

House Engrossed

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

CHAPTER 298

HOUSE BILL 2765

AN ACT

MAKING CAPITAL OUTLAY APPROPRIATIONS FOR THE DIFFERENT DEPARTMENTS OF THE STATE AND FOR STATE INSTITUTIONS; REQUIRING CERTAIN REPORTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

2 Section 1. Capital outlay appropriations; major maintenance and
 3 repair of state buildings

4 A. Notwithstanding section 41-793.01, Arizona Revised Statutes, the
 5 amounts appropriated in this section are appropriated for fiscal year
 6 2005-2006 and shall be used by the applicable agency for major maintenance
 7 and repair activities for state buildings in accordance with title 41,
 8 chapter 4, article 7, Arizona Revised Statutes. Twenty-five per cent or less
 9 of the monies may be spent for state building modifications to comply with
 10 the federal Americans with disabilities act (42 United States Code sections
 11 12101 through 12213 and 47 United States Code sections 225 and 611) or for
 12 major maintenance and repair activities for state infrastructure. The monies
 13 may only be used for facilities on the state building inventory or for
 14 infrastructure that directly supports those facilities. Of the amounts
 15 appropriated to the Arizona department of administration, up to \$275,000 in
 16 personal services and employee related expenditures for up to five full-time
 17 employee positions may be allocated each fiscal year until the building
 18 renewal projects are completed. All other monies appropriated in this
 19 section shall not be spent for personal services or employee related
 20 expenditures or for maintenance contracts on building components and
 21 equipment without review by the joint committee on capital review. Any
 22 monies appropriated for building renewal in fiscal year 2005-2006 that are
 23 unexpended or unencumbered on September 30, 2007 shall revert to the fund
 24 from which the monies were appropriated.

25 B. DEPARTMENT OF ADMINISTRATION \$ 3,400,000

26 Fund source:

27 Capital outlay stabilization fund \$ 3,400,000

28 The department of administration shall allocate the monies to state
 29 agencies for necessary building renewal. If monies in the capital outlay
 30 stabilization fund are insufficient to fund the appropriation to the
 31 department of administration for building renewal, the appropriation to the
 32 department of administration shall be reduced by the difference between the
 33 amount appropriated to the department of administration from the capital
 34 outlay stabilization fund and the balance in the capital outlay stabilization
 35 fund.

36 C. DEPARTMENT OF TRANSPORTATION \$ 3,702,900

37 Fund sources:

38 State highway fund \$ 3,627,100

39 State aviation fund \$ 75,800

40 D. ARIZONA EXPOSITION AND STATE FAIR BOARD \$ 1,386,800

41 Fund source:

42 Arizona exposition and state fair fund \$ 1,386,800

43 E. GAME AND FISH DEPARTMENT \$ 388,900

44 Fund source:

45 Game and fish fund \$ 388,900

1	F. ARIZONA LOTTERY COMMISSION	\$	47,600
2	Fund source:		
3	State lottery fund	\$	47,600
4	Sec. 2. <u>Capital outlay appropriations; major capital projects;</u>		
5	<u>game and fish department</u>		
6			<u>2005-2006</u>
7	Game and fish department:		
8	1. <u>Black Canyon Dam modifications</u>	\$	500,000
9	Fund source:		
10	Game and fish capital improvement fund	\$	500,000
11	2. <u>Migratory waterfowl habitat</u>	\$	100,000
12	Fund source:		
13	Waterfowl conservation fund	\$	100,000
14	3. <u>Statewide preventative maintenance</u>	\$	30,000
15	Fund source:		
16	Game and fish fund	\$	30,000
17	Fund sources:		
18	Game and fish capital improvement fund	\$	500,000
19	Waterfowl conservation fund	\$	100,000
20	Game and fish fund	\$	30,000
21	Total appropriation - game and fish department	\$	630,000
22	Sec. 3. <u>Capital outlay appropriations; major capital projects;</u>		
23	<u>lottery commission</u>		
24			<u>2005-2006</u>
25	<u>Lottery facility improvements</u>	\$	76,900
26	Fund source:		
27	Arizona lottery fund	\$	76,900
28	Sec. 4. <u>Capital outlay appropriations; major capital projects;</u>		
29	<u>department of transportation</u>		
30			<u>2005-2006</u>
31	Department of transportation:		
32	1. <u>Statewide highway construction</u>	\$204,085,000	
33	Fund source:		
34	State highway fund	\$204,085,000	
35	The amount appropriated for highway construction is from the state		
36	highway fund for the planning and construction of state highways, including		
37	the national system of interstate highways within this state, the state		
38	primary or secondary system, the county primary or secondary system and urban		
39	rural routes, the acquisition of rights-of-way, the cost of contracted field		
40	administration and field engineering on construction projects and debt		
41	service payments on bonds issued for highway construction. Any balances and		
42	collections in the state highway fund in excess of the specific amounts		
43	appropriated in the general appropriations act and in this act are		
44	appropriated to the department for the purposes provided in this paragraph.		

