Senate Engrossed House Bill

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 257

HOUSE BILL 2783

AN ACT

AMENDING LAWS 2006, CHAPTER 335, SECTION 1; 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)

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

Section 1. Laws 2006, chapter 335, section 1 is amended to read:

Section 1. Conditional appropriation; Arizona welcome center; exemption

A. The sum of $2,000,000 is appropriated from the state general fund in fiscal year 2006-2007 to the office of tourism for distribution to the city of Yuma to establish an Arizona welcome center provided that the office of tourism determines and informs the joint legislative budget committee that:

1. All plans for the center are delivered to the city of Yuma.

2. The city of Yuma receives ownership of the property OR THE PROPERTY IS CONVEYED BY LICENSE TO THE CITY OF YUMA.

B. The city of Yuma shall not expend more than $500,000 on planning and design for the Arizona welcome center.

C. The appropriation made in subsection A of this section shall be for start-up capital and the city of Yuma shall bear the cost of ongoing operation and maintenance of the center through its city-funded convention and visitors bureau.

D. The appropriation made in subsection A of this section is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.

Sec. 2. Capital outlay appropriations; major maintenance and repair of state buildings

A. Notwithstanding section 41-793.01, Arizona Revised Statutes, the amounts appropriated in this section are appropriated for fiscal year 2007-2008 and shall be used by the applicable agency for major maintenance and repair activities for state buildings in accordance with title 41, chapter 4, article 7, Arizona Revised Statutes. Twenty-five per cent or less of the monies may be spent for state building modifications to comply with the federal Americans with disabilities act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611) or for major maintenance and repair activities for state infrastructure. The monies may be used only for facilities on the state building inventory or for infrastructure that directly supports those facilities. Of the amounts appropriated to the department of administration, up to $275,000 in personal services and employee-related expenditures for up to five FTE positions may be allocated each fiscal year until the building renewal projects are completed. All other monies appropriated in this section shall not be spent for personal services or employee-related expenditures or for maintenance contracts on building components and equipment without review by the joint committee on capital review. Any monies appropriated for building renewal in fiscal year 2007-2008 that are unexpended or unencumbered on June 30, 2009 shall revert to the fund from which the monies were appropriated. The building renewal expenditure plans submitted by agencies for review by the

joint committee on capital review shall identify the components for each project that incorporate energy efficient systems.

B. DEPARTMENT OF ADMINISTRATION $ 7,257,100

Fund source:

Capital outlay stabilization fund $ 7,257,100

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

C. DEPARTMENT OF TRANSPORTATION $ 3,918,200

Fund source:

State highway fund $ 3,777,100

State aviation fund $ 141,100

D. ARIZONA EXPOSITION AND STATE FAIR BOARD $ 1,631,800

Fund source:

Arizona exposition and state fair fund $ 1,631,800

E. GAME AND FISH DEPARTMENT $ 474,200

Fund source:

Game and fish fund $ 474,200

F. ARIZONA LOTTERY COMMISSION $ 60,000

Fund source:

State lottery fund $ 60,000

Sec. 3. Capital outlay appropriations; major capital projects; department of administration

	2007-2008
Department of administration:	
1. Prison cell locks and cell doors replacement	$ 5,200,000
Fund source:	
State general fund	$ 5,200,000
2. Department of juvenile corrections HVAC and electrical renovations	$ 885,000
Fund source:	
State general fund	$ 885,000
3. Tucson office building renovations	$ 1,500,000
Fund source:	
Risk management revolving fund	$ 1,500,000
Total appropriation - department of administration	$ 7,585,000
Fund source:	
State general fund	$ 6,085,000
Risk management revolving fund	$ 1,500,000

Pursuant to section 41-1252, Arizona Revised Statutes, the department of administration shall submit the capital projects to the joint committee on capital review for its review.

