

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Seventh Special Session  
2010

CHAPTER 7

# **HOUSE BILL 2007**

AN ACT

MAKING APPROPRIATIONS; RELATING TO ENVIRONMENT BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Arizona water protection fund; use

3 Notwithstanding section 45-2112, subsection B, Arizona Revised  
4 Statutes, the annual appropriation from the state general fund to the Arizona  
5 water protection fund for fiscal year 2010-2011 shall be as specified in the  
6 general appropriations act.

7 Sec. 2. Off-highway vehicle recreation fund; use

8 Notwithstanding section 28-1176, Arizona Revised Statutes, the Arizona  
9 state parks board may spend up to \$692,100 from the Arizona state parks board  
10 portion of the off-highway vehicle recreation fund in fiscal year 2010-2011  
11 for parks board operating expenses.

12 Sec. 3. Underground storage tank assurance account; transfer of  
13 monies; uses

14 Notwithstanding any other law, the administrative cap established in  
15 section 49-1051, subsection B, paragraphs 2 and 3, Arizona Revised Statutes,  
16 is suspended for fiscal year 2010-2011, and the department of environmental  
17 quality may transfer \$6,531,000 from the assurance account of the underground  
18 storage tank revolving fund for administrative costs of the underground  
19 storage tank leak prevention program and for the used oil program.

20 Sec. 4. Agricultural fees; increases; appropriation; exemption  
21 from rule making; retroactivity

22 A. Notwithstanding any other law, the director of the Arizona  
23 department of agriculture, with the assistance of the agriculture advisory  
24 council, may increase or decrease fees in fiscal year 2010-2011 for services  
25 provided in fiscal year 2010-2011.

26 B. It is the intent of the legislature that the additional revenue  
27 generated by the fee increases pursuant to subsection A shall not exceed  
28 \$561,000 and that a specific fee plan be developed for legislative  
29 consideration by April 1, 2010.

30 C. Monies received from fees pursuant to this section are appropriated  
31 to the Arizona department of agriculture.

32 D. The Arizona department of agriculture is exempt from the rule  
33 making requirements of title 41, chapter 6, Arizona Revised Statutes, for the  
34 purpose of establishing fees pursuant to this section until July 1, 2011.

35 E. This section is effective retroactively to from and after June 30,  
36 2010.

37 Sec. 5. Fees for providing services; increases; fiscal year  
38 2010-2011; intent; appropriations; exemption from  
39 rule making

40 A. Notwithstanding any other law, the director of each of the  
41 following agencies may increase fees in fiscal year 2010-2011 for services in  
42 fiscal year 2010-2011:

- 43 1. Department of environmental quality.
- 44 2. Department of water resources.

1 B. It is the intent of the legislature that the additional revenue  
2 generated by the fee increases pursuant to subsection A shall not exceed  
3 \$5,779,100 for the department of environmental quality and \$5,662,900 for the  
4 department of water resources and that a specific fee plan be developed for  
5 legislative consideration by April 1, 2010.

6 C. Monies received from fees pursuant to this section are appropriated  
7 to the respective agencies.

8 D. The agencies described in subsection A are exempt from the rule  
9 making requirements of title 41, chapter 6, Arizona Revised Statutes, for the  
10 purpose of establishing fees pursuant to this section until July 1, 2011.

11 Sec. 6. Law enforcement and boating safety fund; Arizona state  
12 parcs board; operating expenditures

13 Notwithstanding section 5-383, Arizona Revised Statutes:

14 1. For fiscal year 2010-2011, available monies in the law enforcement  
15 and boating safety fund may only be granted to La Paz and Mohave counties.

16 2. All law enforcement and boating safety fund monies appropriated by  
17 the legislature to the Arizona state parks board in fiscal year 2010-2011  
18 above \$500,000 are available in fiscal year 2010-2011 for the operation of  
19 state parks.

20 Sec. 7. Arizona state parks board; availability of monies

21 Notwithstanding section 41-511.11, Arizona Revised Statutes, or any  
22 other law, all state parks enhancement fund monies are available in fiscal  
23 year 2010-2011 for the operation of state parks as appropriated by the  
24 legislature in the general appropriations act or for capital needs as  
25 determined by the Arizona state parks board with the prior approval of the  
26 joint committee on capital review to acquire and develop real property and  
27 improvements as state parks consistent with the purposes and objectives  
28 prescribed in section 41-511.03, Arizona Revised Statutes.

29 Sec. 8. Use of risk management revolving fund

30 In addition to the purposes specified in section 41-622, Arizona  
31 Revised Statutes, of the monies appropriated in the general appropriations  
32 act for fiscal year 2010-2011 to the department of administration from the  
33 risk management revolving fund, \$80,000 may be used in fiscal year 2010-2011  
34 to allow the Arizona navigable stream adjudication commission to pay one-time  
35 unpaid obligations relating to legal fees.

36 Sec. 9. Appropriation reduction; water quality assurance  
37 revolving fund

38 Notwithstanding section 49-282, Arizona Revised Statutes, the  
39 appropriation from the state general fund to the water quality assurance  
40 revolving fund for fiscal year 2010-2011 shall not exceed \$7,000,000.

~~APPROVED BY THE GOVERNOR MARCH 18, 2010.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 18, 2010.~~