Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 10

SENATE BILL 1027

AN ACT

AMENDING LAWS 2006, CHAPTER 350, SECTION 7, AS AMENDED BY LAWS 2008, CHAPTER 313, SECTION 1; MAKING CAPITAL OUTLAY APPROPRIATIONS FOR THE DIFFERENT DEPARTMENTS OF THE STATE AND FOR STATE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Laws 2006, chapter 350, section 7, as amended by Laws 2008, chapter 313, section 1, is amended to read:

Sec. 7. Appropriations; centennial celebration; exemption

A. The sum of ~~$500,000~~ $50,000 is appropriated from the state general fund in fiscal year 2006-2007 ~~as follows:~~

~~1. $50,000~~ to the historical advisory commission for the purposes prescribed in Laws 2005, chapter 1, section 3, as amended by Laws 2006, chapter 350, section 4 and Laws 2007, chapter 78, section 1.

~~2. $450,000 to the legislative council for the costs of the design and site preparation of the renovation of the state capitol building, as described in section 41-790, paragraph 6, subdivisions (a), (b), (c) and (d), Arizona Revised Statutes, as a lasting legacy accomplishment to commemorate the centennial.~~

B. ~~Monies from the appropriation made in subsection A, paragraph 2 of this section shall not be spent except on an affirmative vote of the legislative council.~~ Monies from the appropriation made in subsection A~~, paragraph 1~~ of this section and monies from sources other than the state of gifts, grants and donations collected by the historical advisory commission shall be deposited in an Arizona centennial account in the office of the state treasurer. The state treasurer shall invest and divest monies in the account as provided by section 35-313, Arizona Revised Statutes, and monies earned from investment shall be credited to the account.

C. Monies in the Arizona centennial account shall be spent and granted by the historical advisory commission only for the development and coordination of the statewide plan and the funding of activities and projects relating to the Arizona centennial celebration.

D. The ~~appropriations~~ APPROPRIATION made in subsection A of this section ~~are~~ IS exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations until June 30, 2013.

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 2009-2010 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 2009-2010 that are unexpended or unencumbered on June 30, 2011 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	$ 1,000,000
Fund source:	
Capital outlay stabilization fund	$ 1,000,000

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	$ 1,050,000
Fund source:	
State highway fund	$ 1,000,000
State aviation fund	$ 50,000
D. ARIZONA EXPOSITION AND STATE FAIR BOARD	$ 1,832,900
Fund source:	
Arizona exposition and state fair fund	$ 1,832,900
E. GAME AND FISH DEPARTMENT	$ 473,200
Fund source:	
Game and fish fund	$ 473,200

Sec. 3. Capital outlay appropriations; major capital projects; game and fish department

	2009-2010
Game and fish department:	
1. Regional (Pinetop) office canopies	$ 30,000
Fund source:	
Game and fish fund	$ 30,000
2. Radio tower	$ 250,000
Fund source:	
Watercraft licensing fund	$ 250,000
3. Shooting range access improvements	$ 150,000
Fund source:	
Game and fish fund	$ 150,000

4. Statewide preventative maintenance $ 30,000
Fund source:
Game and fish fund $ 30,000
5. Ben Avery improvements $ 950,000
Fund source:
Game and fish capital improvement fund $ 950,000
6. Regional (Kingman) office remodel/expansion $ 889,500
Fund source:
Game and fish capital improvement fund $ 889,500
7. Regional (Pinetop) office paving project $ 75,000
Fund source:
Game and fish fund $ 75,000
8. Silver Creek hatchery remodel/expansion $ 1,900,000
Fund source:
Game and fish capital improvement fund $ 1,900,000
Total appropriation - game and fish department $ 4,274,500
Fund source:
Game and fish capital improvement fund $ 3,739,500
Game and fish fund $ 285,000
Watercraft licensing fund $ 250,000

Sec. 4. Capital outlay appropriations; major capital projects; department of transportation

2009-2010

Department of transportation:
1. Statewide highway construction $187,850,000
Fund source:
State highway fund $187,850,000

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 $ 27,128,000
Fund source:
State aviation fund $ 27,128,000

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.

Total appropriation - department of transportation	$214,978,000
Fund sources:	
State highway fund	$187,850,000
State aviation fund	$ 27,128,000

Sec. 5. Appropriation offset; exposition and state fair board; capital outlay

The sum of $400,000 is appropriated in fiscal year 2009-2010 from the state general fund to the Arizona exposition and state fair fund established by section 3-1005, Arizona Revised Statutes, for capital outlay to offset losses in pari-mutuel revenues.

Sec. 6. 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, 2009.

Sec. 7. 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. 8. 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 JULY 1, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 1, 2009.

Passed the House June 4, 2009,

by the following vote: 32 Ayes,

24 Nays, 4 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate June 4, 2009,

by the following vote: 16 Ayes,

1 Nays, 13 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

1st day of July, 2009,

at 4:02 o'clock A. M.

Secretary to the Governor

Approved this 1st day of

July, 2009,

at 7:51 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 1st day of July, 2009,

at 11:30 o'clock A M.

Secretary of State

S.B. 1027