

SOVEREIGN LANDS REVENUE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

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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

27 what revenue is deposited into the account and changing uses of the money in the account;
28 ▶ creates the Great Salt Lake Account, including defining terms, addressing what
29 revenue is deposited into the account, and specifying uses of the money in the
30 account; and
31 ▶ makes technical changes.

32 Money Appropriated in this Bill:

33 This bill appropriates in fiscal year 2023:
34 ▶ to Department of Natural Resources -- Watershed, as an ongoing appropriation:
35 • from the General Fund, \$2,000,000; and
36 ▶ to Department of Natural Resources -- Division of Forestry, Fire, and State Lands,
37 as an ongoing appropriation:
38 • from the General Fund, \$5,709,400.

39 Other Special Clauses:

40 This bill provides a special effective date.

41 Utah Code Sections Affected:

42 AMENDS:

43 **65A-5-1**, as last amended by Laws of Utah 2021, Chapter 97
44 **65A-5-2**, as last amended by Laws of Utah 2014, Chapter 313

45 ENACTS:

46 **65A-5-1.5**, Utah Code Annotated 1953



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

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

50 **65A-5-1. Sovereign Lands Management Account.**

- 51 (1) There is created within the General Fund a restricted account known as the
52 "Sovereign Lands Management Account."
53 (2) The [account] Sovereign Lands Management Account shall consist of the

54 following:

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

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

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

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

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

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

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

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

74 [(5)] (4) The division shall use the amount deposited into the account under Subsection
75 (2)(d) for the Great Salt Lake as described in Section 65A-10-8 as directed by the Great Salt
76 Lake Advisory Council created in Section 73-30-201.

77 [(6) After the expenditures under Subsections (3) through (5), the division shall use
78 money appropriated from the Sovereign Lands Management Account to provide for salary
79 increases to state personnel employed by the division to perform wildland fire management
80 with the division prioritizing salary increases for county fire wardens and assistant wardens.]

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

82 **65A-5-1.5. Great Salt Lake Account.**

83 (1) As used in this section:

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

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

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

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

90 (ii) appropriations from the Legislature; and

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

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

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

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

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

101 **65A-5-2. Deposit and allocation of money received.**

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

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

107 (2) (a) [~~All money~~] Money received by the division as a first or down payment on

108 [~~applications~~] an application to purchase, permit, or lease state lands or minerals shall be paid
109 to the state treasurer and held in suspense pending final action on [~~those applications~~] the
110 application.

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

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

116 Section 4. **Appropriation.**

117 The following sums of money are appropriated for the fiscal year beginning July 1,
118 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for
119 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
120 Act, the Legislature appropriates the following sums of money from the funds or accounts
121 indicated for the use and support of the government of the state of Utah.

122 ITEM 1

123 To Department of Natural Resources -- Watershed

124 From General Fund \$2,000,000

125 Schedule of Programs:

126 Watershed \$2,000,000

127 ITEM 2

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

129 From General Fund \$5,709,400

130 Schedule of Programs:

131 Division Administration \$1,135,400

132 Fire Management \$712,300

133 Forest Management \$341,200

134 Program Delivery \$3,103,900

H.B. 157

Enrolled Copy

135	<u>Project Management</u>	<u>\$416,600</u>
136	Section 5. Effective date.	
137	<u>This bill takes effect on July 1, 2022.</u>	