Sec. 4. Capital outlay appropriations; major capital projects; game and fish department

	2007-2008
Game and fish department:	
1. Boat shade canopies	$ 195,000
Fund source:	
Watercraft licensing fund	$ 195,000
2. Boat registration kiosks	$ 240,000
Fund source:	
Watercraft licensing fund	$ 240,000
3. Shooting range access improvements	$ 150,000
Fund source:	
Game and fish capital improvement fund	$ 150,000
4. Statewide preventative maintenance	$ 30,000
Fund source:	
Game and fish fund	$ 30,000
5. Headquarters construction	$ 80,000
Fund source:	
Watercraft licensing fund	$ 80,000
6. Becker lake facilities improvements	$ 120,000
Fund source:	
Game and fish capital improvement fund	$ 120,000
7. Becker lake wildlife area bridge	$ 52,000
Fund source:	
Game and fish capital improvement fund	$ 52,000
8. Regional (Flagstaff) office remodel/expansion	$ 1,050,000
Fund source:	
Game and fish capital improvement fund	$ 1,050,000
9. Seven mile shooting range	$ 48,000
Fund source:	
Game and fish capital improvement fund	$ 48,000
10. Robbins Butte levee	$ 228,000
Fund source:	
Game and fish capital improvement fund	$ 228,000
Total appropriation - game and fish department	$ 2,193,000
Fund source:	
Game and fish capital improvement fund	$ 1,648,000
Game and fish fund	$ 30,000
Watercraft licensing fund	$ 515,000

The Arizona game and fish department shall conduct a study to determine the feasibility of developing a shooting range in the Sunflower, Arizona area, and report its findings to the joint committee on capital review by October 15, 2007.

Sec. 5. Capital outlay appropriations; major capital projects; department of transportation

	2007-2008
Department of transportation:	
1. Statewide highway construction	$239,801,800
Fund source:	
State highway fund	$239,801,800

The amount appropriated for highway construction is from the state highway fund for the planning and construction of state highways, including the national system of interstate highways within this state, the state primary or secondary system, the county primary or secondary system and urban rural routes, the acquisition of rights-of-way, the cost of contracted field administration and field engineering on construction projects and debt service payments on bonds issued for highway construction. Any balances and collections in the state highway fund in excess of the specific amounts appropriated in the general appropriations act and in this act are appropriated to the department for the purposes provided in this paragraph.

2. Airport planning and development	$ 25,306,000
Fund source:	
State aviation fund	$ 25,306,000

The amount is appropriated from the state aviation fund for the planning, construction, development and improvement of state, county, city or town airports as determined by the state transportation board. Any balances and collections in the state aviation fund in excess of the specific amounts appropriated in the general appropriations act and in this act are appropriated to the department of transportation for the purposes provided in this paragraph.

3. Payson motor vehicle division service center	$ 1,229,400
Fund source:	
Notwithstanding title 28, chapter 18, article 2, Arizona Revised Statutes, Arizona highway user revenue fund	$ 1,229,400
4. Surprise motor vehicle division service center	$ 3,956,300
Fund source:	
Notwithstanding title 28, chapter 18, article 2, Arizona Revised Statutes, Arizona highway user revenue fund	$ 3,956,300

5. De-icer buildings $ 1,850,000
Fund source:
State highway fund $ 1,850,000
6. Oil and asphalt storage tanks $ 1,365,000
Fund source:
State highway fund $ 1,365,000
7. Vehicle wash systems $ 2,021,300
Fund source:
State highway fund $ 2,021,300
8. Safford vehicle maintenance shop $ 3,215,000
Fund source:
State highway fund $ 3,215,000
9. Far southeast valley multiuse facility $ 6,701,900
Fund sources:
Notwithstanding title 28, chapter 18, article 2, Arizona Revised Statutes, Arizona highway user revenue fund $ 1,511,900
State highway fund $ 5,190,000
10. Grand canyon airport restroom renovations $ 210,000
Fund source:
State aviation fund $ 210,000
11. Grand canyon airport water storage tank renovations $ 635,000
Fund source:
State aviation fund $ 635,000
Total appropriation - department of transportation $286,291,700
Fund sources:
Notwithstanding title 28, chapter 18, article 2, Arizona Revised Statutes, Arizona highway user revenue fund $ 6,697,600
State highway fund $253,443,100
State aviation fund $ 26,151,000

Sec. 6. Department of economic security; Hopi assisted living center; appropriation

The sum of $142,500 is appropriated from the state general fund in fiscal year 2007-2008 to the department of economic security for distribution to the Hopi tribe as one-time funding for architectural and design of an assisted living center.

