

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
First Regular Session  
2005

CHAPTER 217

# HOUSE BILL 2174

AN ACT

AMENDING TITLE 45, CHAPTER 2, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 45-580; RELATING TO WATER MANAGEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 45, chapter 2, article 9, Arizona Revised Statutes,  
3 is amended by adding section 45-580, to read:

4 45-580. Assured and adequate water supply administration fund;  
5 purpose

6 A. THE ASSURED AND ADEQUATE WATER SUPPLY ADMINISTRATION FUND IS  
7 ESTABLISHED CONSISTING OF THE FEES THAT ARE PAID TO THE DEPARTMENT FOR  
8 APPLICATIONS RELATING TO ADEQUATE AND ASSURED WATER SUPPLY PURSUANT TO  
9 SECTIONS 45-108, 45-576 AND 45-579 AND THAT ARE ESTABLISHED BY THE DIRECTOR  
10 PURSUANT TO SECTION 45-113, SUBSECTION B. THE DEPARTMENT SHALL ADMINISTER  
11 THE FUND. MONIES IN THE FUND ARE SUBJECT TO APPROPRIATION AND SHALL BE USED  
12 BY THE DEPARTMENT FOR THE COSTS AND EXPENSES OF THE DEPARTMENT IN  
13 ADMINISTERING SECTIONS 45-108, 45-576 AND 45-579.

14 B. THE DIRECTOR SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147,  
15 ALL FEES RECEIVED PURSUANT TO SUBSECTION A OF THIS SECTION IN THE FUND. THE  
16 FUND SHALL BE A SEPARATE ACCOUNT ON THE BOOKS OF THE DEPARTMENT. MONIES  
17 REMAINING IN THE FUND AT THE END OF THE FISCAL YEAR REMAIN IN THE FUND AND  
18 ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO THE LAPSING OF  
19 APPROPRIATIONS. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL  
20 INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND  
21 MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

22 Sec. 2. Review of assured and adequate water supply program;  
23 advisory committee

24 A. The director of the department of water resources shall conduct a  
25 review of the assured and adequate water supply rules in title 12, chapter  
26 15, article 7, Arizona administrative code for the purpose of identifying  
27 statutory or rule changes that would make the application processes under  
28 those rules more efficient. The director shall submit a written report of  
29 the director's recommendations for any statutory changes to the governor, the  
30 president of the senate and the speaker of the house of representatives on or  
31 before December 15, 2005. No later than January 1, 2006, the director shall  
32 file a notice of proposed rule making with the secretary of state pursuant to  
33 section 41-1022, Arizona Revised Statutes, for the purpose of initiating the  
34 rule making proceeding to make any rule changes identified by the director  
35 under this subsection that are not dependent on proposed statutory  
36 amendments.

37 B. The director shall appoint an advisory committee to assist the  
38 director in identifying the statutory or rule changes described in subsection  
39 A of this section. The advisory committee shall include representatives of  
40 subdividers and water providers. The members of the committee shall serve at  
41 the pleasure of the director and are not eligible to receive compensation.

~~APPROVED BY THE GOVERNOR APRIL 25, 2005.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2005.~~

Passed the House February 20, 2005

Passed the Senate April 13, 2005

by the following vote: 58 Ayes,

by the following vote: 21 Ayes,

0 Nays, 2 Not Voting

6 Nays, 3 Not Voting

Speaker of the House

President of the Senate  
*Pro Tempore*

Chief Clerk of the House

Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2174

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 20, 2005,

by the following vote: 48 Ayes,

12 Nays, 0 Not Voting



Speaker of the House  
Pro Tempore



Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

20th day of April, 2005

at 4:40 o'clock P. M.

  
Secretary to the Governor

Approved this 25 day of

April, 2005,

at 9:55 o'clock A. M.

  
Governor of Arizona

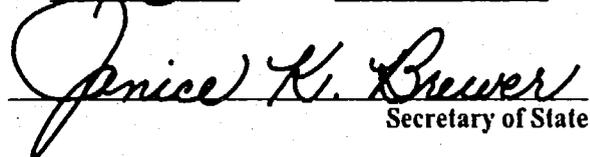
H.B. 2174

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 25 day of April, 2005,

at 4:33 o'clock P. M.

  
Secretary of State