

HB0157S01 compared with HB0157

~~deleted text~~ shows text that was in HB0157 but was deleted in HB0157S01.

inserted text shows text that was not in HB0157 but was inserted into HB0157S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Jerry W. Stevenson proposes the following substitute bill:

SOVEREIGN LANDS REVENUE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Timothy D. Hawkes

Senate Sponsor: ~~_____~~ Jerry W. Stevenson

Cosponsors:

<u>Brian S. King</u>	<u>Mike Schultz</u>
<u>Carl R. Albrecht</u>	<u>Casey Snider</u>
<u>Stewart E. Barlow</u>	<u>Robert M. Spendlove</u>
<u>Gay Lynn Bennion</u>	<u>Jeffrey D. Stenquist</u>
<u>Joel K. Briscoe</u>	<u>Andrew Stoddard</u>
<u>Clare Collard</u>	<u>Steve Waldrip</u>
<u>Jennifer Dailey-Provost</u>	<u>Raymond P. Ward</u>
<u>Steve Eliason</u>	<u>Elizabeth Weight</u>
<u>Joel Ferry</u>	<u>Mark A. Wheatley</u>
<u>Stephen G. Handy</u>	<u>Ryan D. Wilcox</u>
<u>Suzanne Harrison</u>	<u>Brad R. Wilson</u>
<u>Jon Hawkins</u>	<u>Mike Winder</u>
<u>Sandra Hollins</u>	<u>Douglas V. Sagers</u>

HB0157S01 compared with HB0157

LONG TITLE

General Description:

This bill addresses issues related to revenues received by the state from activities on sovereign lands.

Highlighted Provisions:

This bill:

- ▶ modifies the Sovereign Lands Management Account statute, including changing what revenue is deposited into the account and changing uses of the money in the account;
- ▶ creates the Great Salt Lake Account, including defining terms, addressing what revenue is deposited into the account, and specifying uses of the money in the account; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

~~{None}~~ This bill appropriates in fiscal year 2023:

- ▶ to Department of Natural Resources -- Watershed, as an ongoing appropriation:
 - from the General Fund, \$2,000,000; and
- ▶ to Department of Natural Resources -- Division of Forestry, Fire, and State Lands, as an ongoing appropriation:
 - from the General Fund, \$5,709,400.

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

65A-5-1, as last amended by Laws of Utah 2021, Chapter 97

65A-5-2, as last amended by Laws of Utah 2014, Chapter 313

ENACTS:

65A-5-1.5, Utah Code Annotated 1953

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

HB0157S01 compared with HB0157

Section 1. Section **65A-5-1** is amended to read:

65A-5-1. Sovereign Lands Management Account.

(1) There is created within the General Fund a restricted account known as the "Sovereign Lands Management Account."

(2) The [~~account~~] Sovereign Lands Management Account shall consist of the following:

(a) the revenues derived from sovereign lands, except for revenues deposited into the Great Salt Lake Account under Section 65A-5-1.5;

(b) that portion of the revenues derived from mineral leases on other lands managed by the division necessary to recover management costs;

(c) [~~any~~] fees deposited by the division; and

(d) amounts deposited into the account in accordance with Section 59-23-4.

(3) (a) The expenditures of the division relating directly to the management of [~~state~~] sovereign lands shall be funded by appropriation by the Legislature from the Sovereign Lands Management Account or other sources.

(b) Money in the Sovereign Lands Management Account may be used only for the direct benefit of sovereign lands, including the management of sovereign lands.

(c) In appropriating money from the Sovereign Lands Management Account, the Legislature shall prefer appropriations that benefit the sovereign land from which the money is derived unless compelling circumstances require that money be appropriated for sovereign land other than the sovereign land from which the money is derived.

~~[(4) The Legislature may appropriate money in the account to reimburse one or more state government entities for money spent on the operation of national parks, national monuments, national forests, and national recreation areas in the state during a fiscal emergency, as defined in Section 79-4-1102.]~~

~~[(5)]~~ (4) The division shall use the amount deposited into the account under Subsection (2)(d) for the Great Salt Lake as described in Section 65A-10-8 as directed by the Great Salt Lake Advisory Council created in Section 73-30-201.

~~[(6) After the expenditures under Subsections (3) through (5), the division shall use money appropriated from the Sovereign Lands Management Account to provide for salary increases to state personnel employed by the division to perform wildland fire management~~

HB0157S01 compared with HB0157

~~with the division prioritizing salary increases for county fire wardens and assistant wardens.]~~

Section 2. Section **65A-5-1.5** is enacted to read:

65A-5-1.5. Great Salt Lake Account.

(1) As used in this section:

(a) "Account" means the Great Salt Lake Account created in this section.

(b) "Mining" means the process of producing, extracting, leaching, evaporating, or otherwise removing a mineral from a natural deposit of the mineral.

(2) (a) There is created within the General Fund a restricted account known as the "Great Salt Lake Account" consisting of:

(i) revenues deposited into the account under Subsection (3);

(ii) appropriations from the Legislature; and

(iii) interest and other earnings described in Subsection (2)(b).

(b) The Office of the Treasurer shall deposit interest and other earnings derived from investment of money in the account into the account.

(3) The division shall deposit into the account the royalty income received by the state from mining that occurs on or after July 1, 2022, of a mineral from the sovereign lands of the Great Salt Lake if during the fiscal year beginning July 1, 2020, the state did not receive royalty income from the mining of that same mineral from the sovereign lands of the Great Salt Lake.

(4) Upon appropriation by the Legislature, money in the account may be used to manage the water levels of the Great Salt Lake.

Section 3. Section **65A-5-2** is amended to read:

65A-5-2. Deposit and allocation of money received.

(1) (a) [~~Subject to Subsection (3), the~~] The division shall pay to the state treasurer [~~all~~] money received, accompanied by a statement showing the respective sources of [~~this~~] the money.

(b) Each source shall be classified as to sales, rentals, royalties, interest, fees, penalties, and forfeitures.

(2) (a) [~~All money~~] Money received by the division as a first or down payment on [~~applications~~] an application to purchase, permit, or lease state lands or minerals shall be paid to the state treasurer and held in suspense pending final action on [~~those applications~~] the application.

HB0157S01 compared with HB0157

(b) After final action [~~these payments~~] a payment described in Subsection (2)(a) shall either be credited to the appropriate fund or account, or refunded to the applicant in accordance with the action taken.

~~[(3) The division shall provide a separate accounting for all fees received under Subsection 65A-5-1(4).]~~

Section 4. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Department of Natural Resources -- Watershed

<u>From General Fund</u>	<u>\$2,000,000</u>
<u>Schedule of Programs:</u>	
<u>Watershed</u>	<u>\$2,000,000</u>

ITEM 2

To Department of Natural Resources -- Division of Forestry, Fire, and State Lands

<u>From General Fund</u>	<u>\$5,709,400</u>
<u>Schedule of Programs:</u>	
<u>Division Administration</u>	<u>\$1,135,400</u>
<u>Fire Management</u>	<u>\$712,300</u>
<u>Forest Management</u>	<u>\$341,200</u>
<u>Program Delivery</u>	<u>\$3,103,900</u>
<u>Project Management</u>	<u>\$416,600</u>

Section ~~(4)~~5. **Effective date.**

This bill takes effect on July 1, 2022.