Sec. 7. Old health laboratory renovation; appropriations; review

A. The sum of $2,207,000 is appropriated from the state general fund in each of fiscal years 2007-2008 and 2008-2009 to the department of administration for renovation of the old health laboratory.

B. Pursuant to section 41-1252, Arizona Revised Statutes, the department of administration shall submit the scope and estimated cost of the project to the joint committee on capital review for its review.

Sec. 8. Department of administration; lease purchase authorization

A. The department of administration, in accordance with section 41-791.02, Arizona Revised Statutes, may enter into a lease purchase agreement for the issuance of certificates of participation in an amount not to exceed $39,000,000.

B. From the $39,000,000 in lease purchase proceeds authorized in subsection A of this section, the department of administration shall allocate $6,800,000 for prison water and wastewater projects and $32,200,000 for a new forensic unit and infrastructure improvements at the Arizona state hospital.

C. For the lease purchase agreement entered into pursuant to this section, the repayment period shall not exceed fifteen years and the department of administration shall structure the agreement so that the first debt service payment does not occur until fiscal year 2008-2009. The legislature shall appropriate the amount necessary for the fiscal year 2008-2009 debt service payment in the department of administration operating budget for fiscal year 2008-2009.

D. Pursuant to sections 41-791.02 and 41-1252, Arizona Revised Statutes, the department of administration shall submit any capital projects authorized pursuant to this section, including any funding and FTE position allocations for project management, to the joint committee on capital review for its review.

Sec. 9. Appropriations; Yuma welcome center; exemption

A. The sum of $1,000,000 is appropriated from the state general fund in each of the fiscal years 2007-2008 and 2008-2009 to the office of tourism for distribution to the city of Yuma for the completion of the Arizona welcome center authorized by Laws 2006, chapter 335, section 1, as amended by this act.

B. The appropriations made in subsection A of this section are exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.

Sec. 10. Appropriations; Navajo multipurpose center; exemption

A. The sum of $1,000,000 is appropriated from the state general fund in each of the fiscal years 2007-2008 and 2008-2009 to the department of economic security for distribution to the Navajo Nation for a multipurpose center.

B. The appropriations made in subsection A of this section are exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.

Sec. 11. Department of administration reports; FTE positions; reallocations

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

B. The department of administration may allocate FTE positions authorized for specific projects to other projects in this act provided that funding for the FTE positions is cost allocated among the projects receiving benefit. The department of administration shall report any FTE position reallocations to the joint committee on capital review by December 31, 2007.

Sec. 12. Use of appropriations; limitation

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

Sec. 13. Lapsing; exemption

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

APPROVED BY THE GOVERNOR JUNE 25, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 25, 2007.

Passed the House May 23, 2007

by the following vote: 31 Ayes,

29 Nays, 0 Not Voting

Speaker of the House

Pro Tempore

Chief Clerk of the House

Passed the Senate June 18, 2007

by the following vote: 25 Ayes,

3 Nays, 2 Not Voting

Timothy S. Bee

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20_____

at _____ o'clock _____M.

_____
Secretary to the Governor

Approved this _____day of

_____

at _____o'clock _____M.

_____
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20_____

at _____ o'clock _____M.

_____
Secretary of State

H.B. 2783

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

June 19, 2007,

by the following vote: 42 Ayes,

17 Nays, 1 Not Voting

Speaker of the House

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19th day of June, 2007,

at 4:56 o'clock p. M.

Secretary to the Governor

Approved this 25 day of

June, 2007,

at 10:05 o'clock A. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 25 day of June, 2007,

at 11:25 o'clock A. M.

Janice K. Brewer

Secretary of State

H.B. 2783