1	2. <u>Airport planning and development</u>	\$ 16,956,000
2	Fund source:	
3	State aviation fund	\$ 16,956,000
4	The amount is appropriated from the state aviation fund for the	
5	planning, construction, development and improvement of state, county, city or	
6	town airports as determined by the state transportation board. Any balances	
7	and collections in the state aviation fund in excess of the specific amounts	
8	appropriated in the general appropriations act and in this act are	
9	appropriated to the department of transportation for the purposes provided in	
10	this paragraph.	
11	3. <u>Payson equipment shop</u>	\$ 1,536,500
12	Fund source:	
13	State highway fund	\$ 1,536,500
14	4. <u>Sprinklers/fire alarms</u>	\$ 1,265,000
15	Fund source:	
16	State highway fund	\$ 1,265,000
17	5. <u>De-icer buildings</u>	\$ 1,089,000
18	Fund source:	
19	State highway fund	\$ 1,089,000
20	6. <u>Oil storage tanks</u>	\$ 637,600
21	Fund source:	
22	State highway fund	\$ 637,600
23	7. <u>Payson MVD service center</u>	\$ 915,900
24	Fund source:	
25	State highway fund	\$ 915,900
26	Total appropriation - department of transportation	\$226,485,000
27	Fund sources:	
28	State highway fund	\$209,529,000
29	State aviation fund	\$ 16,956,000
30	Sec. 5. <u>Department of transportation; traffic safety;</u>	
31	<u>appropriation</u>	

32 The sum of \$600,000 is appropriated from the safety enforcement and
33 transportation infrastructure fund in fiscal year 2005-2006 to the department
34 of transportation to enter into agreements and provide funding to the
35 Arizona-Mexico commission, the office of homeland security and the Arizona
36 international development authority to improve traffic safety.

37 Sec. 6. State archives and history building; appropriation
38 A. The sum of \$15,000,000 is appropriated from the state general fund
39 in each of fiscal years 2005-2006 and 2006-2007 to legislative council for
40 costs of the construction administration, site preparation, construction,
41 furnishings, fixtures, equipment and relocation of materials for the Polly
42 Rosenbaum state archives and history building and related infrastructure as
43 described in Laws 2004, chapter 194.

1 B. Before issuing any request for proposals or procuring any services
2 related to the appropriation provided in subsection A of this section,
3 legislative council shall submit the plan for the procurement method or
4 methods to be used to the joint committee on capital review for its
5 review. Before undertaking any construction activities, legislative council
6 shall submit the scope, purpose and estimated cost of the project to the
7 joint committee on capital review for its review.

8 C. The appropriation made in subsection A of this section is exempt
9 from the provisions of section 35-190, Arizona Revised Statutes, relating to
10 lapsing of appropriations until completion of the project.

11 Sec. 7. Department of economic security; property exchange;
12 privatized lease to own; appropriation

13 A. The sum of \$150,000 is appropriated from the state general fund in
14 fiscal year 2005-2006 to the department of economic security for a property
15 exchange with the city of Prescott. Before executing any property exchange
16 pursuant to this subsection, the department of economic security shall submit
17 the property exchange agreement to the joint committee on capital review for
18 its review.

