dates, Titles 53, 53A, and 53B.**

75 The following provisions are repealed on the following dates:

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

77 (2) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is
78 repealed July 1, 2020.

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

81 (4) The State Instructional Materials Commission, created in Section 53A-14-101, is
82 repealed July 1, 2016.

83 (5) Subsections 53A-16-113(3) and (4) are repealed December 31, 2016.

84 (6) Section 53A-16-114 is repealed December 31, 2016.

85 (7) Section 53A-17a-163, Performance-based Compensation Pilot Program is repealed
86 July 1, 2016.

87 (8) Subsection 53C-3-203(4)[~~(b)~~]~~(vii)~~](g), which provides for the distribution of money
88 from the Land Exchange Distribution Account to the Geological Survey for test wells, other
89 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

90 Section 3. **Appropriation.**

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

96	<u>To General Fund Restricted - Constitutional Defense Restricted Account</u>	
97	<u>From General Fund Restricted - Land Exchange</u>	
98	<u>Distribution Account</u>	<u>(\$1,000,000)</u>
99	<u>Schedule of Programs:</u>	
100	<u>Defense Restricted Account</u>	<u>(\$1,000,000)</u>

101 Section 4. **Effective date.**

102 This bill takes effect on July 1, 2012.

Legislative Review Note
as of 2-22-12 1:27 PM

Office of Legislative Research and General Counsel