19 B. The department of economic security may effect a capital lease to
20 build a multiservice center on the property acquired through the exchange as
21 authorized in subsection A of this section. Any lease agreement pursuant to
22 this section is subject to section 41-1958, Arizona Revised Statutes,
23 including review by the joint committee on capital review.

24 Sec. 8. Arizona state schools for the deaf and the blind;
25 building renewal; appropriation; exemption

26 A. The sum of \$2,000,000 is appropriated from the state general fund
27 in fiscal year 2005-2006 to the Arizona state schools for the deaf and the
28 blind for capital and building renewal projects. Pursuant to section
29 41-1252, Arizona Revised Statutes, the Arizona state schools for the deaf and
30 the blind shall submit an expenditure plan for review by the joint committee
31 on capital review.

32 B. The appropriation made in subsection A of this section is exempt
33 from the provisions of section 35-190, Arizona Revised Statutes, relating to
34 lapsing of appropriations until September 30, 2007.

35 Sec. 9. Department of administration reports; FTE positions;
36 reallocations

37 A. The department of administration shall report on the status of
38 project-specific FTE positions for capital projects in its annual capital
39 budget request.

40 B. The department of administration may allocate FTE positions
41 authorized for specific projects to other projects in this act provided that
42 funding for the FTE positions is cost allocated among the projects receiving
43 benefit. The department of administration shall report any FTE position
44 reallocations to the joint committee on capital review by December 31, 2005.

1 Sec. 10. Department of transportation reports; professional and
2 outside services

3 Before the expenditure of any monies for professional and outside
4 services, including contracted field administration and field engineering,
5 the department of transportation shall submit information on professional and
6 outside services funded from the capital budget to the joint committee on
7 capital review by July 1, 2005 for review. The submitted information shall
8 contain at least as much detail for professional and outside services as the
9 department's annual operating budget.

10 Sec. 11. Use of appropriations; limitation

11 Unless otherwise specified, the monies appropriated in this act shall
12 not be spent for personal services or employee related expenditures of state
13 employees, excluding any services provided as part of the inmate construction
14 program for correctional facilities.

15 Sec. 12. Lapsing; exemption

16 Unless otherwise specified, the appropriations made in this act do not
17 lapse until the purpose for which the appropriation was made has been
18 accomplished or abandoned, or the appropriation stands for a full fiscal year
19 without an expenditure or an encumbrance.

APPROVED BY THE GOVERNOR MAY 20, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 20, 2005.

Passed the House May 6, 20 05,

Passed the Senate May 6, 20 05,

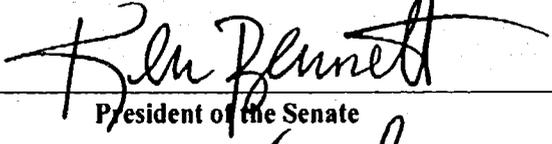
by the following vote: 45 Ayes,

by the following vote: 25 Ayes,

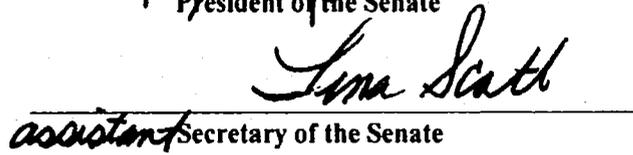
11 Nays, 4 Not Voting

0 Nays, 5 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House

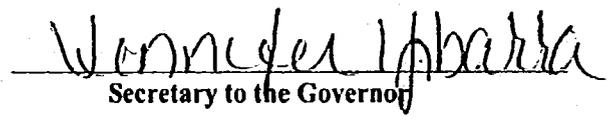

Assistant Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

13th day of May, 2005

at 11:20 o'clock a. M.


Secretary to the Governor

Approved this 20 day of

May, 2005,

at 9:00 o'clock A M.


Governor of Arizona

H.B. 2765

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

This 20 day of May, 2005,

at 3:03 o'clock P. M.


Secretary of State